

Evaluation of Media Freedom Reports Published in 2024

National Media and
Infocommunications Authority
of Hungary

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Foreword

- The National Media and Infocommunications Authority monitors the reports assessing the situation of media freedom in Hungary, and makes comments on them to help ensure that the issues analysed are examined on a professional basis.
- In this analysis, we have reviewed the methodology and findings of reports published in 2024 by the European University Institute’s Centre for Media Pluralism and Media Freedom-, Freedom House, Reporters Without Borders and the Civil Liberties Union for Europe, identifying deficiencies in content, factual errors and subjective opinions.
- In our comprehensive review “[Evaluation of Media Freedom Reports](#)” published last summer, we looked at reports published since 2010 that included a numerical assessment (scoring or ranking) of media freedom. This time, we have also included the Media Freedom Report published by the Civil Liberties Union for Europe, which, although does not include any rankings, broadens the perspective of our analysis.

Executive summary

- The **Media Pluralism Monitor**, published by the European University Institute’s Centre for Media Pluralism and Media Freedom-, **aims to assess the risks to media pluralism in the Member States of the European Union and in some candidate countries.** As a result of the project, since 2014, a general report is published every year, presenting the findings at European level, as well as country reports evaluating each of the countries covered.
 - **Percentage risk scores are set in four major areas: fundamental protection, market plurality, political independence and social inclusiveness.** The risk assessment is based on the scoring of a questionnaire. This is carried out by a **local team of experts** commissioned by the Centre for Media Pluralism and Media Freedom, which also prepares a textual assessment of the numerical results. However, as regards the selection of the local team who thus play a crucial role, the report’s methodological description only states that they are experts in media pluralism and media freedom. **An external group of experts**, composed of local professional stakeholders and experts, **is also involved in preparing the report.** These external experts’ activities are limited to **making**

comments on the local team's standpoint, which, however, are not required to be taken into account by the report authors. The scores obtained by completing the questionnaire are converted into percentages: **below 33 percent**, the risk rating is considered **low**, **between 34 percent and 66 percent it is considered medium**, and **above 67 percent it is high**.

- **On the methodology of the Media Pluralism Monitor there are several shortcomings.**
 - **The question arises as to how far the composition of the local team allows for the representation of different professional views**, given that both experts involved, in addition to the researcher from the European University Institute, are from organisations that one-sidedly present views of the media situation in the country.
 - Although **the composition of the external group of experts is more diverse** in this respect than the local team, **it is not guaranteed that their, possibly divergent, views will be reflected in the country report.**
 - **The lack of sources representing different points of view calls into question the impartiality of the report.** Part of the legal analysis is based on the work of a single author, published in the framework of Mérték Media Monitor.
- Freedom House's **Freedom in the World** report **uses 25 indicators to assess the state of civil and political liberties** in the countries surveyed. Each year, the project publishes a global report and country reports that assess each country individually.
 - **Each of the 25 indicators** – 15 of which cover civil liberties and 10 of which cover political rights – **is rated up to 4 points**. This means that a maximum of 60 points can be achieved for civil liberties and 40 points for political rights, for **a total of 100 points**. **The freedom and independence of the media is assessed by a separate indicator**, which belongs to the subcategory Freedom of expression and belief, which analyses the situation of civil liberties.
 - 132 analysts have been involved in the preparation of the latest country reports and have made suggestions for scoring the country or countries they have examined. The final scores are developed in review meetings involving Freedom House staff and expert advisers.
- **Many of the methodological shortcomings mentioned in our previous analysis are still present in the current Freedom in the World publication.**
 - **The report does not clearly state which analysts determine the scores for each country**; this can only be inferred from the list of analysts.
 - The project involves 132 analysts and covers 195 countries and 15 territories of disputed status, so **one analyst may have to carry out a comprehensive assessment of several countries**. In addition, the chances of an unbiased assessment are reduced if only one expert is involved in scoring a state.
 - **Once again, the country report on Hungary does not indicate what sources were used to prepare it.**
 - Moreover, it is questionable **whether a score between 0 and 4 for each indicator allows for a complex assessment of the media environment of a country**, the presentation of possible changes and a proper comparison of the individual countries.

- Freedom House also publishes the **Nations in Transit report**, which **seeks to assess the state of democracy in the countries of Central Europe and Central Asia**. The project includes an analysis of regional trends, as well as country reports assessing each state individually.
 - The 2024 edition of Nations in Transit **assesses events in 2023 through seven indicators**, one of which is Independent Media. The Freedom House team **rates each indicator between 1 and 7 points**, with a score of 7 being the most favourable. The scores are averaged to calculate *the “Democracy Score”* and *“Democracy Percentage”* for each country. The report classifies each state into one of five “regime types”.
- **A shortcoming in the methodology of the Nations in Transit report is that country reports on individual states are still typically produced by one or at most two people**, which risks producing an insufficiently objective analysis that does not reflect the views of experts with different viewpoints. The report is **not transparent about the exact roles of the people involved in its preparation in the scoring process**.
- **Freedom on the Net**, published by Freedom House, **examines the state of internet freedom in 72 countries**. As a result of the project, Freedom House publishes a full report on global trends and country reports scoring the countries from 0 to 100.
 - Based on the score, **the report classifies the countries in the free, partly free and not free categories**.
 - The document **scores internet freedom on three indicators**: obstacles to access, limits on content and violations of user rights.
- **Several methodological criticisms can be made of Freedom on the Net’s country report on Hungary**.
 - The document **repeats certain statements for multiple years**, despite the fact that they sometimes contain factual errors. This is also problematic because **the report therefore presents events outside the period it examines**, from June 2023 to May 2024.
 - As every year since 2018, Freedom on the Net’s **country report is based on a single author’s assessment**.
 - **The use of sources in the country report gives rise to criticism in several respects**. On the one hand, the document continues to **rely heavily on media and organisations that one-sidedly present views of the domestic media landscape**, and on the other hand, it refers to **sources that in some cases are considered outdated** – websites that are not accessible, legislation that is not in force, and outdated documents (e.g. from 2007).
- **Reporters Without Borders** undertakes to assess the state of press and media freedom in 180 countries as part of the **World Press Freedom Index** report. **The organisation rates each state between 0 and 100 points, and then ranks them accordingly**. They also publish a global analysis, as well as reports on individual regions, and **separate fact-files on the countries covered**.
- As in previous years, **the transparency of the World Press Freedom Index is greatly compromised by the fact that the identity of the respondents to the questionnaire on which the scores are based is not known**, nor is the professional criteria used to select them. We also have no information on the authors of the country fact-files and the regional and global assessments. The **inaccessibility of the sources used to produce the reports** significantly reduces the professional quality of the project.
- The non-governmental organisation **Civil Liberties Union for Europe** (Liberties) has as its goal the protection of the fundamental rights of EU citizens. They have an extensive network of member and partner organisations across Europe, and their supporters include the European Commission and the Open

Society Foundation. Since 2022, the organisation has been **publishing its Media Freedom Report, which examines the state and tendencies of media freedom** in selected EU Member States. The report does not have a methodology of its own, it does not score or rank the countries surveyed, and it does not include country reports.

- An examination of the Media Freedom Report’s use of sources reveals a one-sided approach. The report states that the document is based on information from Liberties member and partner organisations. **The only Hungarian member organisation is the Hungarian Civil Liberties Union (HCLU), so it is questionable whether the authors of the report have taken into account the opinions of experts and organisations with differing professional views.**
- With the **exception of the Media Freedom Report** published by Liberties, **all the reports** we have examined also provide a numerical rating or ranking for Hungary.
 - The **Media Pluralism Monitor** for 2023 gives Hungary a risk of 72.5 percent, rounded up to **73 percent, an improvement of 1 percentage point compared to last year’s score** of 74 percent (rounded down from 74.25 percent).
 - **Hungary** scored lower in the **Freedom in the World report** than last year (65 points instead of 66), but **the Media Independence indicator scored 2 points**, as it has every year since 2018.
 - Hungary scored the same as last year, with a score of 3.57 and a 43 percent rating **in the 2024 edition of Nations in Transit. The score for the Independent Media indicator also remains unchanged, at 3 points**, as in 2023.
 - As was the case last year, Hungary has been **awarded 69 points in the Freedom on the Net report**, which means that the country remains in the partly free category. The scores for each indicator also remained unchanged.
 - **The country has moved up five places in the World Press Freedom Index published by Reporters Without Borders**, from 72nd to 67th. This is largely due to the fact that several of the countries previously ahead of us, such as Japan, Andorra and Bosnia and Herzegovina, have significantly lower ratings, while Hungary’s rating has improved by a minimal 0.02 points.
- A review of **the reports** reveals that **several factual errors, deficiencies in content and subjective findings can be identified.**
 - **The majority of them question the independence of the National Media and Infocommunications Authority** (hereinafter: NMHH or Authority) **and the Media Council.** In contrast, according to Act CLXXXV of 2010 on Media Services and Mass Communications (Media Act), **the Authority and the Media Council perform their statutory functions independently and operate exclusively under the law.**
 - **All of the reports examined indicate the market dominance of the media they label as pro-government.** Meanwhile, the **domestic media market is diverse, with a number of media outlets representing different points of view among the most important market actors, both online and on television.** As can be seen from the Media Market Report 2023 published by the NMHH, RTL Híradó (RTL News), which is typically seen as critical of the government, remains one of the most watched news sources. In addition, four of the top ten most visited online press products in Hungary were also among those typically seen as critical of the government.
 - According to the Media Freedom Report 2024, *“Hungarian media regulation does not restrict the ownership of media companies, large media conglomerates can and do develop”*, while the Media

Act establishes as a fundamental principle the prevention of the creation of ownership monopolies and undue restrictions of market competition, and contains explicit provisions to prevent market concentration.

