

Ms. Ursula von der Leyen
President of the European Commission

Ms. Henna Virkkunen
Executive Vice-President, Tech Sovereignty, Security and Democracy

Mr. Michael McGrath
Commissioner for Democracy, Justice, the Rule of Law and Consumer Protection

Ms. Hadja Lahbib
Commissioner for Equality, Preparedness and Crisis Management

Brussels, June 24th 2025

Subject: It is time to Act Now! The European Commission needs to defend Fundamental Rights in Hungary

Dear President, dear Executive Vice-President, dear Commissioners,

With Budapest Pride just 5 days away, we urge you to take immediate action to ensure that Pride organisers and participants can safely exercise their right to peaceful assembly and freedom of expression. We call on the Commission to act on Hungary's recent amendment package and the underlying legislation which criminalise the organisers and participants of Pride marches banned by the police. The measures, which went into effect on 15 April, include harsh penalties such as excessive fines and, in some cases, imprisonment. The amendment package also allows for the use of real-time facial recognition to identify protesters, in glaring violation of the prohibition in the EU Artificial Intelligence Act¹. This crackdown is already underway, with the ban having been applied to two previously notified LGBTQIA+ events².

This attack on the fundamental rights of people in Hungary targets the core principles of the Union, including the Treaties, the Charter of Fundamental Rights, and secondary legislation. The opinion of the advocate general of the Court of Justice of the EU confirms this, stating that Hungary's so-called 'child protection law' – used as the legal basis for the ban on LGBTQIA+ related public assemblies - violates EU law on several grounds, including Article 2 of the Treaty on European Union³.

Further, the new amendments introduce the use of prohibited real-time biometric identification technologies to identify perpetrators of infractions such as participation in the Pride march or jaywalking⁴. This marks the first known violation of the prohibitions, Article 5 of the AI Act, which are designed to prevent the most grave misuse of AI technologies. This case sets a worrying precedent, highlighting the urgent need to uphold fundamental rights within the European Union. If unaddressed, this can cause a domino effect where other Member States might feel emboldened to adopt similar legislation.

¹ <https://edri.org/our-work/hungarys-new-biometric-surveillance-laws-violate-the-ai-act/>

² <https://www.ilga-europe.org/files/uploads/2025/06/Update-Implementation-of-Ban-on-LGBTI-events-in-Hungary.pdf>

³ <https://eur-lex.europa.eu/legal-content/EN/TEXT/?uri=CELEX%3A62022CC0769&qid=1749538397205>

⁴ <https://edri.org/wp-content/uploads/2025/06/Legal-analysis-FRT-in-Hungary-and-AI-Act.pdf>

It is time to act urgently to safeguard fundamental rights, including by initiating an infringement procedure against the Hungarian government's violations of the EU law. The European Union Agency for Fundamental Rights has expressed deep concern about these developments⁵ and the opinion of the advocate general of the CJEU states major violations of EU law. Considering these concerns and the fact that civil society has previously urged the Commission to act in an open letter⁶, the Commission's lack of response and action is a cause for deep concern.

More concretely we urge the following actions to be taken:

1. **The European Commission to open an infringement procedure** for violations of EU law including Article 5 of the AI Act and associated violations of the Charter of Fundamental Rights in particular the right to peaceful assembly. We urge **the Commission to request relevant information from Hungarian authorities** on the use and technical details of the facial recognition techniques, as Freedom of Information requests have not revealed relevant information.
2. **The European Commission to request the CJEU to grant interim measures on ongoing infringement against Hungary's 2021 anti LGTB law**, which is used as a legal basis for the ban on LGBTQIA+-related public assemblies, including Budapest Pride, introduced by this new amendment package.

We remain at your disposal for any further information you might need to act in this case.

Kind regards,

List of signatories:

Algorights
AlgorithmWatch
Article 19
Belong To - LGBTQ+ Youth Ireland
Bulgarian Helsinki Committee
Centre for Peace Studies
Civil Liberties Union for Europe (Liberties)
D64 – Center for Digital Progress
Danes je nov dan
Datenpunks e.V.
Digitalcourage e.V.
Digitale Freiheit
Digitale Gesellschaft e. V. (Germany)
Digitalfems

⁵ <https://fra.europa.eu/en/news/2025/fra-statement-recent-developments-affecting-civil-society-and-fundamental-rights>

⁶ <https://edri.org/our-work/civil-society-to-european-commission-act-now-to-defend-fundamental-rights-from-hungarys-pride-ban-and-the-use-of-facial-recognition-against-protesters/>

Electronic Frontier Foundation
epicenter.works
Estonian Human Rights Centre
European Center for Not for-Profit Law (ECNL)
European Digital Rights (EDRi)
Homo Digitalis
Human Rights Monitoring Institute
Hungarian Civil Liberties Union
info.nodes
Irish Council for Civil Liberties
IT-Pol Denmark
IuRe (Iuridicum Remedium)
Komons
Lafede - justícia global
League of Human Rights (CZ)
LGBT Ireland
LGBTI Deystvie
Liga voor Mensenrechten
Ligue des droits de l'Homme (LDH)
Metamorphosis Foundation
Nederlands Juristen Comité voor de Mensenrechten (NJCM, Dutch section of the International Commission of Jurists)
Outhouse LGBTQ+ Centre
Panoptikon Foundation
Pavee Point Traveller and Roma Centre
Poliscope
society Vrijbit
Statewatch
STRALI
The Good Lobby Italy
Transgender Equality Network Ireland
Transparency International EU
Transparency International Ireland
Xnet, Institute for Democratic Digitalisation