



HUNGARY

ACCESS TO GOODS AND SERVICES

The Equal Treatment Authority found that the refusal of a Pécs hotel to host an LGBTQI festival in 2020 was discriminatory.

The national tax authority (NAV) amended the information section on its website to clarify that personal income tax refunds also apply to same-sex registered partners with children.

Trans people can now acquire a self-declaration, authenticated by a public notary, where they state they are trans and use a name that is different from that in their papers.

BIAS-MOTIVATED SPEECH

The UEFA decided after investigating anti-LGBTQI hate speech by Hungarian football fans at Hungary's games, that three matches would take place behind closed doors.

The Commissioner for Fundamental Rights launched proceedings against a deputy mayor of Győr, who said on social media that an LGBTQI-themed film should be thrown in the trash.

BIAS-MOTIVATED VIOLENCE

The perpetrator in a 2019 homophobic hate crime was sentenced to two years in prison.

Two men were sentenced to 100 and 80 hours of community work for verbally and physically harassing a gay teenager for months in 2016.

Several hate crimes were committed this year (see here, here, here, and here).

Transvanilla published "Under the radar: documenting violence against trans people" between 2015-2020.

BODILY INTEGRITY

The authorities refused to provide data to Háttér about the number of so-called "normalising surgeries" performed on intersex children between 2015-2020.

Háttér published a comprehensive report of the experiences of intersex people in Hungary and a legal analysis of rights protections.

EDUCATION

Hungary's new propaganda law (see under **Freedom of Expression**) bans the promotion of homosexuality and trans issues in school and sets out that schools can only invite external sexuality education programs that have undergone mandatory state registration.

EMPLOYMENT

The Ombudsperson affirmed that employers must ensure that trans employees can access bathrooms and changing facilities matching their gender identity.

EQUALITY AND NON-DISCRIMINATION

The parliament's 2020 decision to abolish the Equal Treatment Authority (ETA), Hungary's most important equality body, entered into force on 1 January 2021. The ETA is now merged into the Office of the Commissioner for Fundamental Rights, currently headed by Ákos Kozma, a loyal government supporter who has been silent on LGBTI issues. In June, the GANHRI Sub-Committee on Accreditation (SCA) recommended that Hungary's NHRI be downgraded from A to B status, signalling that it only partially complies with the Paris Principles.

FAMILY

The new law on adoption entered into force in March, requiring a special permission from the Minister of Family Affairs if an unmarried person (including those in same-sex relationships) wants to adopt. While the law applies only to new adoption procedures, the authorities also started to reject earlier applications. For example, in December 2020, a request was denied arguing that a gay man falsely applied as a single individual, despite being in a relationship. The man, however, was open about his relationship throughout the procedure. In October, a gay man was denied with the justification that he would not be able to raise the child according to Christian values as required by the Fundamental Law (Constitution). In the same month, a lesbian woman was also denied on the basis of the Fundamental Law, which now says that "the mother is female, the father is male". Judicial review is pending in the first two cases.

In November, the Foundation for Rainbow Families launched the #ugyanaz/#same campaign aiming to show that despite the similarities of daily life, children living in rainbow families don't have similar rights.



FOREIGN POLICY

In July, Hungary lost over 200 million euro of funding in grants from Norway, Iceland and Liechtenstein, which could have supported civil society, due to the government's failure to agree with the funders on how the grants would be disbursed.

FREEDOM OF ASSEMBLY

On 24 July, the annual Budapest Pride march brought together a record 35,000 people. The 26th Budapest Pride Festival featured 82 events this year.

Pécs Pride took place on 18 September, marking the country's first Pride march outside the capital.

FREEDOM OF ASSOCIATION

In 2020, the European Court of Justice found that the foreign agents law is contrary to EU law. A new law adopted this April gives the State Audit Office power to investigate NGOs if their budget is over 20 million HUF (55,000 euro). Civil society expressed concern that the two laws practically exercise the same power over NGOs.

FREEDOM OF EXPRESSION

In January, the consumer protection authority found that consumers' rights would be violated if the publishers of the children's book, *Wonderland is for Everyone* did not include a warning that it contains "behaviour patterns that deviate from traditional gender norms". Labrisz Lesbian Association, the publisher, turned to the courts. On 15 July, the European Commission launched infringement procedures against Hungary, concerning the censorship.

In January, the Media Council launched an investigation against the TV channel RTL Klub for streaming a PSA about rainbow families. The investigation is pending.

In March, the Council of Europe Commissioner for Human Rights Dunja Mijatović issued a statement on the lack of media pluralism and independence in Hungary and called for compliance with international standards.