- According to the Media Pluralism Monitor for 2023, published in June 2024, “*The media regulator's 2023–2026 strategy mentions media literacy as a priority, but only provides a vague description of activities and goals.*” However, the **report does not mention the initiatives of NMHH to promote media literacy**. Examples include the online knowledge repository Digipedia, the “Mobil a családom?” initiative, or the gyerekaneten.hu and onlineplatformok.hu websites.
- The Media Pluralism Monitor **identifies the criminalisation of hate speech as a problem**, which is contradictory given that the report also identifies the fight against hate speech as insufficient. Furthermore, the criminal law provisions have been incorporated into the legal system in line with EU requirements, and the Hungarian Constitutional Court has also ruled that they are constitutional. **In addition, the report wrongly claims**, citing provisions of the Civil Code, **that certain groups, such as sexual minorities and people with disabilities, are not legally protected against hate speech**. In contrast, the Criminal Code’s **definition of incitement against a community**, which criminalises hate speech, **specifically mentions disability, gender identity and sexual orientation as protected characteristics**.
- The Freedom on the Net report **suggests that although the European Media Freedom Act (EMFA) entered into force in May 2024, it had not been transposed into national law by the end of the period covered** by the report. However, the report does not take into account that the transposition of regulations, in the traditional sense, is not necessary under EU law. Furthermore, the EMFA was adopted in spring 2024, so **the legislator would have had only a very short time until the end of the period under review, i.e. 31 May 2024, to adopt any legislation**.
- **The professionalism of the World Press Freedom Index published by Reporters Without Borders is significantly diminished by its subjective and highly political statements**. A striking example of this is when the Hungarian prime minister is labelled a “*predator of press freedom*”.
- The claim in this year’s Liberties report that “*Civil society organisations in Bulgaria, Croatia, Estonia, Greece, Hungary, Ireland and Italy reported attempts to censor members of the press or otherwise restrict freedom of expression.*” is subjective and unsubstantiated, as the document does not present any cases to support this. The report also fails to mention the May 2023 amendment to the Criminal Code, which **narrowed the scope of defamation and insult** to protect journalists.

1. Methodology of the reports examined

1.1. Centre for Media Pluralism and Media Freedom – Media Pluralism Monitor

- The **Media Pluralism Monitor**, produced by the Centre for Media Pluralism and Media Freedom of the European University Institute with the financial support of the European Union since 2014, **aims to assess the risks to media pluralism in the EU Member States and in some candidate countries**. The research **provides quantified risk assessments** for each country, based on the scoring of a standardised questionnaire, **and publishes the associated country reports in text form** covering the previous year. In addition, a general report describing the Media Pluralism Monitor and its findings at European level is published every year.¹
 - For the candidate countries Albania, Montenegro, North Macedonia, Serbia and Turkey, the project has been fully applied, for Bosnia and Herzegovina, Moldova and Ukraine so-called preliminary studies without scoring have been published and Georgia has not been examined.²
- The Media Pluralism Monitor **identifies four main areas of risk: fundamental protection, market plurality, political independence and social inclusiveness**. The percentage below **33 percent** implies a **low risk rating**, between **34 percent and 66 percent** a **medium risk rating** and **above 67 percent** a **high risk rating**.³
- The **risk scores are based on the completion of a questionnaire** compiled by the Centre for Media Pluralism and Media Freedom. This is carried out **by members of a local team commissioned by the Centre**, mainly through interviews and information gathered through their own data collection.⁴
 - The questionnaire contains a total of 200 questions – legal, social or economic – which are grouped into sub-indicators, indicators and finally into the main areas mentioned above. The **questions include** questions offering a choice between yes/no answers, questions **that need to be supplemented with** numerical values (typically economic) and questions **that allow for indicating** low-medium-high **risk**. For the latter, the questionnaire also provides guidance on when to consider low, medium or high risk.⁵
- The **experts' answers are scored between 0 and 1**, with 0 or 1 being awarded for yes/no type questions, and 0, 0.5 or 1 being awarded for questions that allow the risk value to be indicated or for questions that need to be completed.⁶
 - **The final results are obtained by multiply averaging**: the scores of the questions in the same domain are averaged within the sub-indicators, which gives the sub-indicator score. Then the average of the sub-indicator scores gives the indicator scores, and finally the average of the indicator scores determines the score for each area. The resulting values are then converted into the percentages that determine the risk rating (for example, 0.46 points corresponds to 46 percent).

¹ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor. Description. [\[LINK\]](#)

² European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor for 2023. Description. [\[LINK\]](#)

³ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor general report for 2023. pp. 201–214. [\[LINK\]](#)

⁴ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor for 2023. Questionnaire. [\[LINK\]](#)

⁵ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor general report for 2023. p. 202. [\[LINK\]](#)

⁶ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor general report for 2023. pp. 204, 207. [\[LINK\]](#)

- **The questionnaire offers “not applicable” and “no data” options, but there is a difference in the scoring of these answers.**
 - The answer “**not applicable**” may be given if the question is not **applicable** to the country in question or is meaningless because of a previous answer (e.g. a question on the allocation of aid in the absence of state aid). **Responses marked in this way are ignored in the risk assessment.**
 - In contrast, “**no data**” responses are typically taken into account, as the fact of a lack of data can be interpreted as a risk. In these cases, it is up to the local team to decide whether the lack of information indicates a transparency problem. Accordingly, the answer “no data” can reflect four different risk levels: very low (0 point), low (0.25 points), high (0.75 points), very high (1 point). (Examples include indicators on market plurality, since intervention to preserve pluralism presupposes the availability of data on this.) In addition to the four risk ratings, it may also be decided that there is “missing data”, which is not available for purely technical reasons and can therefore be excluded from the assessment.⁷
- From the above, it can be seen that **the most important actors in the production of the Media Pluralism Monitor are the local team members who fill in the questionnaire and produce the country reports**; their local embeddedness is described in the report itself as crucial. However, the methodology document **does not go into details about their selection**, stating only that they are experts in media pluralism and media freedom.⁸
- In addition to the local team, an **external group of experts**, including **local stakeholders** and **experts**, is involved in the project. The group is **not involved in filling in the questionnaire and writing the report**. **Its role** is to **assist the local team** with questions that require qualitative assessment or are sensitive. External experts **may comment on** the standpoint of the authors of the report, **but the local team does not necessarily have to take this into account** and may decide to maintain their answers.⁹ According to the methodology, in some cases, country reports are peer reviewed by a leading media scholar of the concerned country, in addition to the external expert group.
- **In terms of the use of sources**, the methodological description reports that **data obtained mainly through questionnaires are used, supplemented by various primary sources** such as interviews, legislation, government and non-government documents, statistical databases. The **questionnaire itself also contains recommendations** and guidance on sources for those completing it. **No meaningful expectations are made for the local team regarding the use of sources in the country report text to reflect the differing views.**¹⁰
- The **methodology of the last report has changed only slightly**, mainly in the wording of the questions. For example, the question of the media authority’s sanctioning powers has been amended.¹¹

⁷ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor general report for 2023. pp. 204–207. [\[LINK\]](#)

⁸ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor general report for 2023. p. 203. [\[LINK\]](#)

⁹ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor general report for 2023. p. 203. [\[LINK\]](#)

¹⁰ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor general report for 2023. pp. 202–203. [\[LINK\]](#); Media Pluralism Monitor for 2024. Questionnaire. [\[LINK\]](#)

¹¹ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor general report for 2023. p. 210. [\[LINK\]](#)

- **Several critical comments can be made about the methodology of the Media Pluralism Monitor**, which we have already addressed in our comprehensive analysis “*Evaluation of Media Freedom Reports*” published in 2023.¹²
 - As **for the local team** that was instrumental in the preparation of the report, apart from the lack of rules and transparency in the selection process, **the question is whether it is a pluralistic composition that allows for the representation of different professional views**, given that both experts involved in the evaluation, in addition to the researcher from the European University Institute that organised the project, are both members of Mérték Media Monitor, which one-sidedly presents views of the media situation in the country.¹³
 - While it is commendable that the composition of the external group of experts is more diverse than that of the local team that prepared the report, **it is questionable to what extent their views are reflected in the country report on Hungary**. As already indicated, the project **methodology does not require the inclusion of the external experts’ views**, and explicitly states that **it is at the discretion of the local team** whether it is taken into account. The Hungarian version of the Media Pluralism Monitor itself stresses that the “*reports about different countries do not necessarily reflect the personal opinions of the experts who offered their assistance*”, and indicates that the answers given by the local team were checked and commented on by the experts for only 16 out of 200 questions.¹⁴
 - As regards the use of sources, **the report is largely one-sided**. Part of the legal assessment, as indicated in the country report, is based on the work of a single author published in the framework of Mérték Media Monitor. **There is also a one-sidedness in the list of experts interviewed for the data collection** (who are not the same as the external group of experts). In their case, only media representatives from media outlets that one-sidedly present views on Hungarian media situation were listed.¹⁵
 - A review of the report reveals that **in some cases it used sources from several years ago to assess an issue**, despite the fact that it aims to assess the year 2023. An example of this is when the report makes claims about media literacy, citing documents from 2016 and 2017, among others.¹⁶

1.2. Freedom House – Freedom in the World

- Founded in 1941, Freedom House **describes itself as “the leading American organization devoted to the support and defense of democracy”**, and is currently based in Washington, D.C. **They publish analyses, on more than 200 countries and other territories**, support activists and make policy recommendations.¹⁷

¹² NMHH: Evaluation of Media Freedom Reports. 27.07.2023. pp. 46–50. [\[LINK\]](#)

¹³ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary for 2023. p. 54. [\[LINK\]](#)

¹⁴ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary for 2023. p. 58. [\[LINK\]](#)

¹⁵ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary for 2023. p. 9., pp. 43–53. [\[LINK\]](#)

¹⁶ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary 2023. pp. 36-39. [\[LINK\]](#)

