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

SECOND SECTION

DECISION

Application no. 51358/17
Tímea SZABÓ
against Hungary

The European Court of Human Rights (Second Section), sitting on 9 September 2025 as a Committee composed of:

Oddný Mjöll Arnardóttir*, President*,
Péter Paczolay,
Gediminas Sagatys*, judges*,

and Dorothee von Arnim, *Deputy Section Registrar,*

Having regard to:

the application (no. 51358/17) against Hungary lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on 12 July 2017 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, decides as follows:

SUBJECT MATTER OF THE CASE

1. The case concerns use by the applicant of a puppet in Parliament during the inauguration speech of the President of the Republic and the ensuing sanction imposed on her.

2. At the material time, the applicant was a Member of Parliament (hereinafter: MP) not affiliated with any political party.

3. On 8 May 2017, after the President of the Republic had taken the inauguration oath in Parliament, the applicant stood upon her chair and said "*No President of the Republic, but a puppet*". Afterwards she started silently

moving a puppet portraying the face of the President while holding it in the air during the President's inauguration speech.

4. Subsequently, the House Committee of Parliament examined the incident. However, no consensus was reached regarding the Speaker's proposal to impose a sanction on the applicant and the issue was therefore referred to the Speaker himself.

5. On 15 May 2017 the Speaker, on the basis of section 13(6) of Act no. XXXVI of 2012 on Parliament (hereinafter "the Parliament Act"), imposed a fine on the applicant in accordance with sections 49(4) and 51/A(13) of the same act (see for the content of the provisions *Ikotity and Others v. Hungary*, no. 50012/17, § 15, 5 October 2023). Her salary, due that month, was to be decreased by 249,292 Hungarian forints (HUF) (approximately 620 euros (EUR)). In the decision it was explained that the President's oath and inauguration speech constituted a solemn ceremony which took place at the Parliament's session; the ceremonial nature aimed at expressing respect for the institution of the President of the Republic. The Speaker held that the applicant's dispraising conduct, by way of offending the institution of the President of the Republic, had seriously impaired Parliament's authority since it undermined the ceremonial nature of the session and prevented Parliament from respectfully welcoming the President. It further noted that her conduct was capable of eroding the public trust in the institution of the President of the Republic. The offence was considered particularly serious since the event took place with wide media publicity.

6. The applicant challenged the Speaker's decision before Parliament's Immunity Committee. She argued that her conduct had not violated Parliament's authority, had criticised no one but the President and had not amounted to a threat with violence.

7. On 24 May 2017 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 two abstentions, 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 of Parliament. It furthermore added that the amount of the imposed fine was proportionate.

8. Subsequently, the applicant asked the plenary Parliament to set aside the Speaker's decision. However, on 30 May 2017, Parliament upheld the measure.

9. The applicant complained that the sanction imposed on her was not prescribed by law and was disproportionate to the legitimate aim sought, in breach of Article 10 of the Convention.

THE COURT'S ASSESSMENT

10. The Government maintained that the applicant's conduct directly offended Parliament's authority since it was expressed while Parliament carried out its duties, namely celebrating the inauguration of the President of the Republic. They furthermore argued that the applicant had other means to express her opinion. Finally, the measure was proportionate; and effective and adequate procedural safeguards were available to the applicant.

11. The applicant argued that the measure imposed on her was not prescribed by law. Furthermore, her conduct did not hinder or pose a threat to the lawful operation of Parliament and violated Parliament's authority only indirectly if at all. Her sole purpose was to express an opinion about the President of the Republic. In any event, the amount of the penalty imposed on her was disproportionate, and the procedural safeguards were inadequate. Moreover, the sanctioning practice in Parliament targeted opposition MPs in a discriminatory manner.

12. The Court notes that the relevant domestic law has been set out in *Ikotity and Others* (cited above, §§ 14-17) while the Constitutional Court's practice as well as international and comparative law materials have been presented in *Karácsony and Others v. Hungary* ([GC], nos. 42461/13 and 44357/13, §§ 32-61, 17 May 2016). Furthermore, 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 explained in *Karácsony and Others* (cited above, §§ 132-47).

13. 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. The Court sees no reason to hold otherwise.

