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 4 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 Act[1]. This crackdown is already underway, with the ban having been applied to two previously notified LGBTQIA+ events[2].

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 Union[3].

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 jaywalking[4]. 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.

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 developments[5] 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 letter[6], the Commission's lack of response and action is a cause for deep concern.

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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/TXT/?uri=CELEX%3A62022CC0769&qid=1749538397205
4. https://edri.org/wp-content/uploads/2025/06/Legal-analysis-FRT-in-Hungary-and-AI-Act.pdf
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/

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:

1. Algorights
2. AlgorithmWatch
3. ARTICLE 19
4. Belong To - LGBTQ+ Youth Ireland
5. Bulgarian Helsinki Committee
6. Centre for Peace Studies
7. Civil Liberties Union for Europe (Liberties)
8. D64 – Center for Digital Progress
9. Danes je nov dan
10. Datenpunks e.V.
11. Digitalcourage e.V.
12. Digitale Freiheit
13. Digitale Gesellschaft e. V. (Germany)
14. Digitalfems
15. Electronic Frontier Foundation
16. epicenter.works
17. Estonian Human Rights Centre
18. European Center for Not for-Profit Law (ECNL)
19. European Digital Rights (EDRi)
20. Homo Digitalis
21. Human Rights Monitoring Institute
22. Hungarian Civil Liberties Union
23. info.nodes
24. Irish Council for Civil Liberties
25. IT-Pol Denmark
26. IuRe (Iuridicum Remedium)
27. Komons
28. Lafede - justícia global
29. League of Human Rights (CZ)
30. LGBT Ireland
31. LGBTI Deystvie
32. Liga voor Mensenrechten
33. Ligue des droits de l'Homme (LDH)
34. Metamorphosis Foundation
35. Nederlands Juristen Comité voor de Mensenrechten (NJCM, Dutch section of the International Commission of Jurists)
36. Outhouse LGBTQ+ Centre
37. Panoptykon Foundation
38. Pavee Point Traveller and Roma Centre
39. Politiscope
40. society Vrijbit
41. Statewatch
42. STRALI
43. The Good Lobby Italy
44. Transgender Equality Network Ireland
45. Transparency International EU
46. Transparency International Ireland
47. Xnet, Institute for Democratic Digitalisation