¹⁷ Freedom House: About Us. [\[LINK\]](#)

Their funding is largely based on grants from the US government, with additional contributions from various corporations and foundations.¹⁸

- **Freedom in the World**, published by the organisation since the 1970s, provides **an overview of the global situation of civil and political liberties**. This year's report, titled "*The Mounting Damage of Flawed Elections and Armed Conflict*", covering the year 2023 and published in 2024 includes a regional and global analysis and focuses on the impact of elections and armed conflicts on freedom. As part of the project, **Freedom House also provides individual numerical ratings and descriptive texts of the 195 states and 15 disputed status territories surveyed**.¹⁹
- Freedom in the World **examines a total of 25 questions, each corresponding to an indicator**. Of these, 10 fall under political freedoms and 15 under civil liberties. **Indicators in both areas have been grouped into subcategories. Subcategories related to the situation of political rights** are the electoral process, political pluralism and participation, and the functioning of government. **The sub-categories related to the situation of civil liberties** are freedom of expression and belief, associational and organizational rights, the rule of law, personal autonomy and individual rights.
- The report **deals specifically with the media landscape in the context of the indicator on freedom and independence of the media**, which is part of the freedom of expression and belief subcategory, although findings on the media are also found in the assessment of other indicators.
- **For each indicator, 4 points can be achieved**. Accordingly, 40 and 60 points can be achieved for political and civil liberties respectively, for a total of 100 points. Based on the overall score, **states are assigned to one of three categories: free, partly free, not free**.
- The methodology states that Freedom in the World **refers to the Universal Declaration of Human Rights as its starting point**. As for the scoring, they explain that **the change in scores is essentially influenced by major individual events that occur in a given year**.²⁰
- This time, **132 analysts** – from academic, scientific or research backgrounds – **have been involved in the preparation of the country reports, who also propose scores for the country or countries they are examining**.²¹
 - According to the methodology, the analysts use, among other things, newspaper articles, academic analyses, reports published by NGOs, and findings from field research. The **scoring by the analysts is finalised in review meetings** involving Freedom House staff and expert advisers. The final results are thus the result of a consensus between analysts, advisers and Freedom House staff.
- **Our earlier criticisms of the report's methodology can also be applied to the 2024 edition**.²²
 - There is still no clear indication of **which analysts are the author of each country report; this can only be inferred from the list of analysts**.²³
 - Given that only 132 analysts were involved in the assessment of 195 countries and 15 territories of disputed status, **one analyst may have been involved in a comprehensive assessment of several countries**, covering many aspects of the political and legal system. **The question arises as to whether a single analyst can have in-depth knowledge in such a wide range of areas** beyond his

¹⁸ Freedom House: Financial Statements – Year Ended June 30, 2023. p. 5. [\[LINK\]](#)

¹⁹ Freedom House: Freedom in the World 2024. [\[LINK\]](#); Freedom House: Freedom in the World 2024. Methodology. [\[LINK\]](#)

²⁰ Freedom House: Freedom in the World 2024. Methodology. [\[LINK\]](#)

²¹ Freedom House: Freedom in the World 2024. Methodology. [\[LINK\]](#)

²² NMHH: Evaluation of Media Freedom Reports. 27.07.2023, p. 34, pp. 40–42. [\[LINK\]](#)

²³ Freedom House: Freedom in the World 2024. Acknowledgements. [\[LINK\]](#)

or her general expertise or that of his or her narrow field of expertise. It can also be noted that **the chances of country reports and scoring being unbiased are reduced if only one expert**, rather than experts from different fields and with different perspectives, is **involved** in the evaluation.

- One criticism is that **the report on Hungary**, like the global publication, **does not list the sources on which the assessment is based**.
- **This year again**, the country report **includes an event outside the period under review** in its assessment to support the scoring. The justification for the media freedom indicator includes, among others, a reference to the Pegasus case, which occurred in 2021.²⁴
- Finally, **it is debatable whether a score of between 0 and 4** for a single indicator **would allow a complex assessment of a country's media situation**, an adequate expression of any changes in the state of media freedom and an illustration of the differences between countries. **Hungary's score of two points is the same as Ecuador**, for example, **where five journalists were forced to emigrate in 2023 due to death threats and other members of the press received packages containing explosive devices**, according to the report. Moreover, in January 2024, outside the evaluation period, armed men seized the premises of an Ecuadorian television station.²⁵

1.3. Freedom House – Nations in Transit

- Since 1997, Freedom House has been publishing **its Nations in Transit report, which aims to assess the state of democracy in the countries of Central Europe and Central Asia**. The project also **publishes a regional assessment** of trends across the region as a whole, **as well as country reports** looking at each state individually.²⁶
- The 2024 edition of Nations in Transit **assesses events between 1 January and 31 December 2023, through seven indicators**: national democratic governance, electoral process, civil society, independent media, local democratic governance, judicial framework and independence, and corruption. As can be seen, **only one indicator deals specifically with the situation of the media**. The Freedom House team, in consultation with the authors of the country reports, the group of experts and a regional review team, rates each indicator between 1 and 7, with a 7 being the most favourable. The country reports mentioned above are also structured according to the indicators, so **the findings on the media are presented in the chapter on the indicator on independent media**.²⁷
- **The scores on each indicator are averaged to calculate the so-called “Democracy Score”**, which Freedom House uses to classify the countries into one of five “regime types”: consolidated democracies, semi-consolidated democracies, transitional or hybrid regimes, semi-consolidated authoritarian regimes and consolidated authoritarian regimes. The score is then also displayed as a percentage (“*Democracy Percentage*”).²⁸
 - The Nations in Transit methodology also includes assessment guidelines that describe the characteristics that states in each “regime type” should have.

²⁴ Freedom House: Freedom in the World 2024 Report on Hungary. Question D1. [\[LINK\]](#)

²⁵ Freedom House: Freedom in the World 2024: The Mounting Damage of Flawed Elections and Armed Conflict. p. 10. [\[LINK\]](#)

²⁶ Freedom House: Nations in Transit Methodology. [\[LINK\]](#)

²⁷ Freedom House: Nations in Transit Methodology. [\[LINK\]](#)

²⁸ Freedom House: Nations in Transit Methodology. [\[LINK\]](#)

- **Several shortcomings have been identified in the methodology** of the Nations in Transit report **this year**.²⁹
 - It remains Freedom House's practice that **country reports** on individual states **are typically prepared by one or at most two individuals**. This risk **producing a one-sided assessment** that does not reflect the views of individuals and organisations that have a different perspective from the country report author.³⁰
 - The methodology of the report **does not transparently describe the exact roles of the different actors involved** (country report author, panel of expert advisers, group of regional experts) **in the scoring** process. All that is stated is that *“in consultation with country report authors, a panel of expert advisers, and a group of regional expert reviewers, Freedom House provides numerical ratings for each country on seven indicators”*.³¹
 - A review of the sources shows that **the Nations in Transit’s** assessment of Hungary **largely refers to newspapers and organisations that typically present views of Hungarian media situation one-sidedly**.³² It is also problematic that the Nations in Transit methodology does not include guidelines for the selection of sources.

1.4. Freedom House – Freedom on the Net

- Since 2011, Freedom House has published its annual Freedom on the Net report, **the 2024 edition** of which **examines internet freedom in 72 countries**. As part of the project, **the organisation publishes a full report** on global trends in internet freedom and **a country report with a score between 0 and 100 for each country surveyed**, with 100 points being the most favourable. Country reports also include a textual explanation to support the scores. On the basis of the score, Freedom House **classifies states into three categories**; those with a score between 100 and 70 are classified as **free**, those with a score between 69 and 40 as **partly free**, and those with a score between 39 and 0 as **not free**.³³
- According to the Freedom on the Net methodology, which is largely unchanged from previous years, the core values represented by the report is in particular the freedom of opinion and expression guaranteed by Article 19 of the Universal Declaration of Human Rights. **The focus of the project is on the free flow of information, the protection of freedom of expression, access to information, privacy and the potential legal and extralegal consequences arising from online activity**. The methodology itself recognises that restrictions on certain fundamental rights may be justified if they comply with the rule of law, the principles of proportionality and necessity and other democratic safeguards.³⁴
- The report uses 21 questions and nearly 100 sub-questions **to assess the extent of internet freedom in three areas**: obstacles to access, limits on content and violations of user rights.³⁵
 - The **obstacles to access** indicator looks at the infrastructural, legal, economic and political barriers to accessing the internet. Up to 25 points can be achieved in the area.
 - A further 35 points can be scored in **the area of limits on content**, which essentially looks at the legal regulation of content on the internet and the technological possibilities of censorship.

