

EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

SECOND SECTION

CASE OF SZABÓ v. HUNGARY

(Application no. 15543/22)

JUDGMENT

STRASBOURG

7 July 2026

This judgment is final but it may be subject to editorial revision.



In the case of Szabó v. Hungary,

The European Court of Human Rights (Second Section), sitting as a Committee composed of:

Oddný Mjöll Arnardóttir*, President*,
Péter Paczolay,
Hugh Mercer*, judges*,
and Dorothee von Arnim, *Deputy Section Registrar,*

Having regard to:

the application (no. 15543/22) against Hungary lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on 16 March 2022 by a Hungarian national, Ms Tímea Szabó ("the applicant"), who was born in 1976, lives in Budapest and was represented by Mr B. T. Tóth, a lawyer practising in Budapest;

the decision to give notice of the application to the Hungarian Government ("the Government"), represented by their Agent, Mr Z. Tallódi, of the Ministry of Justice;

the parties' observations;

Having deliberated in private on 16 June 2026,

Delivers the following judgment, which was adopted on that date:

SUBJECT MATTER OF THE CASE

1. The case concerns the sanctioning of the applicant, a member of Parliament (MP), for her conduct of obstructing a parliamentary speech and disrupting the operation of Parliament.

2. At the material time, the applicant was a member of an opposition political party, *Párbeszéd Magyarországért*.

3. On 15 June 2021, during a pre-agenda speech of a Secretary of State, the applicant unfurled a banner displaying the words "Fidesz[1]" surrounded by the stars of the flag of the People's Republic of China. She did not remove the banner despite the Speaker's request to that effect nor did she stop her subsequent interjections.

4. On 30 June 2021 the Speaker imposed a fine on the applicant for her conduct on 15 June 2021 on the basis of sections 46/E and 47(1)(c), in a decision governed by section 47(3) of Act no. XXXVI of 2012 on Parliament (hereinafter "the Parliament Act"). These provisions read as follows at the material time:

Section 46/E

"The chair of the session may exclude from the relevant sitting day or sitting any Member or may order the ban of a Member with immediate effect if the Member

[1] The governing party.

disturbs the proceedings of the sitting, the debate or the voting, or a participant of the sitting of the National Assembly in exercising his or her rights or performing his or her obligations on the floor of the Chamber."

Section 47

"1. The Speaker shall reduce the remuneration of a Member as follows: ...

c) in the cases specified in section 46/D and section 46/E, by at least the amount of two months' remuneration, but not more than the amount of four months' remuneration of the Member, ...

3. The Speaker shall make his or her decision under subsections (1) or (2) within fifteen days from the commission of the conduct, regardless of whether a measure has been taken by the chair of the sitting or a legal consequence has been imposed under section 46/H (1). The Speaker shall promptly notify the Member in writing of his or her reasoned decision."

5. As a result of that decision, the applicant's remuneration was to be decreased by 9,686,400 Hungarian forints (HUF) (approximately 27,500 euros (EUR) at the material time). This sanction corresponded to the statutory maximum (see paragraph 4 above), that is to say, four months' remuneration. The decision further noted that the amount of the reduction was determined based on the severity of the violation of the Parliament Act and the fact that it was not the first time in the ongoing parliamentary term that sanctions had to be imposed on the applicant for violating that Act.

6. The applicant challenged the Speaker's decision before Parliament's Immunity Committee. She argued that the decision did not specify the severity of the violation of the rules, nor did it specify what other conduct she had been sanctioned for and when during the ongoing term.

7. On 20 September 2021 the Immunity Committee, composed of three members from the ruling party and three members from the opposition, discussed the applicant's complaint. The applicant was also heard at the committee meeting where she maintained her position. With three votes against and three votes in favour of her motion, her request did not receive majority support, therefore the Immunity Committee rejected her complaint. It upheld the facts as established by the Speaker's decision and reiterated that the applicant's conduct violated the authority, order and dignity of Parliament. It furthermore added that the amount of the imposed fine was determined in accordance with the severity of the infringement of the relevant legal provisions.

8. Subsequently, the applicant asked the plenary of the Parliament to set aside the Speaker's decision. However, on 19 October 2021 Parliament upheld the decision.

9. The applicant complained under Article 10 of the Convention that the fine imposed by the Speaker was unnecessary and blatantly disproportionate, and that the procedural safeguards available to her to challenge it could not be considered appropriate or sufficient.

THE COURT'S ASSESSMENT

ALLEGED VIOLATION OF ARTICLE 10 OF THE CONVENTION

10. The Court notes that this complaint is not manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention or inadmissible on any other grounds. It must therefore be declared admissible.

11. The general principles applicable to the assessment of an interference with the right to freedom of expression in the context of debates in Parliament have been set out in *Karácsony and Others v. Hungary* ([GC], nos. 42461/13 and 44357/13, §§ 132-47, 17 May 2016).

12. The parties agreed that the applicant's sanctioning constituted an interference with her right to freedom of expression guaranteed by Article 10 of the Convention and that it was prescribed by law (see paragraph 4 above). The Court sees no reason to hold otherwise.

13. As to the legitimate aim of the measure, the Government argued that the measure aimed at protecting the effective functioning of Parliament and the rights of other MPs. The applicant contested it. The Court accepts that the interference pursued the legitimate aims of "prevention of disorder" in Parliament and "protection of the ... rights of others", that is, other MPs under paragraph 2 of Article 10 of the Convention (see *Karácsony and Others*, cited above, § 129).

