

EU member states unite against Hungary's anti-LGBTI propaganda law at infringement hearing

[News, Hungary](#)

Yesterday, the European Commission was joined by 16 Member States and the European Parliament in a hearing at the court of Justice of the European Union on whether Hungary's anti-LGBTI Propaganda Act is a violation of EU law.

On November 19, the Court of Justice of the European Union (CJEU) held a hearing in the infringement proceedings against Hungary, initiated by the European Commission over anti-LGBTI legislation introduced in 2021, which censors inclusive sex education, equates LGBTI 'lifestyles' with paedophilia, blocks adoption for LGBTI couples, and restricts content in media and advertising.

The Commission stressed that the Hungarian state had seriously and blatantly violated EU law by passing a law that stigmatises the LGBTI community under the guise of "child protection". This infringement is, in the Commission's view, systemic, intentional and widespread, and constitutes a violation of Article 2 of the Treaty on European Union (TEU). This provision enshrines the fundamental values of the EU, including the obligation of Member States to respect human dignity, freedom, equality, the rule of law and the rights of persons belonging to minorities.

The hearing was attended by the Hungarian government, the governments of Belgium, Denmark, Germany, Estonia, Ireland, Greece, Spain, Luxembourg, Malta, the Netherlands, Finland, Sweden and the European Parliament.

All the Member States that spoke at the hearing expressed agreement with the Commission's position that core values are integral to the identity of the European Union. These values represent a shared public order, based on mutual trust, which all Member States have committed to uphold upon their accession. The effective implementation of EU law, and thereby respect for these fundamental values, relies on good faith from the Member States. They argued that this good faith is absent in the case of the Hungarian propaganda law.

Several speakers highlighted the harmful impact of the legislation, pointing out issues such as the absence of sex education in public schools, the censorship of exhibitions, and fines imposed on bookstores. The representative of the Dutch government mentioned that 87.5% of the inquiries the Dutch media authority receives from foreign counterparts come from the Hungarian Media Council, asking about content that is fully accepted in the Netherlands and is considered a normal part of daily life. The Dutch government argued that the ban on LGBTI content in the media is not just a domestic issue for Hungary, but a concern for the entire European Union.

The contested legislation violates rights enshrined in the EU Charter of Fundamental Rights, such as the right to human dignity, freedom of expression, the right to private and family life and the prohibition of discrimination. As several Member States also noted, the law runs counter to the European Court of Human Rights' judgement condemning the 2013 Russian anti-LGBT law, which said: "by adopting such laws, the authorities promote stigmatisation and prejudice and encourage homophobia, which is incompatible with the concepts of equality, pluralism and tolerance in democratic societies."

According to Eszter Polgári, Head of the Legal Programme of Háttér Society, an NGO representing LGBTI people in Hungary: “The infringement proceedings against the Hungarian anti-LGBTQI legislation have become the largest human rights case in the EU, where the Court of Justice has to decide not only on the violation of the relevant sectoral directives, but also on whether the stigmatising and exclusionary legislation against sexual and gender minorities violates the EU’s fundamental values. If it answers yes to the latter, it will send a clear message to all Member States: no minority group, including the LGBTQI community, should be used for political purposes and demonised.”

Katrin Hugendubel, Advocacy Director at ILGA-Europe added: “Yesterday’s hearing was a key moment in our common efforts against the Hungarian anti-LGBTI law, as well as similar laws that are being proposed or in force across the EU. We were heartened to see the clear comments made by the European Commission and member states, rightly condemning Hungary’s anti-LGBTI law as a violation of EU law and making it clear that member states can no longer act against human rights with impunity, nor can governments go on instrumentalising minorities for political gains without being held accountable. A strong judgement in this case will send a strong message to other member states who have been adopting or keep proposing similar laws violating fundamental rights, making clear that they can no longer act against human rights with impunity.”

The Advocate General will deliver his opinion on the case on 5 June 2025.

Read Háttér Society’s press release on the hearing (in Hungarian) [here](#).