²⁹ NMHH: Evaluation of Media Freedom Reports. 27.07.2023, pp. 41-42. [\[LINK\]](#)

³⁰ Freedom House: Nations in Transit 2024 – Acknowledgements. [\[LINK\]](#)

³¹ Freedom House: Nations in Transit Methodology. [\[LINK\]](#)

³² Nations in Transit – Hungary 2024. [\[LINK\]](#)

³³ Freedom House: Freedom on the Net 2024, full report. [\[LINK\]](#)

³⁴ Freedom House: Freedom on the Net Research Methodology. [\[LINK\]](#)

³⁵ Freedom House: Freedom on the Net Research Methodology. [\[LINK\]](#)

- A maximum of 40 points can be awarded to the state in question for **the violations of user rights**. It looks at the legal protections and limits to freedom of expression, surveillance and privacy, and the legal and extra-legal consequences of online activity.
- **For each state, Freedom House invites at least one researcher** (or organisation) **to prepare the country reports**, who, after receiving training, submit **draft country reports** and then participate in meetings to analyse each region and review the draft scores. After the consultations are completed, **Freedom House staff will edit and fact-check the claims in the reports** and review the scores awarded.³⁶
- A number of criticisms can be mentioned in connection with the methodology applied in the report, which were also highlighted in the analysis of the “*Evaluation of Media Freedom Reports*” published in July 2023, and in the evaluation of Freedom on the Net 2023, published in December 2023.³⁷
 - **In certain parts, the country report on Hungary repeats word for word some of the claims made in reports from the previous year and occasionally from previous years.** This is particularly problematic in the case of claims containing factual errors. **As an example, the report, repeating the statements of the 2019–2023 reports, wrongly states that the National Tax and Customs Administration (NAV) can request the blocking of sites that engage in illegal online gambling from internet service providers**, while, in fact, the gambling supervision activity was performed by the Gambling Supervisory Authority from 6 July 2017 and has been performed by the Supervisory Authority for Regulatory Affairs since 1 October 2021.³⁸
 - As in the past six years, the **country report on Hungary is based on the assessment of a single author**, a staff member of the Hungarian Civil Liberties Union.³⁹ There is a lack of transparency in the selection of the experts involved in the analysis, as the methodological description of the report only states that the researchers involved in the project are invited by Freedom House.⁴⁰
 - A review of the sources shows that, as in previous years, **the country report relies largely on websites and organisations that one-sidedly present views on Hungarian media situation.**⁴¹
 - **In addition, some of the sources used in the report are considered outdated.** For example, as in the previous year, the report refers to a document published in 2007 on access to the internet for certain social groups. In addition, in many cases, the links cited lead to content that is no longer available, or to ineffective legislation.⁴²
 - **In several cases, the document refers to events that took place years ago, even though the period it covers is between 1 June 2023 and 31 May 2024.** One example of this, in the context of online media diversity, is the rebranding of Magyar Idők in 2019, which happened five years ago.⁴³
- **The report continues to include a number of subjective statements, often presented as quoted opinions rather than as the report’s own findings.** In this regard, reference can be made to the comment

³⁶ Freedom House: Freedom on the Net Research Methodology. [\[LINK\]](#)

³⁷ NMHH: Evaluation of Media Freedom Reports. 27.07.2023, pp. 42–43. [\[LINK\]](#); NMHH: Evaluation of the Freedom on the Net 2023 report. 01.12.2023. pp. 8–9. [\[LINK\]](#)

³⁸ Freedom House: Freedom on the Net 2024 – Hungary. Question B1. [\[LINK\]](#); Government Decree No 183/2017 (VII. 5.); Act XXXIV of 1991, Section 36/G; Act XXXII of 2021, Section 1(1)(c).

³⁹ Freedom House: Freedom on the Net 2024 – Acknowledgements. [\[LINK\]](#)

⁴⁰ Freedom House: Freedom on the Net Research Methodology. [\[LINK\]](#)

⁴¹ Freedom House: Freedom on the Net 2024 – Hungary. Footnotes. [\[LINK\]](#)

⁴² Freedom House: Freedom on the Net 2024 – Hungary. Footnotes 7, 13 and 32. [\[LINK\]](#)

⁴³ Freedom House: Freedom on the Net 2024 – Hungary. Question B7. [\[LINK\]](#)

(already made in the 2023 report) on the decriminalisation of defamation and slander in the interest of free discussion of public affairs in the press or media: *“law was welcomed by experts, although they pointed out that the political intent behind the amendment may be to protect progovernment media commentators from criminal charges that are brought against them for coordinated smear campaigns of opposition figures”*.⁴⁴

1.5. Reporters Without Borders – World Press Freedom Index

- **Reporters Without Borders** was founded in Montpellier, France in 1985 and is currently based in Paris. The NGO, which defines itself as an international non-profit organisation, **aims, according to its website, to “act for the freedom, pluralism and independence of journalism and defend those who embody these ideals”**.⁴⁵ The organisation is **largely funded by the French state and the European Union**, but also **receives support from various foundations** – such as the Ford Foundation and the Open Society Foundation – **and corporations**.⁴⁶
- The organisation has been publishing its **World Press Freedom Index** since 2002, which **currently seeks to assess the state of press and media freedom in 180 states and territories**. The methodology applied in the report is to score each country between 0 and 100 points and then rank them. The most favourable rating is 100 points. The report looks at the previous calendar year, however, it also takes into account extraordinary events that occur outside this period, but before publication, such as war or a serious attack on journalists.
- **The score for each state is the result of qualitative and quantitative research. The qualitative research used for the index is provided by questionnaires** compiled by Reporters Without Borders and **completed** in each country by journalists, researchers, academics and human rights activists, among others. **As part of the quantitative evaluation, the organisation also looks at the number of possible abuses against and murders of journalists per country, as well as the seriousness of each case.**⁴⁷
 - The questionnaire, which is the basis of the qualitative research, contains a total of 117 questions and **assesses states according to five indicators**. The **political context** indicator seeks to measure the political pressure on the media and the respect of media autonomy by politicians. In the context of the **legal framework**, the extent to which journalists’ activities and the media can be considered free from censorship or judicial sanctions, from excessive restrictions on freedom of expression, and the extent to which journalists’ sources are protected, is examined. For the **economic context** indicator, the economic constraints on the media are analysed. The questions on **sociocultural context** take into account the social and cultural constraints journalists face. Finally, **questions of safety** focus on the psychological and physical abuse and professional harm suffered by members of the press.
- The textual report accompanying the ranking is divided into **a global analysis and regional assessments of the world**.⁴⁸ In addition, the Reporters Without Borders website **also provides country fact-files**,

⁴⁴ Freedom House: Freedom on the Net 2024 – Hungary. Question C2. [\[LINK\]](#)

⁴⁵ Reporters Without Borders: Who are we? [\[LINK\]](#)

⁴⁶ Ford Foundation: Grants Database. [\[LINK\]](#); Open Society Foundation: Awarded Grants. [\[LINK\]](#); Reporters Without Borders: Finance and supports. [\[LINK\]](#)

⁴⁷ Reporters Without Borders: Methodology used for compiling the World Press Freedom Index 2024. [\[LINK\]](#)

⁴⁸ Reporters Without Borders: World Press Freedom Index. [\[LINK\]](#)

which are usually updated in connection with the annual report, and which contain additional information on the sub-scores of the indicators, in addition to a textual assessment.⁴⁹

- The methodology of the World Press Freedom Index remains unchanged in 2024, so **the methodological shortcomings observed in previous years remain.**⁵⁰
 - As in previous years, the **transparency** of the report is **greatly** compromised by the fact **that neither the authors of the analyses nor the respondents to the questionnaires** are known. **The report also fails to disclose the method by which the participants in the evaluation are selected and whether an attempt is made to ensure pluralism in their composition.**
 - Global and regional reports and fact-files also **lack information on the sources used to produce them.** This fundamentally calls into question the professionalism of the evaluation, as there is a lack of facts and data to support the claims made in the evaluation. Furthermore, it is therefore not known whether the authors have taken into account sources with differing views.
 - The fact that only the current fact-file is available on the Reporters Without Borders website, which cannot be compared with previous editions, reduces the transparency of the reports.

1.6. Civil Liberties Union for Europe – Media Freedom Report

- The Berlin-based **NGO Civil Liberties Union for Europe** (Liberties), which is also represented in Brussels, **aims to protect the fundamental rights of EU citizens.** In this spirit, according to their statement, they want to ensure that the European Union’s legislation respects freedoms, acts against governments and companies that threaten them and uses its powers to make it easier for everyone to exercise their rights. Liberties has an extensive network of member and partner organisations, bringing together 20 NGOs from 18 EU countries.⁵¹ As regards their funding, it is stated that they do not accept funding from government entities. In their 2023 annual report, they list the Open Society Foundation, Civitates and the Oak Foundation, as well as the European Commission, among their supporters.⁵²
- **Since 2022, the organisation has published its Media Freedom Report, which seeks to identify the state and trends of media freedom in certain EU countries,** highlighting relevant events over the previous year. The publication examines three areas: media freedom and pluralism, the safety and protection of journalists, and freedom of expression and information.⁵³
- **There are no separate country reports linked to the Media Freedom Report and the countries concerned are not scored or ranked.** The 2024 edition covered 19 EU countries, including Belgium, Bulgaria, Croatia, the Czech Republic, Estonia, France, Germany, Greece, Ireland, Italy, Lithuania, the Netherlands, Poland, Romania, Slovakia, Slovenia, Spain and Sweden, in addition to Hungary.
- **The report published by Liberties has no separate methodology;** this year’s report only states that it is *“based on data and input from Liberties’ member and partner organisations”*.⁵⁴
 - **The only Hungarian member organisation of Liberties is the Hungarian Civil Liberties Union (HCLU),** so it is questionable whether the analysis took into account the opinions of experts or organisations with differing views.

⁴⁹ Reporters Without Borders: Country fact-file – Hungary. [\[LINK\]](#)

⁵⁰ NMHH: Evaluation of Media Freedom Reports. 27.07.2023, pp. 48–49. [\[LINK\]](#)

⁵¹ Civil Liberties Union for Europe: About us. [\[LINK\]](#)

⁵² Civil Liberties Union for Europe: Annual Report 2023. p. 39. [\[LINK\]](#)

⁵³ Civil Liberties Union for Europe: Media Freedom Report 2024. p. 3. [\[LINK\]](#)

⁵⁴ Civil Liberties Union for Europe: Media Freedom Report 2024. p. 3. [\[LINK\]](#)

- The report does not justify the composition of the selected countries, but it can be noted that, with the exception of Greece, countries where Liberties has a local affiliate are included in the assessment.⁵⁵
- **A review of the sources used** in the preparation of the report shows that **the findings on Hungary were mainly based on sources presenting views on Hungarian media situation one-sidedly.**⁵⁶ The analysis also draws on the publications of other media freedom reporting organisations, such as Reporters Without Borders and the Centre for Media Pluralism and Media Freedom, which publishes the Media Pluralism Monitor.

