

HUNGARY

ACCESS TO GOODS AND SERVICES

(See under Freedom of Expression)

ASYLUM

Several hateful articles were published this year in right-wing media alleging that asylum seekers falsely claim they are queer or trans to get status. Hungary refused to support the EU's Asylum Pact.

BIAS-MOTIVATED SPEECH

(See also under Asylum)

For the second year in a row, Hungary hosted Europe's largest right-wing political event, featuring clear anti-LGBTQI and anti-immigration speeches. Minister of National Defense Kristóf Szalay-Bobrovniczky said at the event "here, in Hungary, there will be neither LGBTQ-XYZ, nor gender neutral, nor any other force infected with progressive ideology".

The Media Council fined HírTV for featuring pro-government editor-in-chief of Demokrata, András Bencsik, welcoming Uganda's new law and the execution of gays in February. In August, Bencsik also slammed Sziget Festival (see under Freedom of Expression) for "making same-sex kissing mandatory". The Council also fined radio Karc FM for featuring homophobic content. Opposition MPs tabled a law to provide civil law sanction for hate speech against LGBTQI people.

In May, the second instance court reaffirmed that Fidesz politician Botond Sára slandered a Budapest municipality in 2021, alleging that its daycare centres run "LGBTQ propaganda". Sára was ordered by the court to apologise, but his failed attempt has prompted another lawsuit.

In July, PM Orbán said the EU was abandoning Christian heritage "in favour of "hedonistic" paganism" of "LGBTQ+ gender campaigns", which is waging against Hungary.

Deputy PM Zsolt Semjén said that if marriage equality was legal, three men would also want to get married. In September, Minister of Transportation János Lázár called the Budapest mayor "crazy" for thinking it was fine for a child to be raised by two men.

BIAS-MOTIVATED VIOLENCE

Háttér published a report on victim-centeredness and intersectionality in hate crime proceedings. A national and a transnational workshop was organised to discuss good practices in the field.

The perpetrator in a 2021 hate crime against a lesbian couple was sentenced to five years in prison and said at his court hearing that "Viktor Orbán thinks similarly".

A teacher at a school outside of Budapest quit her job after constant harassment, bullying and threats (see under Education).

BODILY INTEGRITY

In March, the Council of Europe's European Commission Against Racism and Intolerance (ECRI) published its latest report on Hungary, and called for a ban on medically unnecessary and non-consensual surgeries on intersex children.

Former Catholic priest András Hodász gave interviews this year and apologised for his past stance in support of so-called 'conversion practices'.

A 2022 research showed that so-called 'conversion practices' have caused one in four respondents to attempt suicide and over half to consider it.

DATA COLLECTION

(See more under Freedom of Expression)
Háttér launched its LGBTQI research 2023, the third wave after 2007 and 2010. Háttér and Labrisz are doing research on intimate partnership violence against lesbian and trans women.

EDUCATION

ECRI reminded Hungary that children should receive information about sexual orientation and gender identity (SOGI) in schools, to tackle anti-LGBT stigma, discrimination, and violence.

A Catholic literature textbook replaced the term "gay" with "Hungarian" in a poem, but corrected this after the poet complained.

A far-right website published a list of LGBTQI and -friendly teachers. The National Authority for Data Protection and Freedom of Information launched an investigation ex officio, Háttér Society's complaint was merged with it. No decision has been delivered yet.

Some teachers have reportedly lost their jobs for speaking about feminism, LGBTI and progressive issues in the classroom. Labrisz educational programme came to an end after 20 years, as schools fear inviting LGBTI organisations to provide workshops.

EMPLOYMENT

(See under Bias-motivated Violence; and Education)

EQUALITY AND NON-DISCRIMINATION

ECRI expressed serious concern about the deterioration of LGBTI rights in the past years and recommended that Hungary put in place an LGBTI action plan.

Hungary became the only EU country without a female minister.

The Diverse Hungary cross-party LGBTIQ group held an LGBTIQ forum at the Budapest City Hall in April.

Fidesz and Mi Hazánk representatives vetoed a public place being named after Alan Turing in Budapest, because he was gay.