The government continued its crackdown on LGBTIQ rights. On 25 May, Fidesz tabled amendments to enable "stricter action against paedophile offenders and the protection of children". The draft text was changed five days before the planned vote, practically banning any

discussion of LGBT issues in front of minors, including in schools and media. The provisions include a ban on the "portrayal and the promotion of gender identity different from sex at birth, the change of sex and homosexuality".

More than 160 NGOs, schools, professional organisations, unions, embassies, and companies demanded that the parliament vote against the bill. Over 133,000 signatures demanded an end to the anti-LGBT crackdown. Civil society held a large demonstration outside the Parliament with over 10,000 people attending.

On 14 June, the parliament adopted the amendments. 157 MPs were in favour, including members of the Jobbik political party. One person voted against, and the other opposition parties boycotted the vote. A number of opposition parties and politicians, including the Budapest mayor, condemned the draconian law.

Civil society launched the #nemvagyegyedül (#YouAreNotAlone) campaign to support LGBTQI people in this difficult time. They also called on President János Áder not to sign the law and handed him over 350 handwritten letters from concerned citizens and 400 emails with personal stories, testimonies and worries about the possible impact of the law. Áder signed the law, which entered into force on 8 July. CSOs vow to continue their work as before. In August, a coalition of NGOs turned to the Ombudsperson to review the constitutionality of the amendments.

Several international actors spoke out against the law, including MEPs, 18 EU Member States, UN mandate holders, the Parliamentary Assembly of the Council of Europe, the Venice Commission, and the Council of Europe Commissioner for Human Rights.

Government representatives denied the anti-LGBT nature of the laws, including Prime Minister Viktor Orbán (see here and here).

On 20 July, Orbán announced a referendum on LGBT issues as a response to EU infringement procedures. On 30 July, the National Election Committee approved the proposed questions. On 26 October however, the Curia of Hungary refused to authorise the question, "Do you support that gender reassignment treatments should be available for children?". The government appealed the decision at the Constitutional Court and won.



In July, a bookshop selling the Hungarian translation of the American children's book, *Early One Morning*, which features rainbow families, was finned for stocking it amongst other children's publications. The decision was successfully challenged in court.

HEALTH

In January, a gay man was turned away from donating blood plasma, which the Commissioner for Fundamental Rights found as discriminatory.

In September, Transvanilla published Guidelines to Human Rights-based Trans-specific Healthcare.

HUMAN RIGHTS DEFENDERS

In September, academic and lesbian activist Dorottya Rédei was named as one of the 100 most influential people of 2021 by *TIME* magazine.

In November, LGBTQ activist and Budapest Pride organiser, Viktória Radványi received the MTV Generation Change award for her activism.

INTERSECTIONALITY

Háttér and Silent Rainbow published a guide on making the LGBT+ community more inclusive of deaf and hard of hearing people.

Transvanilla published "Trans faces of the periphery" mapping socio-economic inequalities among trans people.

LEGAL GENDER RECOGNITION

On 12 March, the Hungarian Constitutional Court ruled that the 2020 ban on legal gender recognition (LGR) did not apply to a case that was launched before the adoption of the law. In October, the Constitutional Court issued another ruling clarifying that its judgement applies to all such cases. Dozens of rejections of LGR applications that were made prior to the 2020 ban were overturned by the courts this year.

In April, the Commissioner for Fundamental Rights called on the Budapest Metropolitan Government Office to repeal its negative decisions. Also in April, the Hungarian National Authority for Data Protection and Freedom of Information concluded that Article 33 violates EU data protection law and should be repealed.

Transvanilla launched its 'Name From The Past' campaign to raise awareness about the impact of an LGR ban on trans people.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Colours of Tobi, a documentary about a young trans person in Hungary won several international awards.

Her Mothers, a documentary about a lesbian couple's adoption journey premiered in May.

Trans activist Blanka Vay's autobiography, "My Own Cage" was published in October.

PUBLIC OPINION

In June, the IPSOS 2021 public opinion poll found that 59% of Hungarians thought same-sex couples should have the same right to adoption as others, and 60% thought same-sex couples were just as suitable to be parents as heterosexual couples. Also in June, Publicus found similar results.

In July, four out of ten of Publicus' respondents thought there was a real risk that LGBTQ organisations carried out propaganda in daycares and schools, and three out of ten thought it was possible that one can become 'homosexual' if they learn about it.

In July, Opinio's representative study found that 22% thought that the 'propaganda law' will serve to combat pedophilia, while close to 60% saw it as a severe restriction of LGBT rights.

In August, a public opinion survey commissioned by Háttér and Amnesty found that public support for LGBT people had never been stronger in Hungary.

SOCIAL SECURITY AND SOCIAL PROTECTION

Háttér trained over 122 professionals who work with LGBTQI children and youth, including in education, healthcare, sports, media and child welfare.



HUNGARY WEB PAGE
MORE INFORMATION ON WWW.RAINBOW-EUROPE.ORG