2. Hungary's scores and rankings in the reports examined

- Among the media freedom reports presented here, the **Media Pluralism Monitor, Freedom in the World, Nations in Transit, Freedom on the Net** and the **World Press Freedom Index** published by Reporters Without Borders provides **a numerical assessment and ranking** for Hungary.
- As explained above, the Media Pluralism Monitor has a percentage risk score, which is calculated as the average of the scores in the four areas assessed (fundamental protection, market plurality, political independence and social inclusiveness). As in previous years, the **report for 2023, published earlier this year, rated the situation of media freedom and media pluralism in Hungary as high-risk, with a risk index of 72.5 percent, rounded up to 73 percent.** This **represents a 1 percentage point improvement on last year's result of 74 percent** (rounded down from 74.25 percent). **In the ranking of the EU Member States surveyed, Hungary was ranked 27th,** and in the overall ranking, including candidate countries, only Turkey achieved a higher risk rating.⁵⁷
 - **The area of fundamental protection,** which takes into account, among other things, the protection of freedom of expression and the right to information, as well as the independence of the media authority, **was rated 1 percentage point lower than last year at 57 percent,** which is considered a medium risk rating. **The situation of market plurality was rated 3 percentage points more favourably,** but the **83 percent** achieved still represents a high risk according to the project categorisation. **For political independence, a risk of 80 percent was identified, the same** as in the assessment covering 2022. **The most significant change is in social inclusiveness,** although the **figure is still in the high-risk category, down 5 percentage points at 70 percent.**⁵⁸
 - The Media Pluralism Monitor **has previously been applied on six occasions on a full scale, i.e. covering all Member States. Looking back** at these reports, **Hungary was ranked among the highest risk countries for the whole period under review** (2016–2022). The annual average (unrounded) risk score from 2016 to 2020 ranged between 60.75 percent and 66.25 percent, approaching a high risk starting at 67 percent. The report for 2021 showed a slight improvement with

⁵⁵ Civil Liberties Union for Europe: Our Network. [\[LINK\]](#)

⁵⁶ See: Civil Liberties Union for Europe, Media Freedom Report 2024, pp. 16, 18, 23, 25. [\[LINK\]](#)

⁵⁷ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor general report for 2023. pp. 165–167. [\[LINK\]](#)

⁵⁸ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary for 2022. p. 2. [\[LINK\]](#); 2023. p. 2. [\[LINK\]](#)

an average score of 65.5 percent, before Hungary's rating deteriorated significantly in the report for 2022, published in June 2023, to reach its highest risk score ever of 74.25 percent.⁵⁹

- The Freedom in the World report assesses the state of civil and political liberties in the countries covered by the report by rating 25 indicators between 1 and 4. **Hungary's score in 2024 dropped by 1 point, from 66 to 65.** As in the previous year, **the stand-alone indicator on media independence received a score of 2 points.**⁶⁰
 - In the Freedom in the World report, a **maximum of 16 points were achievable in the freedom of expression domain**, which also assessed the media situation **between 2014 and 2017. From 2018, a maximum of 4 points could be obtained for media freedom and independence**, which has been **a separate indicator ever since.**
 - **In 2014, Hungary received a score of 15, which fell to 13 in 2016** (and remained unchanged in 2017). From 2018 onwards, in line with the new methodology, **Hungary has been awarded 2 points each year in a separate indicator assessing media freedom and independence.**⁶¹
- As described in the methodology section of our analysis, the Nations in Transit, published by Freedom House, assesses the state of democracy in certain states by scoring seven indicators up to 7 points and averaging the scores of the indicators. The result is also displayed as a percentage. **Hungary's overall score (3.57) and percentage rating (43 percent) remained unchanged** from last year.
 - As indicated, **one of the Nations in Transit indicators deals with the media situation, so this analysis focuses on the related score.** This year, it **received a score of 3 points, which** is the same as the **previous two years**, as is the overall score.
 - **Until 2019, the scoring was reversed from the current scoring**, with a score of seven points being the worst score. However, **Freedom House has subsequently also published the Nations in Transit reports back to 2015 according to the new methodology, for better comparability.** Hungary's score in 2010 was 2.75, which deteriorated to 3.5 in 2014. **The decline continued for the new methodology:** in 2015, our country achieved a score of 4.25, which decreased to 3.25 in 2019 and **reached 3 in 2022.**⁶²
- Freedom on the Net, published by Freedom House, assesses the state of internet freedom in 72 states, scoring each country between 0–100. **Hungary once again received a “partly free” rating in 2024 and – the same as the previous year – 69 points.** The sub-scores for the individual indicators have not changed either, with Hungary scoring 21 points for obstacles to access and 24 points each for limits on content and violations of user rights.
 - **The Freedom on the Net methodology has undergone a major overhaul by the 2019 report.** Previously, a score of 100 points was the worst rating, so 0–30 points meant a free, 31–60 points a partly free, and 61–100 points a not free rating. Following the change in 2019, the scoring has been reversed, with countries scoring **between 0–39 rated not free, between 40–69 partly free and**

⁵⁹ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor country reports on Hungary for the period 2014–2022. [\[LINK\]](#)

⁶⁰ Freedom House: Freedom in the World 2023 – Hungary. [\[LINK\]](#); Freedom House: Freedom in the World 2024 – Hungary. [\[LINK\]](#)

⁶¹ Freedom House: Publication Archives. [\[LINK\]](#); Freedom in the World 2024 – Hungary. [\[LINK\]](#)

⁶² Freedom House: Nations in Transit. [\[LINK\]](#)

between 70–100 free. For ease of comparison, Freedom House has now retrospectively compiled the states' scores based on the new methodology, going back to the 2016 report.⁶³

- Hungary has been covered by the Freedom on the Net report since 2012, and **its assessment shows a worsening trend.** In 2012, in line with the previous methodology, it scored 19 points, which deteriorated to 24 points by 2015. After the change in methodology, there have been repeated setbacks: in 2016, our country scored 73 points, which **dropped to 69 points in 2022**, when it was considered less favourable. **Hungary was thus transferred to the partly free category.** The overall score and the corresponding rating have remained unchanged since 2022.
- The World Press Freedom Index, published by Reporters Without Borders, uses a qualitative and quantitative assessment to score each state between 0 and 100, and then ranks the 180 states and territories based on the score. **Hungary was able to move up from 72nd to 67th place despite only a minimal improvement** (0.02 points) in **its score.** This is due to the fact that several countries that were previously ahead of our country, such as Bosnia and Herzegovina, Andorra and Japan, have received significantly lower ratings this year, dropping down the rankings of the organisation.⁶⁴
 - As with the Nations in Transit report, the methodology for the World Press Freedom Index has changed in 2013: previously, a score of 0 was considered the most favourable, while from 2013 onwards, a score of 100 points was regarded as the best possible evaluation.⁶⁵ For better comparability, only the development of the ranking is reviewed below.
 - **Although Hungary was ranked 23rd in 2010**, the combined report for 2011–2012 placed Hungary 40th. The steep decline continued in 2013, when Hungary dropped a further 16 places. Hungary **received the worst rating in the 2021 assessment, when it was ranked 92nd. After that, there was a steady improvement:** in 2022, Hungary was ranked 85th, in 2023 72nd and in 2024 67th in the World Press Freedom Index.⁶⁶ However, the slightly better rankings achieved in recent years are not reflected in the highly critical fact-file published by the organisation.⁶⁷

3. Factual errors and subjective opinions on Hungary in the reports examined

- **Most of the reports examined question the independence of NMHH and the Media Council.**⁶⁸ The Media Pluralism Monitor for 2023 labels the Media Council as “*one-party*”, while Reporters Without Borders’ fact-file on Hungary says the Authority is “*under total control of the ruling party*”.⁶⁹ The Liberties report makes a similar point: “*The Media Council remains firmly under the influence of Prime Minister Orbán and his ruling Fidesz party*”.⁷⁰ This year’s Nations in Transit country report attributes the lack of independence of the Media Council and the NMHH to their alleged failure to sanction the public service media and the media they call pro-government.⁷¹ The 2024 Freedom on the Net country

⁶³ Freedom House: Publication archives. [\[LINK\]](#)

⁶⁴ Reporters Without Borders: World Press Freedom Index 2024. [\[LINK\]](#)

⁶⁵ Reporters Without Borders: World Press Freedom Index 2013. Methodology. [\[LINK\]](#)

⁶⁶ Reporters Without Borders: World Press Freedom Index. [\[LINK\]](#)

⁶⁷ Reporters Without Borders: Country fact-file – Hungary. [\[LINK\]](#)

⁶⁸ See: NMHH: Evaluation of Media Freedom Reports. 27.07.2023, p. 53, pp. 61–63. [\[LINK\]](#); NMHH: Evaluation of the Freedom on the Net 2023 report. 01.12.2023. p. 12. [\[LINK\]](#)

⁶⁹ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary for 2023. p. 16. [\[LINK\]](#); Reporters Without Borders: Country fact-file – Hungary. Legal Framework. [\[LINK\]](#)

⁷⁰ Civil Liberties Union for Europe: Media Freedom Report 2024. p. 19. [\[LINK\]](#)

⁷¹ Freedom House: Nations in Transit 2024 – Hungary. Independent Media. [\[LINK\]](#)

report refers to a 2019 report by the International Press Institute, which questions the independence and transparency of the NMHH and the Media Council.⁷²

