LGBTQI rights in Hungary

HÁTTÉR SOCIETY

Summary of key issues from previos cycles

In the third UPR cycle (2021), Hungary received **36 recommendations** specifically addressing sexual orientation, gender identity or expression and sex characteristics (SOGIESC) and 38 general recommendations relevant for LGBTQI persons. Of the SOGIESC-specific recommendations 2 generally framed recommendations were supported, **20 were rejected**; only 1 has been partially implemented.

In 2021, **9 recommendations** called for **repealing the so-called "child protection"** law that prohibits access of minors to content on homosexuality and gender diversity; none of these recommendations was accepted. **4 recommendations** urged Hungary to **reintroduce legal gender recognition**, *i.e.* the possibility for trans people to change their gender marker and name; none of these recommendations was accepted. **4 recommendations** addressed the **lack of comprehensive LGBTQI strategy and action plan**; 3 recommendations were noted, 1 was not accepted.

National framework

Hungary's constitution, the Fundamental Law, contains several discriminatory provisions targeting LGBTQI people. These include restrictive definitions of marriage and family, a binary model of sex that denies trans and intersex identities, or children's right "to a self-identity corresponding to their sex at birth". Since 2021, the human rights situation for LGBTQI people has deteriorated significantly. Homophobic and transphobic rhetoric has been normalized, with scapegoating and fearmongering intensifying, particularly during election campaigns. Anti-LGBTQI legislation passed in or prior to 2021 remains in force, further laws were adopted to curtail the rights of sexual and gender minorities, *e.g.* removing 'gender identity' as a protected ground from the comprehensive non-discrimination law. Addtionally, facially neutral legislation is regularly applied in a discriminatory manner, and the National Human Rights Institution (NHRI) has consistently failed to protect LGBTQI individuals. Despite hostile laws and state rhetoric, public attitudes continue to improve, with support for marriage equality and same-sex adoption reaching 68%.

Challenges and Impact

Censoring LGBTQI content – the so-called "child protection" law

In June 2021, under the guise of anti-paedophilia legislation, the Parliament enacted the so-called "child protection" law prohibiting minors from accessing content on homosexuality and gender diversity.

Impacts:

- At least 22 Media Council procedures against service providers;
- Bookstores fined for not selling LGBTQI-themed books wrapped in foil and separately;
- Disappearance of LGBTQI-inclusive comprehensive sex education from schools;
- Widespread chilling effect, self-censorship and severe reduction of public visibility.

In April 2026, the Court of Justice of the European Union found the law in violation of EU law (Commission v. Hungary).

Recommendations

- Repeal the provisions of the so-called "child protection" law that prohibits access of minors to contents on homosexuality and gender diversity.
- Ensure that child protection is not used as a pretext for restricting the rights of LGBTQI people.

Banning LGBTQI-themed assemblies

In March 2025, the Assembly Act was amended with a reference to the so-called "child protection" law enabling the police to ban LGBTQI-themed assemblies.

Impacts:

- In May 2025, Budapest Pride – organized as a municipality event – banned; criminal charges against the mayor;
- In September 2025, Pécs Pride banned; criminal charges against the organizer (a private individual);
- In May-June 2025, several smaller LGBTQI-themed assemblies organized by CSOs banned.

The Pride marches in 2026 were acknowledged by the police (i.e. not banned), and the criminal charges were dropped, but the impugned legislation remains in force.

- Repeal the ban on LGBTQI-themed assemblies in the Assembly Act.
- Guarantee the right to peaceful assembly without arbitrary state interference or police bans.

Lack of legal gender recognition

The Parliament banned legal gender recognition (LGR) in May 2020 ('Section 33'): instead of 'sex', the birth registry contains 'sex at birth' defined with reference to primary sex characteristics and chromosomes. The 'sex at birth' cannot be changed, LGR and related name change is legally impossible.

Impacts:

- Transgender people cannot obtain official documents (ID, passport, etc.) reflecting their lived gender identity;
- Forced outing exposes them to discrimination and violence;
- Access to trans-specific health care remains difficult and burdensome.

The lack of LGR violates the European Convention on Human Rights (e.g. R.K. v. Hungary), and is in breach of EU law (Deldits).

- Adopt legislation that allows transgender and intersex persons to access legal gender recognition in a quick, transparent and accessible procedure based on self-determination.
- Ensure the structured and meaningful involvement of civil society organizations representing transgender and intersex persons in the drafting of the law on legal gender recognition.

Lack of strategic approach to LGBTQI equality

Hungary lacks any comprehensive LGBTQI strategy and action plan to combat discrimination, harassment, hate speech, and hate crimes.

Impacts:

- Unpredictable, sporadic and ad-hoc government responses and actions;
- Uncoordinated policy-making across national and municipal levels;
- Absence of long-term strategic planning for LGBTQI equality.

- Adopt a comprehensive strategy and action plan to counter discrimination, violence and stigmatization based on sexual orientation and gender identity covering all fields of life.
- Conduct a systematic legislative review to identify and repeal all discriminatory provisions.

Further references:

Háttér Society – Labrisz Lesbian Association: *LGBTQI Rights in Hungary. Joint submission, UPR 4th cycle (2026).* https://en.hatter.hu/publications/upr-report-2026

Háttér Society: *The Anti-LGBTQI Law of Hungary in Action: A Combination of State- and Self-Enforcement (2024)* https://en.hatter.hu/publications/childprotectionlaw-report-2024

Amnesty International Hungary, Háttér Society, the Hungarian Civil Liberties Union, the Hungarian Helsinki Committee: *Legislating Fear: Banning Pride is the latest assault on fundamental rights in Hungary (2025)* https://en.hatter.hu/publications/legislating-fear-banning-pride-is-the-latest-assault-on-fundamental-rights-in-hungary

Háttér Society: *Hungary: new poll finds majority would not ban the Pride (2026)* https://en.hatter.hu/news/hungary-new-poll-finds-majority-would-not-ban-the-pride

R.K. v. Hungary, ECtHR, app. no. 54006/20 (22/06/2020), https://hudoc.echr.coe.int/?i=001-225330.

C-247/23 [Deldits] (13/03/2025), https://infocuria.curia.europa.eu/tabs/document/C/2023/C-0247-23-00000000RP-01-P-01/ARRET/296550-EN-1-html

C-769/22 [Commission v. Hungary (Valeurs de l'Union)] (21/04/2026), https://infocuria.curia.europa.eu/tabs/document/C/2022/C-0769-22-00000000RD-01-P-01/ARRET/319509-EN-1-html

Contact: Háttér Society: hatter@hatter.hu · https://en.hatter.hu/ | Dr. Eszter Polgári: polgari.eszter@hatter.hu