14. As to whether the measure was prescribed by law for the purposes of paragraph 2 of Article 10, the Court recalls that it had already found in *Ikotity and Others* (cited above, § 31) that section 49(4) of the Parliament Act met the required level of precision. Accordingly, the interference was "prescribed by law".

15. As to a legitimate aim of the measure, the Government argued that the measure aimed at protecting the authority and dignity of Parliament. Thus, it falls within the notion of "protection of the ... rights of others", a legitimate aim under paragraph 2 of Article 10 of the Convention. The applicant did not dispute that. The Court accepts that the interference pursued the legitimate aim of protection of the rights of others, namely other members of Parliament, within the meaning of paragraph 2 of Article 10 of the Convention (compare also *Karácsony and Others*, cited above, § 129).

16. In examining whether the sanction was "necessary in a democratic society" to pursue these aims, the Court has addressed two main questions in the context of similar complaints, namely (i) whether the applicable procedure was accompanied by sufficient procedural safeguards, and (ii) whether the imposition of a sanction on the applicant was disproportionate and thus unjustified (see *Ikotity and Others*, cited above, § 33).

17. As regards the necessary procedural safeguards, the Court notes that the Parliament Act provided for a remedy before the Immunity Committee against the decision of the Speaker to impose a sanction, which the applicant availed herself of. That Committee heard the applicant and issued a reasoned decision (see paragraph 7 above). Moreover, following the applicant's objection, the plenary Parliament took a vote on, and rejected that objection (see paragraph 8 above).

18. The Court takes note of the applicant's argument to the effect that in practice the remedy could not be successful, notably because without the support of the MPs of the ruling party alliance, the decision of the Speaker could not possibly be overturned by the Immunity Committee because the opposition has the same number of votes as the Government party. However, nothing in the particular circumstances of the present case indicates that the decision of the Immunity Committee was based on bias towards members of the opposition (compare also *Karácsony and Others*, cited above, § 147). Moreover, it is observed that not even MPs of the opposition supported the applicant's appeal (see paragraph 7 above).

19. The Court observes that the plenary Parliament took a vote on the applicant's objection challenging the decision of the Immunity Committee. The Court concluded in the case of *Ikotity and Others* that the same procedural safeguards available to the applicants in that case could be considered sufficient, having regard to the principle of the autonomy of Parliament and the latter's discretion in setting up its internal rules. The fact that the applicant's fine was upheld without another round of debate by the plenary constituted no appearance of a procedural shortcoming, as the procedure offered the possibility for the applicant to be involved in the relevant procedure, notably by being heard before the Immunity Committee (see *Ikotity and Others*, cited above, §§ 13 and 36-38; see *a contrario*, in a different factual situation, *Szabó v. Hungary* [Committee], no. 29627/19, §§ 20-24, 21 November 2024). The Court sees no reason to depart from this conclusion in the present application.

20. As regards the justification of the sanction imposed on the applicant, the Court reiterates that 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 result in the disruption of the parliamentary work (*Karácsony and*

Others, cited above, § 149). In the present circumstances, the Court considers that the showing and moving of a puppet during a ceremonial event in Parliament was quite similar to those situations, capable of disrupting the session and undermining its solemn nature. It 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 (*Karácsony and Others*, cited above, § 148). Further, the applicant did not substantiate that it was impossible for her, an MP, to express her views in other ways, notably before and during the election of the President of the Republic or in the media.

21. As to the severity of the sanction imposed on the applicant, namely the one-time reduction of her remuneration in the amount of HUF 249,292 (see paragraph 5 above), the Court notes that this fine amounted to one-third of her monthly remuneration, which, having regard also to the reasons given by the Speaker and the Immunity Committee for concluding that the applicant's conduct undermined Parliament's authority in a serious manner (see paragraphs 5 and 7 above), cannot yet be considered excessive (compare also *Ikotity and Others*, cited above, § 15 and § 44).

22. Having regard to the foregoing, the Court finds that the sanction was not disproportionate to the legitimate aim pursued. It can therefore be concluded that the disputed interference was "necessary" in a democratic society.

23. Therefore, the Court considers that the applicant's complaint is manifestly ill-founded within the meaning of Article 35 § 3 (a) and must be rejected in accordance with Article 35 § 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 2 October 2025.

Dorothee von Arnim
Deputy Registrar

Oddný Mjöll Arnardóttir
President