- According to the Media Act establishing the NMHH, **the Authority is an autonomous regulatory body, subordinated only to the law, and exercises its jurisdiction and powers independently in accordance with the law.**⁷³
- Similar guarantee rules are laid down in the Media Act in relation to the **Media Council, which is an independent body of the Authority reporting to Parliament, its members are subject only to the law and cannot be instructed in the course of their activities. The appointment of the members of the Media Council and its chairman is subject to strict procedural and conflict of interest rules.** Accordingly, while the two-thirds parliamentary mandate does indeed allow for a wider scope of decision-making, it does not follow that any non-governmental body is under the control of the government.⁷⁴
- **There is a clear factual error in the Nations in Transit country report** regarding the sanctioning practices of the Authority and the Media Council. Contrary to what the document claims, the public service media and the Central European Press and Media Foundation (KESMA), which they label pro-government, were also fined in **the year 2023.**⁷⁵
- **The reports analysed show the market predominance of the media they label as pro-government.**⁷⁶

The Nations in Transit report on Hungary says that *“Progovernment outlets operating under the umbrella of the Central European Press and Media Foundation (KESMA) continue to dominate the media landscape.”*⁷⁷ According to Reporters Without Borders, *“Fidesz [...] controls 80 percent of the country’s media”*.⁷⁸ A similar finding is made in the Liberties 2024 report, the Freedom in the World 2024 country report and the Media Pluralism Monitor report published in 2024.⁷⁹

 - Contrary to what the reports claim, **the domestic media market is diverse, with a number of media outlets representing differing views among the most important players.** As can be seen from the NMHH Media Market Report 2023, **RTL Híradó (RTL News), which is typically seen as critical of the government, remains one of the most watched news programmes,** with the largest share of viewers who get their news from a single television news source following the programmes of this channel, and those who follow the channel’s news on a weekly basis are making up nearly two-thirds of the total group of viewers who get their news from a television news source.⁸⁰
 - A similar situation can be found in the **online news market, where media outlets representing different points of view also play a dominant role:** four out of the ten most visited online press products in Hungary (24.hu; telex.hu; hvg.hu; and 444.hu) are also among those typically considered

⁷² Freedom House: Freedom on the Net 2024 – Hungary. Question A5. [\[LINK\]](#)

⁷³ Section 109 of the Media Act

⁷⁴ Sections 123 to 127 of the Media Act

⁷⁵ See, for example, Decision of the Media Council No 37/2023 (I. 24.) [\[LINK\]](#); Decision No 740/2023 (X. 17.) of the Media Council. [\[LINK\]](#); Decision of the Media Council No 445/2023 (VI. 13.). [\[LINK\]](#)

⁷⁶ See: NMHH: Evaluation of Media Freedom Reports. 27.07.2023, pp. 55, 69. [\[LINK\]](#); NMHH: Evaluation of the Freedom on the Net 2023 report. 01.12.2023. pp. 8, 13. [\[LINK\]](#)

⁷⁷ Freedom House: Nations in Transit 2024 – Hungary. Independent Media. [\[LINK\]](#)

⁷⁸ Reporters Without Borders: Country fact-file – Hungary. Political context. [\[LINK\]](#)

⁷⁹ Civil Liberties Union for Europe: Media Freedom Report 2024, pp. 11–12. [\[LINK\]](#); Freedom House: Freedom in the World 2024 – Hungary. [\[LINK\]](#); European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary for 2023. p. 7. [\[LINK\]](#)

⁸⁰ NMHH: Media Market Report 2023. p. 160. [\[LINK\]](#)

critical of the government.⁸¹ Moreover, the online audiovisual segment, which is increasingly important in informing the public, is also home to a number of content producers with high viewership and critical of the government, especially YouTube channels.

- The Media Pluralism Monitor, while acknowledging the lack of experience in the application of the law, **notes**, with reference to the Helsinki Committee, the portal called Lakmusz and the Venice Commission, **in relation to Act LXXXVIII of 2023 on the Protection of National Sovereignty**, which established the **Sovereignty Protection Office**, that this *“poses a serious risk of stifling voices critical of the government”*.⁸² According to the Freedom on the Net 2024 report, the law is a tool to *“discourage citizens from public participation”*.⁸³ According to Freedom in the World 2024, media rights organisations have expressed concern that the provisions of the law *“threaten independent media outlets in Hungary and could severely restrict their ability to operate”*.⁸⁴ The fact-file on Hungary published by Reporters Without Borders makes a similar point.⁸⁵ The Media Freedom Report, published by Liberties, and Nations in Transit **are concerned about the lack of remedy** against the Office’s reports.⁸⁶
 - With regard to the **Sovereignty Protection Office**, it should be noted that Act LXXXVIII of 2023 on the Protection of National Sovereignty defines it **as a state administration organ carrying out analytical, assessment, proposal-making and investigative activities**, with corresponding investigative powers. The Office does not issue a legally binding decision and **cannot sanction the investigated organisation even if it refuses to cooperate**.⁸⁷
 - **According to the Fundamental Law of Hungary** and the procedural rules of the Hungarian legal system, **legal remedies are available against decisions of courts, public authorities and other administrative bodies**. Consequently, it is unjustified to criticise the lack of a legal remedy since, as we have pointed out, the Office does not issue legally binding decisions.⁸⁸
- **According to the Liberties report**, *“Hungarian media regulation does not restrict the ownership of media companies, large media conglomerates can and do develop, obscuring ownership information”*.⁸⁹ In addition, the **Media Pluralism Monitor** report covering 2023 **refers to the Media Council’s specialised procedure** in merger investigations by the Competition Authority where the undertakings or members of at least two of the groups of undertakings concerned have editorial responsibility and their primary purpose is to provide media content to the public via an electronic communications network or a

⁸¹ NMHH: Media Market Report 2023. p. 95. [\[LINK\]](#)

⁸² European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary for 2023. p. 37. [\[LINK\]](#)

⁸³ Freedom House: Freedom on the Net 2024 – Hungary. Question B6. [\[LINK\]](#)

⁸⁴ Freedom House: Freedom in the World 2024 – Hungary. [\[LINK\]](#)

⁸⁵ Reporters Without Borders: Country fact-file – Hungary. Legal Framework. [\[LINK\]](#)

⁸⁶ Civil Liberties Union for Europe: Media Freedom Report 2024. p. 25. [\[LINK\]](#); Freedom House: Nations in Transit 2024 – Hungary. Independent Media. [\[LINK\]](#)

⁸⁷ Act LXXXVIII of 2023 on the Protection of National Sovereignty, Sections 1 to 2.

⁸⁸ Article XXVIII (7) of the Fundamental Law of Hungary.

⁸⁹ Civil Liberties Union for Europe: Media Freedom Report 2024. p. 15. [\[LINK\]](#)

printed press outlet. The report states that *“The Media Council’s opinion is binding on the Competition Authority”*.⁹⁰

- Contrary to the Liberties report’s claim, **the Media Act establishes as a fundamental principle the prevention of the creation of an ownership monopoly and the undue restriction of market competition, and contains explicit provisions to prevent market concentration.** For linear audiovisual and linear radio media service providers with a defined average annual audience share, other than thematic commercial media service providers, the law prohibits the owner or any person or undertaking with a controlling interest in any owner of the media service provider from launching a new media service or acquiring a share in a media service provider. The law also states that the Media Council is obliged to refuse to grant regulatory consent in cases where the above-mentioned service provider intends to acquire a share in a media service provider subject to the restriction. The Media Act also imposes additional obligations on the owners concerned to increase the diversity of the media market (e.g. by modifying the programme structure, increasing the proportion of programmes produced by Hungarian and independent producers).⁹¹
- The **Media Pluralism Monitor is imprecise in its wording regarding the Media Council’s regulatory consent**, which, according to Section 171(4) of the **Media Act**, binds the competition authority, *“however, this fact does not prevent the Gazdasági Versenyhivatal (Hungarian Competition Authority) from prohibiting a merger from being concluded that is already officially approved by the Media Council irrespective of any condition the Media Council may have imposed, or from imposing a condition or an obligation to implement a commitment [...] that the Media Council failed to impose.”* The competition authority may therefore not permit a concentration in the relevant market for media content without the consent of the Media Council, but it may also prevent it even if consent is given.
- The **Media Pluralism Monitor criticises the transparency of the Media Council’s Funding Program**, stating that *“there is no information about the criteria regarding the distribution of these funds”*.⁹²
 - On the contrary, the **general conditions of the tenders, the calls for proposals** with specific rules for the procedure concerned, and the **Funding Control Rules are available on the specific information website** of the Funding Program. The **calls for tenders set out the criteria on the basis of which the content is assessed**.⁹³
- **According to the Media Pluralism Monitor’s assessment of 2023, “The media regulator’s 2023-2026 strategy mentions media literacy as a priority, but only provides a vague description of activities and goals”**.⁹⁴
 - **The country report makes no mention of recent initiatives taken by the NMHH to support media literacy as a strategic objective.** These include the **Digipedia** digital knowledge repository,

⁹⁰ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary for 2023. p. 20. [\[LINK\]](#); See also: NMHH: Evaluation of Media Freedom Reports. 27.07.2023, pp. 60–61. [\[LINK\]](#); NMHH: Evaluation of the Freedom on the Net 2023 report. 01.12.2023. p. 13. [\[LINK\]](#)

⁹¹ Sections 67 to 68 of the Media Act

⁹² European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary for 2023. p. 35. [\[LINK\]](#); See also: NMHH: Evaluation of Media Freedom Reports. 27.07.2023, p. 69. [\[LINK\]](#)

⁹³ National Media and Infocommunications Authority, Media Council Support Programme website. [\[LINK\]](#)

⁹⁴ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary for 2023. p. 36. [\[LINK\]](#)

which provides expert-approved, practical information in Hungarian to help users learn about the challenges of the online world and develop their digital skills. The website covers topics such as child protection, online threats, online financial matters, data protection and innovation. Reference can be made to “**Mobil a családom?**”, a nationwide information campaign, where the Authority provides simple advice to help families balance the online world of mobile devices and family life. The **onlineplatformok.hu** and the **gyerekaneten.hu information sites** are also noteworthy: the former provides information on how to use online platforms in a safe and conscious way, while the latter specifically supports parents in keeping their children safe online.⁹⁵

