LGBTQI RIGHTS IN HUNGARY

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UPR Info Pre-sessions 53

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Introduction

- Shadow report on Hungary submitted by Háttér Society and Labrisz Lesbian Association (UPR 4th cycle, April 2026)
  - **Háttér Society** (founded in 1995): the oldest and largest LGBTQI organization in Hungary providing key services (legal aid, psycho -social counselling and support, HIV/STI prevention and peer -support)
  - **Labrisz Lesbian Association** (founded in 1998): works to draw attention to discrimination and eliminate prejudice against sexual minority women
- Consultation prior to submitting the national report:
  - not presented to the consultative forum [Human Rights Roundtable (HRR)], not even on request
  - draft sent by email to HRR members on July 24 at 15:27; deadline for feedback: July 28, noon (1.5 working days)
  - CSO input did not result in substantive changes
- August 14: constructive meeting between the Ministry of Foreign Affairs and CSOs, further CSO input requested on the national UPR report

Issue 1: Censoring LGBTQI contents and restricting public visibility

- in 2021: **9 recommendations** specifically on the so-called “child protection law” (a.k.a. anti-paedophilia law) – **‘not accepted’** ; **3 recommendations** on freedom of assembly (the Pride ban was not yet in place) – **‘accepted’**
- **developments** since 2021:
  - the **Media Council** initiated at least 22 procedures against media service providers; **books stores** were fined, **CSE school programs** terminated on the basis of the so-called “child protection” law
  - immense **chilling effect** , broad self-censorship
  - **March 2025** : ban on LGBTQI assemblies with reference to the so-called “child protection” law - **Pride march** in Budapest and Pécs **banned** in 2025, criminal charges against organizers
  - **April 2026** : Court of Justice of the EU finds the so-called “child protection” law in violation of EU law – not yet implemented
  - **2026**: Budapest and Pécs Pride not banned, criminal charges dropped

Issue 1: Censoring LGBTQI contents and restricting public visibility

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Recommendations:

1.1 Repeal the provisions of the so -called “child protection” law that prohibit access of minors to contents on homosexuality and gender diversity.

1.2 Repeal the ban on LGBTQI-themed assemblies in the Assembly Act.

1.3 Ensure that child protection is not used as a pretext for restricting the rights of LGBTQI people.

Issue 2: Absence of legal gender recognition

- in 2021:**4 recommendations** on reinstating legal gender recognition (the right to have the gender marker and name changed) – **'not accepted'**
- **developments** since 2021:
  - **February 2023** : Constitutional Court upheld the ban (*i.e.*'Section 33')
  - **June 2023, November 2024** : **European Court of Human Rights** found that the suspension of LGR prior to 2021 violated the ECHR
  - **March 2025** : **Court of Justice of the EU** ruled that the right to have incorrect data rectified (GDPR) applies to gender marker (Deldits case) – partially implemented (asylum registry yes, birth registry no)
  - **April 2025** : constitutional amendment entrenchenging the binary understanding of sexes: " *Human beings shall be male or female.* "
  - access to **trans -specific health care** is limited and burdensome

Issue 2: Absence of legal gender recognition

Recommendation:

2.1 Adopt legislation that allows transgender and intersex persons to access legal gender recognition in a quick, transparent and accessible procedure based on self -determination.

2.2 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.

Issue 3: Lack of strategic approach to LGBTQI equality

- in 2021: **4 recommendations** explicitly addressing the lack of national strategy and plan of action to combat discrimination, tackle hate crime and raise awareness – **3 'noted'** ; **1 'not accepted'**
- **developments** since 2021:
  - continuous government-led **fear- and hate-mongering** against LGBTQI people further stigmatizing and marginalizing them (April 2022 **referendum** on the so-called 'child protection' law, 2022 and 2026 electoral campaigns)
  - **in November 2024** : 'Hungary's Action Plan against Racism, Xenophobia and Discrimination' was discussed in the Human Rights Roundtable
    - not adopted
    - LGBTQI people listed among 'Description of affected groups': short, superficial, conflates sexual and gender minorities with paedophilia

Issue 3: Lack of strategic approach to LGBTQI equality

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Recommendations:

3.1 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.

3.2 Include as key activity a comprehensive review of legislation and repeal of discriminatory provisions restricting the rights of LGBTQI people.

Thank you for your attention.

Download the report!

Questions?

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