

**33rd session of the Human Rights Council
Item 6 – UPR Outcome Hungary**

**Statement by Federatie van Nederlandse Verenigingen tot Integratie van Homoseksualiteit
- COC Nederland
Joined by International Lesbian and Gay Association**

Delivered by Joyce Hamilton

Mr. President,

The following statement has been prepared in partnership with the Hungarian LGBT Alliance. In its UPR Implementation Report (2016), the Hungarian Government highlighted the reform of the Criminal Code in 2012: it now includes sexual orientation and gender identity in its hate speech and hate crimes provisions.

Following the first UPR cycle the interministerial Human Rights Working Group was set up, along with a Human Rights Roundtable, a consultative body of NGOs. The Roundtable has a thematic working group on LGBTI rights – the first formalized consultative forum with LGBTI NGOs in Hungary.

The Hungarian Government, however, did not consult any of these bodies on its decision on the UPR recommendations in July 2016 in which all LGBTI recommendations are marked as “partially accepted”. We would like the Government to indicate what this means and what steps they are planning to take to implement what is “accepted” of the recommendations.

We count on the Government’s full commitment to realizing human rights for all, including LGBTI people – and hope that “partially” does not mean that it is backing out of its plight.

However, this is what the Government communicates: "The Fundamental Law and the Equal Treatment Act prohibits discrimination on any ground thus on gender identity and sexual orientation. Coherent jurisprudence of courts is steadily developing. A new independent strategy is not envisaged for the time being. Nevertheless the LGBTI Roundtable of the above mentioned HRWG regularly examines the situation."¹

We would like to reiterate our recommendations and urge the Government to take the following steps:

¹

http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session33/Documents/A_HRC_33_9_Add.1_en.doc
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- As four countries recommended to Hungary, a comprehensive strategy and action plan should be worked out and implemented against discrimination based on SOGI;
- A quick, transparent and accessible legal procedure based on self-determination should be formulated on legal gender recognition;
- Equality should be forwarded in the field of employment;
- Discrimination against same-sex couples and their children should be eliminated.

These actions would make a difference in people's lives and ensure that the rights of LGBTI people are respected, protected and fulfilled so they become equal citizens.

Thank you.