



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

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SECOND SECTION

Application no. 35448/23
MAGYARNARANCS.HU KFT
against Hungary
lodged on 14 September 2023
communicated on 2 September 2026

SUBJECT MATTER OF THE CASE

The application concerns the applicant company's right to freedom of expression in the context of an injunction barring it from publishing certain personal data.

The applicant is the publisher of an independent cultural and political weekly newspaper, *Magyar Narancs*. On 31 August 2020 a journalist working for the applicant company approached three members of family B. (E., F., and G.), well-known businesspersons, for comments with the intention to publish a portrait on the family in *Magyar Narancs*.

E., F., and G. applied to the Budapest High Court for a preliminary injunction, asking that the applicant company be barred from any unconsented processing of their personal data.

In parallel, E., F., and G. initiated civil proceedings before the Budapest High Court against the applicant company alleging an infringement of their personal rights.

The Budapest High Court granted the preliminary injunction sought, barring the applicant company from publishing criminal data pertaining to E. and G., pending the determination of the civil case and rejected the remainder of the request. The decision was upheld by the Budapest Court of Appeal at second instance and subsequently by the *Kúria*, following a petition for review lodged by the applicant company.

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SUBJECT MATTER OF THE CASE AND QUESTIONS

On 15 October 2020 the applicant company published an article on family B., albeit without the information relating to the criminal cases against E. and G.

On 3 February 2022 the Budapest High Court discontinued the civil proceedings against the applicant company as the plaintiffs had not appeared at the court hearing. Consequently, the injunction expired.

E., F., and G. lodged a new civil action in the Budapest High Court against the applicant company alleging unlawful processing of their personal data and seeking an injunction asking that the applicant company be barred from processing their personal data without their consent and from publishing criminal data pertaining to E. and G.

On 12 July 2022 the Budapest High Court rejected the request. However, on 3 November 2022 the Budapest Court of Appeal overturned the first-instance decision and barred the applicant company from processing (with the exception of storing) the plaintiffs' personal data until the termination of the civil proceedings. The applicant company's constitutional complaint was rejected by the Constitutional Court on 30 May 2023 on the grounds that decisions on preliminary injunctions did not constitute final judicial decisions and were therefore not subject to constitutional review under section 27 (1) of Act no. CLI of 2011 on the Constitutional Court.

On 17 October the Budapest High Court dismissed the civil action of E., F., G.; and the interim injunction ceased. The plaintiffs appealed against the judgment. The Budapest Court of Appeal upheld the first-instance judgment on 9 September 2025. Following a request for review by the plaintiff, the *Kúria* upheld the Court of Appeal judgment on 22 April 2026.

The applicant company complains under Article 10 of the Convention that the imposition of the preliminary injunctions, barring it from publishing certain information pertaining to the members of family B., constituted a disproportionate interference with its freedom of expression.

QUESTION TO THE PARTIES

Has there been a violation of the applicant company's right to freedom of expression, in particular its right to impart information, contrary to Article 10 of the Convention (see *Éditions Plon v. France*, no. 58148/00, ECHR 2004-IV)?