14. In examining whether the sanction was "necessary in a democratic society" to pursue these aims, the Court reiterates that in the context of complaints similar to the one in the present application, it has considered it appropriate to address two main questions in examining whether the sanction was "necessary in a democratic society" to pursue the said aims, namely, (i) whether the applicable procedure was accompanied by sufficient procedural safeguards, and (ii) whether the imposition of the sanction on the applicant for her conduct in Parliament was in itself disproportionate and thus unjustified (see *Ikotity and Others*, cited above, § 33).

15. The Court will first address the proportionality of the sanction imposed on the applicant. As to the regulation of the time, place and manner of political expression in Parliament, States have a wide margin of appreciation (see *Karácsony and Others*, cited above, § 140, and *Ikotity and Others*, cited above, §§ 39 and 42). The Court has already found that the display of banners or placards disrupts order in Parliament (see *Karácsony and Others*, cited above, § 149). In the present circumstances, the display of a banner by the applicant cannot be regarded otherwise. The Court can therefore accept that it was necessary to react to the applicant's conduct, which was a matter for Parliament to consider in the exercise of its autonomy (see *Karácsony and Others*, cited above, § 148).

16. The Court reiterates, however, that the national discretion in sanctioning speech or conduct in Parliament that may be deemed abusive,

albeit very important, is not unfettered (see *Karácsony and Others*, cited above, § 147). Even if the imposition of a sanction of a dissuasive nature may be justified in order to maintain an appropriate standard of political debate within Parliament (see *Ikotity and Others*, cited above, § 44), Parliament must respect the principle of proportionality inherent in Article 10 when exercising its power to sanction disorderly conduct of a member, which commands, *inter alia*, that a sanction imposed should correspond to the severity of a disciplinary breach (see *Karácsony and Others*, cited above, § 152). Furthermore, a consistent approach in the handling of cases of disciplinary violations is required under Article 10 (see *Ikotity and Others*, cited above, § 44).

17. As regards the severity of the sanction, the Court notes that section 47(1)(c) of the Parliament Act, as in force at the material time, made it compulsory for the Speaker to impose a reduction of the applicant's remuneration for infringement of section 46/E of the Parliament Act. That provision foresaw a fine in the amount of two to four months' remuneration (see paragraph 4 above). The Court observes that, within that range, the Speaker decided to issue a fine in the statutory maximum, corresponding to an amount of about EUR 27,500 at the material time. On its face, this amount is not only a very severe sanction having regard to the conduct in question, but also much higher than fines examined and considered as still proportionate in the similar cases of *Ikotity and Others* (cited above, § 44 – concerning a fine of EUR 320) or *Szabó v. Hungary* ((dec.) [Committee], no. 48725/17, § 18, 20 May 2025 – concerning a fine of EUR 620).

18. Furthermore, in examining whether the applicable procedure for the imposition of the sanction was accompanied by sufficient procedural safeguards, the Court reiterates, in particular, that any *ex post facto* decision imposing a disciplinary sanction should state basic reasons (see *Karácsony and Others*, cited above, § 158). In the present case, the Court observes that the two reasons briefly referred to by the Speaker in his decision were "relevant" (see paragraphs 4 and 5 above). However, the Court finds that the laconic decision was far from reflecting on all the circumstances which could have potentially played a role in determining the amount of the sanction, notably given the very high amount involved. Therefore, the Court does not discern sufficient reasons given by the Speaker to justify how the sanction, at the top of the relevant range, was proportionate to the applicant's conduct.

19. Having regard to the foregoing, the Court finds that there was no reasonable relationship of proportionality between the restriction of the applicant's right to freedom of expression by the impugned sanction and the legitimate aims pursued. Therefore, the Court cannot but conclude that the interference was not "necessary in a democratic society".

20. In view of the above findings, the Court finds it unnecessary to examine the remaining arguments of the parties notably as to whether the

applicant benefitted from sufficient additional procedural safeguards in the present case.

21. There has accordingly been a violation of Article 10 § 2 of the Convention.

APPLICATION OF ARTICLE 41 OF THE CONVENTION

22. The applicant claimed HUF 9,686,400 in respect of pecuniary damage, corresponding to the amount of her remuneration reduction, and EUR 2,400 in respect of costs and expenses incurred before the Court.

23. The Government contested these claims.

24. The Court finds that the applicant suffered pecuniary loss as a result of the fine that she was ordered to pay. Having regard to the link between the fine imposed in domestic proceedings and the violation of Article 10 found by the Court, the applicant is entitled to recover the full amount claimed, that is to say, EUR 26,600[2].

25. Having regard to the documents in its possession, the Court considers it reasonable to award EUR 2,400 covering costs under all heads, plus any tax that may be chargeable to the applicant.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the application admissible;

2. *Holds* that there has been a violation of Article 10 of the Convention;

3. *Holds*
   (a) that the respondent State is to pay the applicant, within three months, the following amounts, to be converted into the currency of the respondent State at the rate applicable at the date of settlement:
      (i) EUR 26,600 (twenty-six thousand six hundred euros), plus any tax that may be chargeable, in respect of pecuniary damage; and
      (ii) EUR 2,400 (two thousand four hundred euros), plus any tax that may be chargeable to the applicant, in respect of costs and expenses;
   (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

[2] The approximate euro value of HUF 9,686,400 as of April 2026.

Done in English, and notified in writing on 7 July 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Dorothee von Arnim Deputy Registrar	Oddný Mjöll Arnardóttir President