



# Hungary



**Hungary's political figures continued to disseminate anti-LGBTI views in public, a trend picked up on by ECRI. An anti-LGBTI activist was convicted of bias-motivated violence, while another judgment held that implying someone was being untruthful about their sexual orientation was defamatory. An event discussing the rights of intersex people took place in Hungary for the very first time. The LGBTI activist community remained active throughout the year, raising awareness through poster campaigns and documentary films; but the treatment of one activist in particular highlighted their vulnerability.**

## Access to goods and services

- Advertising company Publimont rejected an ad campaign by gay dating website Melegrandi in April, saying that the ads were harmful to the moral development of children and contravened advertising laws.
- Media firm MAHIR refused to publish an ad from a documentary film maker, who was looking for gay interviewees. The team behind the documentary launched a case before the Equal Treatment Authority; the case was still pending at the end of the year.

## Bias-motivated speech

- During an interview carried out on 17 May with news site Index, Prime Minister Viktor Orbán (Fidesz) commented that Hungary was currently a tolerant nation but that if "...the community of homosexuals starts being more provocative, I think that the current peaceful, calm equilibrium will be no more."
- The mayor of Budapest István Tarlós called the city's Pride parade "repulsive" during a TV interview with TV2's Mokka programme on 4 June.
- One of the major concerns raised by ECRI in its fifth monitoring cycle report on Hungary was the rise in homophobic rhetoric among political parties, particularly those on the far-right. The inclusion of sexual orientation and gender identity in hate speech laws was noted but the fact that no court cases had occurred as a result was also a cause for concern. The ECRI report was published on 9 June.
- László Sütő was dismissed from the Democratic Coalition party (DK, social-liberalism) by party leader Ferenc Gyurcsány in July after Sütő stated his belief that homosexuality was a curable illness in a Facebook post.
- On 30 October, a Budapest court ruled that openly-lesbian politician Klára Ungár (Alliance of Free Democrats, SZDSZ; social-liberalism) had damaged the reputation of Máté Kocsis (Fidesz) by stating that he was gay in a Facebook comment. The court declared that falsely claiming someone is hiding their true sexual orientation, thereby implying that they are dishonest, is defamatory. According to trial judge Justice Péter Fintha-Nagy, the court was not passing moral judgment on same-sex couples. The court ordered Ungár to delete the Facebook comment, pay HUF 2 million (approx.

EUR 6,300) in compensation and issue a public apology. Klára Ungár intended to appeal the decision.

- On 9 November, far-right party Jobbik displayed the winning entries in a poster competition for its youth branch in the lobby of the MPs office building. Among the posters was a drawing entitled "The puzzle for children of homosexual parents" that depicted a child looking confused or upset by the idea of same-sex parents and celebrating the idea of different-sex parents.

## Bias-motivated violence

- On 4 February, the Supreme Court ordered a retrial in the case of three men who attacked police at Budapest's 2011 Pride parade. The anti-LGBTI equality protestors had received community service sentences but the court found this punishment to be overly lenient.
- The first sentence for a homophobic crime under existing hate crime legislation was handed down on 29 April. The Central District Court of Pest found a right wing activist guilty of violence against a member of a minority community and sentenced her to three years imprisonment. The woman shouted homophobic abuse and hit a man walking home from Budapest Pride in 2013. Both the defendant and the prosecutor appealed the decision.
- The same hate crime legislation was used in another case concerning attacks against Budapest Pride participants in 2012. In a decision delivered by the Central District Court of Pest on 12 November, an extreme right wing activist was sentenced to two years imprisonment, suspended for 3.5 years. The court emphasised that there is no need for physical violence for an incident to qualify as a hate crime; threatening behaviour is enough.
- *For the Record*, the report of the ProTrans monitoring project led by Transgender Europe (TGEU), was published in November. Between June 2014 and August 2015, NGO Transvanilla reported 32 transphobic incidents; 16 individuals are receiving legal aid as a result.

## Bodily integrity

- The Office of the Commissioner for Fundamental Rights hosted a conference on the issues faced by intersex children in May. Children's rights organisations, sociologists

and LGBTI NGOs such as Háttér and Transvanilla were among the participants. This was the first event on the human rights of intersex people held in the country and the first LGBTI event organised by the ombudsman.

## Education

- In April, four NGOs launched the 'Together against Bullying' campaign. The project aims to reduce bias-motivated bullying of children from minority groups in school.

## Equality and non-discrimination

- The Hungarian LGBT Alliance launched an awareness-raising campaign. Between 16-30 June, 120 posters were displayed in Budapest and seven other cities, the first time LGBTI-themed billboard posters appeared outside the capital.

## Family

- A German-Hungarian citizen's rights to human dignity and legal certainty were violated by the Hungarian authorities, according to a Commission for Fundamental Rights decision. The individual and his same-sex partner had entered a registered partnership in Germany. As permitted under German law, he took his partner's name but Hungarian authorities refused to recognise this.

- In June, Gábor Fodor (MLP) put forward a bill to introduce marriage equality for same-sex couples. The bill was not put on the parliament's agenda as it was voted down in the Justice Committee by seven votes to one on 26 October; it was put up for a vote when Fodor was not available to attend and defend his bill.

- In November, a man who had been treated as a distant relative by the tax authorities when his registered partner died received a refund on the inheritance tax that he had been erroneously charged. A similar decision was delivered in December, saving a widowed registered partner HUF 1.2 million (approx. EUR 3870) in inheritance tax. NGO Háttér requested the tax authority to launch a comprehensive review on all inheritance tax cases concerning registered partners.

- In December, Hungary blocked EU proposals to clarify property rights for married and registered couples exercising their freedom of movement within the EU (see **European Union**).

## Freedom of assembly

- For the first time in several years, Budapest's Pride parade on 11 July was not disrupted by far-right protest groups. There were some small counter-protests outside the parade route. Official estimates put attendance at 10,000 people; organisers put the figure closer to 20,000.

## Human rights defenders

- LGBTI activist Andrea Giuliano was sued for defamation by the right-wing National-Hearted Motorcyclists group on 10 June. Giuliano had included a parody of the group's logo in the costume he wore during Budapest Pride 2014. The case was dropped but Giuliano's own harassment case, regarding the multiple death threats he received throughout 2015, had not progressed by the end of the year.

## Participation in public, cultural and political life

- Richard Barabas, member of Budapest's local assembly for Dialogue for Hungary (PM, liberal-green) came out in a blog he posted on 10 July.

## Public opinion

- According to Eurobarometer 2015, 49% of people surveyed in Hungary believe that discrimination on the basis of sexual orientation is widespread (EU28 average was 58%). When asked about gender identity, 40% felt discrimination on this ground was widespread (EU 28 average was 56%). 49% totally agreed with the statement that LGB people should have the same rights as heterosexual people (EU 28 average was 71%). When asked to grade how comfortable they would be with certain scenarios on a scale of 1 (not comfortable at all) - 10 (totally comfortable), 57% said they would be comfortable or moderately comfortable with an LGB work colleague (EU28 average was 72%). When asked about a potential trans work colleague, 53% said they would be comfortable or moderately comfortable (EU28 average was 67%).