An assessment of the impact of the abolition of the Equal Treatment Directorate shows that there are barely any cases concerning LGBTIQ or Roma people before the Commissioner of Fundamental Rights.

CSOs continued to request a meeting with the Ombudsman but received no invitation.

FAMILY

In April, the parliament adopted a whistleblower protection law adding that anyone defying the “constitutionally recognised role of marriage and the family” and children’s rights “to an identity appropriate to their sex at birth” could be anonymously reported. A trans activist, Flóris Balta, reported himself at the Office of the Commissioner for Fundamental Rights. President Novak vetoed the law and parliament removed the problematic provisions.

The number of single individuals applying to adopt dropped by a third between 2021 and 2022, in what is a consequence of stricter regulations. In at least two cases in 2023, the court quashed decisions of the authorities who denied men, who were open about being gay, to adopt (see here and here). In both cases, the authorities had to start a new adoption process. A third case was refused in 2023 and a review against this decision is ongoing.

On September 14, the European Court of Human Rights declared the application of Sziványcsaládokért Alapítvány, an organisation requesting to be in the list of organisations working for families, inadmissible on September 14.

The U.S. Embassy organised a Family Pride Event for rainbow families during the Pride weekend.

FOREIGN POLICY

(See under Freedom of expression)

In May, the European Parliament adopted a resolution expressing concern about Hungary’s ability to take on the EU Presidency in 2024, as it has systematically undermined the EU’s fundamental values. In 2022, the EP passed a resolution which identified Hungary as a “hybrid regime of electoral autocracy” instead of a democracy.

In June, Hungary also refused to support the EU Justice Affairs Council’s conclusions on the protection of LGBTI communities in Europe.

FREEDOM OF ASSEMBLY

In April, the Hungarian Asexual Community held Hungary’s first asexual Pride march.

In April, the Curia/Supreme Court upheld the police ban on the far-right Mi Hazánk protest, which would have taken place at the same time and place as Budapest Pride and would have hindered freedom of assembly.

The annual Budapest Pride march, held in July, brought together approximately 35,000 people again this year. The organisers said the crackdown on LGBTIQ visibility has intensified, but also that the government backlash has boosted participation. Pécs held its third Pride march in September - no incidents were recorded.

FREEDOM OF EXPRESSION

In January, the European Court of Human Rights ruled in Macatė v. Lithuania that restricting and labelling a book of fairy tales as harmful to children for including LGBTIQ+ characters is a violation of Art. 10 (freedom of expression). The ruling repeatedly mentions the Hungarian Child Protection law and the censoring of Wonderland is for Everyone as a similar example of censorship. Hátter had submitted a third-party intervention.

Also in January, a court confirmed the obligation of the Primer Minister Office to release the data on the measures taken against “LGBTQ propaganda”.

The European Commission’s infringement procedures continued against Hungary over its anti-LGBT Child Protection

Law. By the April deadline, [15 EU Member States](#) and the [European Parliament](#) joined the proceedings this year.

Bookstores were [fined](#) this year for not complying with the ‘propaganda law’ (see [here](#), [here](#), [here](#), [here](#), and [here](#)). A different decree [sets out](#) that stores within a 200-metre radius of a school or church cannot sell any books that feature LGBTQ characters and that stores outside this radius must remove them from the youth section, wrap them in foil, and put a 18+ mark on them. In July, for instance, the bookshop Líra was [fined](#) 12,000,000 huf (32,000 EURO) for displaying Heartstopper, an award-winning YA novel, at the children’s section without a plastic cover. The establishment requested a review of the case, another fined bookstore too. The author of Heartstopper [condemned](#) the government’s backlash. 34 Hungarian authors [published](#) a joint statement condemning the government’s censorship.

In July, college students [set up](#) tables outside a Libri store with a “banned books for free” sign, selling the foiled books for a donation. Civil society launched the [www.folianelkul.com](#) website (Eng: without a foil) and the hashtag #homofolia trended on social media (ed: ‘folia’ means plastic cover) for weeks.

In May, the Metropolitan Court [ruled](#) that Háltér’s request to the Media Council regarding the number of proceedings the Council was initiated on the basis of the Child Protection Law. Háltér lost the appeal and the case is pending for review before the Curia.

