



EUROPEAN COMMISSION

Cabinet of Commissioner Michael McGrath
Head of Cabinet

Brussels,

Your Excellency,

Thank you for your letter of 15 July 2025 in which you express concerns about the impact of recent legislative and constitutional amendments adopted in Hungary on the fundamental rights of LGBTIQ persons.

The Commission is closely monitoring the situation in Hungary and reiterates the importance of upholding the Charter of Fundamental Rights of the European Union, including the rights to freedom of expression, to peaceful assembly and association, and of ensuring that there is no discrimination against any groups of the population.

The Commission firmly believes that the protection of children and the safeguarding of the fundamental rights of the LGBTIQ community are not mutually exclusive. The preamble to the Charter reaffirms that the European Union is founded on indivisible and universal values, and that the fundamental rights contained therein are rooted in international human rights obligations shared by all Member States. Any limitation on these rights must meet the conditions set out in Article 52(1) of the Charter, including respect for the principle of proportionality.

The situation you mention in your letter has our full attention. As you also recall, in July 2022, the Commission decided to refer Hungary to the Court of Justice of the EU over national rules that discriminate against people based on their sexual orientation and gender identity (C-769/22 Commission v Hungary, *Valeurs de l'Union*). The Commission considered that they violate several EU laws, both internal market rules and the fundamental rights of individuals, in particular of LGBTIQ people, as well as the common values at the core of the Union (Article 2 of the Treaty on European Union - TEU). 16 Member States and the European Parliament intervened in the proceedings in support of the Commission.

A hearing in this case (full Court) took place on 19 November 2024 and the Opinion of Advocate-General Ćapeta was delivered on 5 June 2025. The Advocate General proposed to the Court of Justice to uphold all pleas introduced by the Commission and to declare that Hungary has violated the Treaties, including the values enshrined in Article 2 TEU, as well as the Charter and EU internal market rules. The case is currently under deliberation before the Court of Justice, for a judgment on the matter.

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As regards the recently adopted amendments, I can assure you that we are closely analysing them and the implications they may have under EU law. My services have already contacted the Hungarian authorities requesting clarifications on several provisions. The Commission will not hesitate to take action, where appropriate, as it has done in the past.

Finally, I would like to recall the Commission's commitment to building a Union of Equality, including for LGBTIQ people. Important efforts have been made already under the LGBTIQ equality strategy for 2020-2025, the first ever EU level strategy on this matter which has driven concrete changes on the ground. To date, twelve Member States have adopted national strategies and/or action plans on LGBTIQ equality. As announced in the 2025 Commission Work Programme, the Commission will present a new LGBTIQ equality strategy post-2025 by the end of this year.

Yours sincerely,

[e-signed]

Fiona KNAB-LUNNY