- **Regarding the indicator on the independence and effectiveness of the media authority, the Media Pluralism Monitor** country report notes that **the Media Council has on several occasions found violations of the law in the case of media content that did not comply** with the provisions of **Act LXXIX of 2021** on taking more severe action against paedophile offenders and amending certain Acts for the protection of children. One example is a Netflix programme which was investigated by the NMHH for incorrect age rating.⁹⁶ Freedom in the World’s current country report also criticised the legislation, which in their view *“banned the discussion of gender and sexual diversity in schools, the media, advertising, and other public places.”*⁹⁷ According to Freedom on the Net’s Country Report 2024, the Media Council has also used the 2021 amendment to the Child Protection Act on several occasions to call for restrictions on the showing of “LGBT+ content” to under-18s on platforms outside its jurisdiction.⁹⁸
 - As **already** explained, the Media Act stipulates that **the NMHH** is an independent regulatory body **subordinated only to the law**. Accordingly, the Authority **applies the provisions of the legislation in force at the time; this is also the case when enforcing the rules on age ratings.**⁹⁹ **This does not affect the independence of the organisation.** In the specific case referred to in the report, the Media Council considered that the cartoon examined in the notification could only have been made available with a rating of *“not recommended for audiences under the age of twelve”* under Hungarian law, and in accordance with the jurisdictional requirements of the Audiovisual Media Services Directive (AVMS Directive), it decided to notify the Dutch counterpart authority, where the media service provider Netflix International B.V. is registered, to request an investigation.¹⁰⁰
 - Act LXXIX of 2021, which also amended the provisions of the Media Act, **did not prohibit the discussion of gender and sexual diversity in the media**, contrary to the statement of Freedom in the World, **and only expects stricter age rating rules to be applied** to certain content.¹⁰¹

⁹⁵ NMHH: Digipedia. [\[LINK\]](#); NMHH: Mobil a családom? [\[LINK\]](#); NMHH: Onlineplatformok.hu [\[LINK\]](#); NMHH: Gyerekaneten.hu [\[LINK\]](#)

⁹⁶ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary for 2023. p. 16. [\[LINK\]](#)

⁹⁷ Freedom House: Freedom in the World 2024 – Hungary. [\[LINK\]](#); See also: NMHH: Evaluation of the Freedom on the Net 2023 report. 01.12.2023. p. 10. [\[LINK\]](#)

⁹⁸ Freedom House: Freedom on the Net 2024 – Hungary. Question B3. [\[LINK\]](#); See also: NMHH: Evaluation of the Freedom on the Net 2023 report. 01.12.2023. p. 10. [\[LINK\]](#)

⁹⁹ Section 9 of the Media Act

¹⁰⁰ Decision No 756/2022 (IX. 6.) of the Media Council. [\[LINK\]](#); NMHH: Media Council: Jurassic World not recommended for children under 12. 08.09.2022 [\[LINK\]](#); Minutes of the Media Council meeting held on 6 September 2022. [\[LINK\]](#); Directive 2010/13/EU of the European Parliament and of the Council on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) [\[LINK\]](#); Section 182(b) and (ba) of the Media Act

¹⁰¹ Section 9(6) of the Media Act

- The current report by the Media Pluralism Monitor states that *“In 2024, a new VAT law will be introduced for dailies”*, which *“will disproportionately benefit pro-government media, as most daily publications, such as Magyar Nemzet, Bors and the local dailies are owned by KESMA / Mediaworks.”*¹⁰²
 - The **amendment to Act CXXVII of 2007 on Value Added Tax (VAT Act)** provides a discount for all daily newspapers that are published at least four times a week.¹⁰³ The change in the law was **initiated by the Hungarian Publishers’ Association**. According to the explanatory memorandum of the legislation, *“the key objective of the reduced VAT is to promote access for all to diverse information, cultural consumption, mass media and to encourage media pluralism. The written press is the basis for diverse information, a significant proportion of readers still get important daily information from printed newspapers, so newspapers remain an essential element of democratic public life.”*¹⁰⁴ The **Media Pluralism Monitor ignores the purpose of the amendment**, which is to promote access to information and media pluralism, **and judges the appropriateness of the public policy measure on the basis of the perceived political affiliation of the media concerned**.
 - **The report also contradicts its own earlier finding:** Media Pluralism Monitor identifies 74 percent of media sustainability as high risk, with **insufficient state funds** as one of the reasons.¹⁰⁵ At the same time, **the report criticises a change in the law that favours a traditional form of media, acknowledging its essential role**.
 - The introduction of a zero VAT rate is made possible by Directive 2022/542/EC, published by the Council of the European Union on 5 April 2022, which amended the provisions of Directive 2006/112/EC on the common system of value added tax. The **amendment to the directive allows member states to apply a reduced rate of VAT to certain supplies of goods and services, including periodicals.**¹⁰⁶
 - The introduction of a zero VAT rate for printed media products is not unprecedented internationally; in recent years, this has been the case in the **United Kingdom and Ireland.**¹⁰⁷ It should be noted that the Media Pluralism Monitor for 2023 on Ireland does not criticise the Irish measure or examine the presumed ideological commitment of members of the beneficiary sector.¹⁰⁸
- As in some reports published in previous years, the **Media Pluralism Monitor claims** that *“Hungarian laws do not include any regulation against the online harassment of journalists”*.¹⁰⁹
 - In contrast, **the Hungarian legal system has included the criminal offence of harassment since 2007**. The legislation **protects all natural persons** against this crime, regardless of the victim’s profession and whether the harassment took place online or in another form. Accordingly, **members**

¹⁰² European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary for 2023. p. 29. [\[LINK\]](#)

¹⁰³ Annex 3/B to Act CXXVII of 2007

¹⁰⁴ Directory of Explanatory Memoranda. No. 84, p. 970. [\[LINK\]](#)

¹⁰⁵ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary for 2023. p. 22. [\[LINK\]](#)

¹⁰⁶ Council Directive (EU) 2022/542 of 5 April 2022 amending Directives 2006/112/EC and (EU) 2020/285 as regards rates of value added tax. [\[LINK\]](#)

¹⁰⁷ Value Added Tax Act 1994, Schedule 8. [\[LINK\]](#); Irish Tax and Customs: Tax and Duty Manual – Printing and Printed Material. [\[LINK\]](#); Printed matter and photography. [\[LINK\]](#)

¹⁰⁸ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Ireland for 2023. p. 22. [\[LINK\]](#)

¹⁰⁹ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary for 2023. p. 10. [\[LINK\]](#); See also: NMHH: Evaluation of Media Freedom Reports. 27.07.2023, p. 62. [\[LINK\]](#)

of the press who have been subjected to online harassment can contact the investigating authority under the general rules.¹¹⁰

- It should **also** be noted that there **are several pieces of legislation protecting journalists in Hungary**. Act CIV of 2010 on Freedom of the Press and on the Fundamental Rules of Media Content (Press and Media Content Act) provides for the protection of sources of information (Section 6), editorial and journalistic freedom (Section 7), and special cases of exemption from liability in the event of infringements committed in the course of journalistic work (Section 8).
- The **Media Pluralism Monitor** identifies a high risk score for the **indicator on protection against disinformation and hate speech**. The report quotes the organisation called Article 19, which **states** that *“The list of protected characteristics in the Civil Code is exhaustive and includes the Hungarian nation, national, ethnic, racial, and religious groups. Other groups – e.g. LGBTQI people or people with disabilities – are excluded from protection.”*¹¹¹
 - **The report** evaluates the provision of Act V of 2013 on the Civil Code (Civil Code) on the enforcement of personality rights as a member of the community, while **it does not mention the fact that the criminal offence of incitement against a community** in Act C of 2012 on the **Criminal Code** (Criminal Code), **criminalising hate speech, specifically mentions disability, gender identity and sexual orientation as protected characteristics.**¹¹² Thereby, the Media Pluralism Monitor gives the impression that certain groups are not protected from hate speech.
 - It is also worth noting that **the Country Report takes an overall contradictory stance on tackling hate speech**: in its earlier chapter on fundamental protection, **it calls the criminalisation of hate speech problematic**, while in its assessment of social inclusiveness, **it describes the measures taken in Hungary to tackle the phenomenon as insufficient.**¹¹³ In addition, in connection with the criticism of the criminalisation of hate speech, it is worth pointing out that **by criminalising incitement against a community, the legislator has fulfilled an EU requirement**, as set out in Council Framework Decision 2008/913/JHA.¹¹⁴ Furthermore, in Decision No. 30/1992 (V. 26.) the **Constitutional Court also upheld the constitutionality of the criminalisation of hate speech**, considering that the *“effects and consequences of the prohibited conduct, as analysed above, affecting the individual and society, are so serious that other forms of liability, such as the systems of petty offense or civil liability, are insufficient against the perpetrators of such conduct.”*¹¹⁵
- The 2024 Freedom on the Net country report repeats last year's report's claim that **the Media Council's responsibilities include “allocating television and radio frequencies”**.¹¹⁶
 - As already stated in our previous analyses, under the provisions of the Media Act, **the Media Council only authorises linear radio media services** using limited resources **by means of a tender**

¹¹⁰ Section 222 of the Criminal Code

¹¹¹ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary for 2023. p. 38. [\[LINK\]](#)

¹¹² Section 332(c) of the Criminal Code

¹¹³ European University Institute. Centre for Media Pluralism and Media Freedom: Media Pluralism Monitor, report on Hungary for 2023. p. 13, 32 [\[LINK\]](#)

¹¹⁴ Article 1(1) of Council Framework Decision 2008/913/JHA. [\[LINK\]](#)

¹¹⁵ Decision 30/1992. (V. 26) of the Constitutional Court. [\[LINK\]](#)