Budapest Pride [turned](#) to court after the Media Council refused to classify this year’s campaign film as a Public Service Announcement and would only allow it to be streamed between 10pm and 5am. TV channel RTLklub also [turned](#) to court to [challenge](#) the Council’s anti-LGBTQ classification.

The Ferencváros municipality and Amnesty International Hungary painted a bench with rainbow colours ahead of the Budapest Pride march. The bench was [repainted](#) every day for a week by far-right extremists, who also tagged it with hateful slogans, and then painted again, or wrapped in foil (see above) by LGBTQ activists. The bench had to be [removed](#) after getting damaged in the process.

The Consumer Protection Department of the Budapest Government Office [launched](#) an investigation into Sziget Festival’s promotional video for featuring a same-sex kiss. Google/YouTube [were](#) investigated as well for showing the video.

The Ministry of Culture [banned](#) the entry of minors to the World Press Photo exhibition because photos of LGBTI seniors were portrayed.

HEALTH

Háltér trained 124 medical professionals in working with LGBTQI people, including 35 doctors and 63 psychologists.

INSTITUTIONAL SUPPORT

In February, UN’s CEDAW [published](#) concluding observations and made several recommendations related to LGBTI women, for example, providing adequate protection against hate crimes.

LEGAL GENDER RECOGNITION

In February, the Constitutional Court [failed](#) to affirm trans people’s right to dignity and privacy, [saying](#) that the ban on legal gender recognition (LGR) is constitutional. The ruling [counters](#) the Court’s own 2018 ruling. In May, the Constitutional Court [rejected](#) the constitutional complaints directly submitted against the ban on LGR. Civil society has [turned](#) to the European Court of Human Rights.

In March, the Budapest Metropolitan Court [requested](#) preliminary ruling proceedings from the European Court of Human Rights, asking the Court to rule on whether the right to have one’s data rectified guaranteed in the GDPR regulations extends to trans people who have no access to legal gender recognition.

In March, ECRI [recommended](#) that Hungary overturn its ban on LGR and put in place a legal procedure that is based on self-determination.

On 22 June, the European Court of Human Rights [affirmed](#) in [R.K. v. Hungary](#) that the lack of clear LGR procedures, i.e. the inability to access LGR, is a violation of Art. 8 (right to private and family life). Although R.K. applied for LGR before the procedure was banned in 2020, the Court [affirmed](#) that Section 33 of the omnibus law passed in May 2020 makes it entirely impossible for anyone to access LGR.

At an EU Summit in February, PM Viktor Orbán [tweeted](#) “No migration! No gender! No war!”, which in a humorous response civil society [welcomed](#) as the PM’s plan to abolish the mandatory registration of gender, [binary genders](#), and gender roles.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

(See also under Freedom of Expression)

In July, German football fans put up an anti-homophobia banner during a game against a Hungarian team.

The LIFT festival on lesbian identities was celebrated in October after a three-year break.

A lesbian-themed film was released in November. The Petőfi Literary Fund, which had previously translated *Wonderland is for Everyone* into Estonian with public funding, stopped translations of the book into other languages.

PUBLIC OPINION

A representative public poll found that despite Hungary's anti-LGBTQI laws, support for LGBTQI rights has increased. 72% think LGR should be available, 56% support adoption by same-sex couples, and 62% think the state is obliged to protect LGBTQI people from discrimination.

In ten years, support for marriage equality increased by 150%. However, another study published by the Social Science Research Centre showed that almost half of Hungarian respondents think that same-sex couples and their children are not a family.

SEXUAL AND REPRODUCTIVE RIGHTS

(See under Institutional Support)

SOCIAL SECURITY AND SOCIAL PROTECTION

In July, the Fejér County Government Office acknowledged that trans women, whose legal gender is female, are also entitled to pension benefits granted to women, in line with the Veszprém Court's ruling from 21 April 2023. Also in July, two government MPs tabled a bill that would strip trans women of this right. The proposal was withdrawn in October. In late October, the same government office re-issued a decision holding that only the years after the legal gender recognition count towards the beneficial pension years.



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