

FAO:

Hadja Lahbib

Commissioner for Preparedness and Crisis
Management; Equality

Michael McGrath

Commissioner for Democracy, Justice, and the Rule of Law

CC:

Members of the Anti-Racism & Diversity Intergroup
European Parliament

Members of the Intergroup on Fighting against Poverty
European Parliament

Michael O’Flaherty

Commissioner for Human Rights, Council of Europe

Brussels, 29 September 2025

Hungary: new discriminatory legislation allowing apartheid by stealth against Roma

Dear Commissioners, Dear Members of Parliament,

The European Roma Rights Centre is writing to you to express its deep concern at the discriminatory impacts of the [Hungarian Law on the Protection of Local Identity](#) which entered into force on 1 July 2025. This law gives municipal authorities the right to adopt local decrees to defend their ‘fundamental right to self-identity’, to act against ‘undesired directions of societal development’, and to determine who may move into a locality, and who may not. This amendment will likely lead to the spread of discriminatory and arbitrary practices which undermine fundamental freedoms and exacerbate the spatial segregation of Roma in Hungary. Legal experts and human rights observers maintain that decrees already applied by mayors in the wake of this legislation are profoundly discriminatory.

Article 2 of the amendment of Article XXVII of the Fundamental Law stipulates the following:

- Based on the right to local self-identity, the municipal community may exercise self-defence, which aims to protect and preserve the community's societal structure, way of life, traditions and customs as well as the municipality's characteristics.
- Based on the right to local self-identity, the municipal community may prevent the undesired increase of the population of the settlement and may take action against the undesired directions of societal developments.
- As a local matter of public interest, the municipal community shall have the right to determine who may move into the municipality and under what conditions.¹

Although Article 4(1) of the law expressly states that these measures *“shall be applied without violating human dignity and applying unreasonable differentiation, in accordance with the principle of equal treatment”* and its author, Tibor Navracsics Minister of Regional Development, insists it is not anti-Roma, lawyers interviewed by the independent news portal 444.hu, stated that the law was *“clearly enacted so that those settlements that want to keep Roma or lower-income social groups away can do so.”* The exclusionary intent is made clear by the introduction of settlement taxes, which would have a highly disproportionate impact on the Roma who are extremely overrepresented among the poorest group of the Hungarian population.

On 21 August, the Sátoraljaújhely municipality adopted the local identity [decree](#), according to which only people with a clean criminal record, free of public debt, with a high school diploma or secondary vocational qualification, and who speak Hungarian can move to the city. Persons meeting the above conditions must also pay a settlement contribution of 100,000 HUF (€256). The leadership of the settlement explained the decision as follows: *“The purpose of the decree is to preserve the social values, traditions and character of the settlement of Sátoraljaújhely, as well as to maintain the lifestyle and customs of the people living in the settlement, and to maintain the public safety of the settlement.”*²

The following are examples of conditions contained in local ‘identity decrees’:

In [Taktaharkány](#), the mayor has made a minimum of secondary education a requirement for settling in, plus a contribution of 50,000 HUF (€128). According to the proposal adopted by the local authority, *“as a local public matter, the*

¹ András Kádár, *Flash Report, Hungary Law on local identity with potential discriminatory impacts*. European Equality Law Network, 21 July 2025. Available [here](#)

² Fazekas Lázár Benjámin, *Cigánytörvény? Apartheid? Sátoraljaújhely rendeleti szintre emelte a kirekesztést*. MÉRCE, 28 August 2025. Available [here](#)

settlement community ultimately has the right to determine who can settle in the settlement and under what conditions.” In Pély, anyone who has not worked for at least one year, is under criminal proceedings, or has any tax debts cannot establish a residence. In Újlengyel and Vámosszabadi, only those in employment would be eligible to move in, and they would have to pay 20,000 HUF (€51) up-front. “In Pély, Újlengyel, and Vámosszabadi, local government representatives would personally interview those who intend to move in, and only after that would they grant permission to purchase real estate or move in.”³

It is credibly argued that these local government decrees violate fundamental rights and are not in accordance with the principle of equal treatment as stipulated in Article 4(1) of the new law. According to Ilona Boros, head of the TASZ's (Hungarian Civil Liberties Union) equal opportunities and self-determination program, over the past ten years the efforts of local governments to pass regulations aimed at keeping Roma out were blocked by the Equal Treatment Authority which ruled that these measures were discriminatory. In her opinion, *“the purpose of this was to provide a legal framework for these long-standing discriminatory intentions.”*⁴

In its October 2022 resolution, the European Parliament (EP) described the situation in spatially segregated Romani settlements as alarming, where conditions violate human and fundamental rights as enshrined in the EU Treaties, the European Convention on Human Rights, the EU Charter of Fundamental Rights, and UN conventions. The ERRC asserts that the Hungarian Law on the Protection of Local Identity, and the subsequent slew of municipal decrees constitute a breach of EU treaty provisions prohibiting racial discrimination, and the Race Equality Directive with regards to discrimination in provision of services, which includes housing.

The 2023 EU Council Conclusions called on Member States to redress inequalities in access to adequate housing for Romani communities, noting that spatial segregation perpetuates *“the vicious circle of intergenerational poverty and violations of human rights. This limits life expectancy and impedes social cohesion.”*

The Protection of Local Identity Law runs directly counter to European values in a manner that constitutes a breach of the Race Equality Directive; it stands as a rebuttal of one of the priorities of the *EU Strategic Framework for Roma*

³ Ákos Keller-Alant, *Hiába írták bele az Alaptörvénybe az önazonossághoz való jogot, durván jogsértők az eddig meghozott rendeletek.* 444.hu. 2 August 2025. Available [here](#)

⁴ Fazekas Lázár Benjámin, *Cigánytörvény? Apartheid? Sátorlajújhely rendeleti szintre emelte a kirekesztést.* MÉRCE, 28 August 2025. Available [here](#)

Equality, Inclusion and Participation 2021-2030; and is completely at odds with the Council of Europe legal framework for the protection of minorities and the case law of the European Court of Human Rights, particularly regarding the manifestly discriminatory practice of segregating Roma.

This law provides a legal framework for racial segregation and allows for the drafting of municipal decrees that systematically exclude Roma from taking up residence in towns and villages across Hungary. The ERRC calls on the European Commission, the European Parliament, and the Council of Europe to condemn Hungary's latest attack on European values, and to take appropriate action to push for the repeal of the so-called 'Protection of Local Identity Law'.

Yours sincerely,



Đorđe Jovanović

President
ERRC