¹¹⁶ Freedom House: Freedom on the Net 2024 – Hungary. Question B6. [\[LINK\]](#); See also: NMHH: Evaluation of Media Freedom Reports. 27.07.2023, p. 67. [\[LINK\]](#); NMHH: Evaluation of the Freedom on the Net 2023 report. 01.12.2023. p. 14. [\[LINK\]](#)

procedure, in other cases there is only an obligation to notify. Accordingly, the **statement in the country report on television frequencies can be considered a factual error.**¹¹⁷

- Freedom on the Net’s country report on Hungary records in connection with **the European Media Freedom Act (EMFA)** that *“As of the end of the coverage period, the EMFA had not been transposed into Hungarian law”*.¹¹⁸
 - According to Article 288 of the Treaty on the Functioning of the European Union (TFEU), *“a regulation [...] shall be [...] directly applicable in all Member States”*. In the context of the legislative tasks that may nevertheless arise, it is worth pointing out that **the EMFA was only adopted in spring 2024, and a significant part of its provisions will apply from August 2025.**¹¹⁹ Meanwhile, the **period covered by the report runs until 31 May 2024, leaving the national legislator only a very short time** to draft and adopt the necessary national legislation.
- Freedom on the Net’s country report says that in some cases **the Media Council can impose fines of up to HUF 25 million on online news outlets**, and in the case of repeated violations the NMHH can remove them from its register, making it illegal for them to publish.¹²⁰
 - Although the Media Act does indeed allow the Authority to impose sanctions on internet media products up to the amount mentioned in the report, **the maximum fine imposed on this type of media has so far been HUF 250 thousand.**¹²¹
- As in previous years, the **fact-file on Hungary published by Reporters Without Borders reports on the events around Klubrádió in 2021**: *“in 2021, the agencies (ed.: the author of the fact-file may at this point be referring to the Media Council) arbitrarily banned the last major independent radio station, Klubrádió, from the air.”*¹²²
 - **The statement wrongly gives the impression that Klubrádió has been banned.** In contrast, Hungarian media regulation **does not recognise the possibility of “banning”, but only** – as a last resort – removal of the media service from the register or **immediate termination of the public contract,**¹²³ **which was not the case with Klubrádió. The channel’s programmes can still be followed online.**¹²⁴
 - **The reason for the termination of terrestrial broadcasting is that the seven-year period laid down in the law and in the public contract expired in 2021. The renewal without a tender is an exceptional possibility, the conditions for which were not met** in the case of the station, due to the repeated infringing behaviour of Klubrádió in the past.¹²⁵ Nevertheless, **Klubrádió Zrt. was guaranteed participation in the tender for the frequency**, and the evaluation categories included, among others, media service experience, for which extra points were awarded in view of its previous

¹¹⁷ Section 41 of the Media Act

¹¹⁸ Freedom House: Freedom on the Net 2024 – Hungary. Question B6. [\[LINK\]](#)

¹¹⁹ European Commission: European Media Freedom Act. [\[LINK\]](#)

¹²⁰ Freedom House: Freedom on the Net 2024 – Hungary. Question B3. [\[LINK\]](#); See also: NMHH: Evaluation of Media Freedom Reports. 27.07.2023, pp. 55–56. [\[LINK\]](#); NMHH: Evaluation of the Freedom on the Net 2023 report. 01.12.2023. p. 13. [\[LINK\]](#)

¹²¹ Section 187(4)(f) of the Media Act.

¹²² Reporters Without Borders: Country fact-file – Hungary. Legal Framework. [\[LINK\]](#); See also: NMHH: Evaluation of Media Freedom Reports. 27.07.2023, pp. 57–58, 62. [\[LINK\]](#)

¹²³ Section 187(3)(d) of the Media Act

¹²⁴ Klubradio.hu [\[LINK\]](#)

¹²⁵ NMHH: NMHH’s public response to the European Commission. 12.02.2021 [\[LINK\]](#); NMHH: NMHH has published the frequency plan for the Budapest 92.9 MHz radio media service option. 20.09.2020 [\[LINK\]](#)

operation on Budapest 92.9 MHz.¹²⁶ The **tender was ultimately unsuccessful**, as the Media Council found that **Klubrádió Zrt.’s tender contained substantial programming errors** and the **economic adequacy of the station’s operator could not be established**.¹²⁷ Klubrádió Zrt. applied for a judicial remedy, as a result of which **the Curia accepted the arguments of the Media Council**, considering its position to be lawful.¹²⁸

- This year’s Freedom on the Net country report on Monika Karas’ resignation in 2021, as in previous years, reports as follows: “*Critics saw her change of position as a means to ensure that **Fidesz was able to select her successor prior to the 2022 general elections.***”¹²⁹
 - In relation to the resignation of the former president of the NMHH, **Freedom House presents speculation of a political nature**, repeating the 2022 and 2023 country reports word for word, **without any factual basis**.
- The 2024 Freedom on the Net Country Report reports that “*In February 2024, 36 members of the European Parliament raised concerns about the NMHH’s role (as a digital coordinator) because of its history of spreading government propaganda.*”¹³⁰
 - **The Freedom House report quotes uncritically the political opinions of European Parliament politicians**, presenting the unfounded claim that the Authority is spreading government propaganda.
- According to the sub-section on Freedom of expression and censorship in the Media Freedom Report published by Liberties, “*Civil society organisations in Bulgaria, Croatia, Estonia, Greece, Hungary, Ireland and Italy reported attempts to censor members of the press or otherwise restrict freedom of expression.*”¹³¹
 - The Liberties report fails to record what specific attempt to restrict freedom of expression or censorship is being referred to in our country.
 - **The report also fails to mention that in May 2023 the Hungarian legislature narrowed the definition of defamation and slander in the Criminal Code**, so that committing it through a press product or media service is punishable only if the act was intended to deny the dignity of the victim in an obvious and seriously derogatory manner.¹³²
- **The professionalism of the World Press Freedom Index published by Reporters Without Borders is greatly reduced by subjective and political statements.** One example of this is when the fact-file describes Prime Minister Viktor Orbán as a “*predator of press freedom*” who, since returning to power in 2010, “*hasn’t stopped undermining media pluralism and independence*”.¹³³

¹²⁶ NMHH: „As I am a lawyer, I believe in the rule of law” – The case of Klubrádió seen by the President of the Media Council. 12.02.2021 [\[LINK\]](#)

¹²⁷ NMHH: Media Council: tender for Budapest 92.9 MHz frequency unsuccessful. 11.03.2021 [\[LINK\]](#)

¹²⁸ Curia of Hungary: Final judgment in the Klubrádió frequency tender case 28.09.2021 [\[LINK\]](#)

¹²⁹ Freedom House: Freedom on the Net 2024 – Hungary. Question A5. [\[LINK\]](#); See also: NMHH: Evaluation of Media Freedom Reports. 27.07.2023, p. 74. [\[LINK\]](#); NMHH: Evaluation of the Freedom on the Net 2023 report. 01.12.2023. p. 15. [\[LINK\]](#)

¹³⁰ Freedom House: Freedom on the Net 2024 – Hungary. Question B3. [\[LINK\]](#)

¹³¹ Civil Liberties Union for Europe: Media Freedom Report 2024. p. 35. [\[LINK\]](#)

¹³² Section 226(3) of the Criminal Code

¹³³ Reporters Without Borders: Country fact-file – Hungary. [\[LINK\]](#); See also: NMHH: Evaluation of Media Freedom Reports. 27.07.2023, p. 72. [\[LINK\]](#)

4. Closing words

- As we have stressed in our previous analyses of media freedom reports, **the NMHH supports a professional and unbiased assessment of media freedom and media pluralism**, therefore **considers it its task to draw attention to the shortcomings of the various media freedom reports on Hungary in a constructive manner.**
- Looking back at the documents produced in previous years, **a positive change is that this year's Media Pluralism Monitor has significantly reduced the inclusion of events outside the period under review** in its evaluation, and there **are fewer instances of reasoning that is largely identical** to that of previous reports.
- **Overall, however, the methodological gaps described** in our comprehensive analysis published on 27 July 2023 under the title *“Evaluation of Media Freedom Reports”* **can still be identified** for the reports reviewed here.
 - These include **a lack of clarity on the criteria for selecting the persons involved in preparing and scoring the reports**, and **a lack of plurality in the pool of experts involved.** Freedom House's Freedom on the Net country report on Hungary is still based on the findings of a single author, while Reporters Without Borders does not provide information on the scorers or the authors of the textual assessments. Though the Media Pluralism Monitor is supported by an external group of experts, their work is rather supportive, and the inclusion of any potentially dissenting views is left to the discretion of the local team writing the country report.
 - **Criticism can also be levelled at the one-sidedness of the use of sources**; reports typically refer to individuals and institutions that one-sidedly present views on Hungarian media situation. Furthermore, **the evaluations by Freedom in the World and Reporters Without Borders do not identify their sources.**
 - The **Freedom in the World and Nations in Transit reports also raise the question of whether a single indicator, scoring between 0–4 and 1–7, can** adequately assess the state of media freedom and **reflect the differences between states.** This problem was illustrated by the fact that Freedom in the World gave the same score to Hungary and Ecuador, while in the case of the latter country the report highlighted serious incidents that threatened the lives and physical safety of journalists.
- It can **also** be noted that **the reports examined contain several factual errors and subjective opinions, as well as omissions of substantial facts and circumstances on certain issues.** Examples include the false claim by Nations in Transit that the Hungarian media authority did not sanction certain media outlets, or the Media Pluralism Monitor's assessment of the fight against hate speech, which gives the false impression that Hungarian legislation does not protect groups with certain protected characteristics.
- On the basis of the above, it is considered that the identified **methodological shortcomings, deficiencies in content and factual errors reduce the professional soundness of the reports and raise questions about their potential biases.**