

HUNGARY

ACCESS TO GOODS AND SERVICES

A trans person was denied accommodation in a hotel this year.

ASYLUM

Civil society organised support for LGBTQI people fleeing Ukraine.

BIAS-MOTIVATED SPEECH

The Media Council imposed a 400,000 huf (950 euro) fine on Pesti TV for its transphobic broadcast in 2021.

Minister of Justice, Judit Varga said in an interview that Hungary would fight “gender madness”.

Upon the request of Háttér Society, the Commissioner for Fundamental Rights (CFR) launched proceedings against a deputy mayor of Győr, who said on social media that an LGBTQI-themed film should be “thrown in the trash”. The CFR rejected Háttér’s petition, and the decision was upheld on judicial review.

A bus stop was tagged with a text calling for the “killing of gays” - a criminal investigation is ongoing.

BIAS-MOTIVATED VIOLENCE

In January, the Parliamentary Assembly of the Council of Europe adopted Resolution 2417(2022) on ‘Combating rising hate against LGBTI people in Europe’, highlighting the alarming developments in Hungary.

Several hate crimes were committed this year, with the perpetrators in some cases referring to the 2021 ‘propaganda’ law as being “on their side”.

The perpetrator of a 2021 lesbophobic hate crime was sentenced to one year and eight months in prison.

Háttér successfully challenged the police’s decision to not investigate far-right protestors who gave a nazi salute at the 2021 Pride march. The case is pending.

Áron Molnár, founder of the pro-democracy and human rights movement noÁr was sexually harassed by a well-known far-right activist at Pride. An investigation is pending.

In March, the Prosecutor General launched an investigation into a hate crime based on sexual orientation because a trans man and a woman were attacked on public transportation in Budapest.

EDUCATION

Since the adoption of the 2021 ‘propaganda law’, teachers reported being scared even to mention SOGIESC topics in the classroom. One parent reported that their child was not allowed to have a rainbow as their kindergarten sign.

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.

EMPLOYMENT

Transvanilla marked Trans Day of Visibility with a campaign “Elfogadod?” [Eng: Will you accept them?] featuring seven trans employees. Transvanilla published ‘Trans-inclusive Workplaces Guidelines for Employers’ in Hungarian.

Since the 2021 ‘propaganda law’, at least two trans people were fired due to their trans identity this year.

Háttér Society provided training and capacity-building for HR professionals, and trans, intersex and non-binary persons.

EQUALITY AND NON-DISCRIMINATION

2022 marked the 60th anniversary of Hungary decriminalising ‘homosexuality’.

Háttér had an advocacy meeting with President Katalin Novák in November, following her statement in the summer that she wished to be everyone’s President, “including, of course, Hungarian homosexuals”.

The GANHRI Sub-Committee on Accreditation (SCA) downgraded Hungary’s NHRI to B status.

FAMILY

Following civil society’s calls, the Budapest Metropolitan Government Office updated its



information materials on citizenship requirements, setting out that a Hungarian citizen's same-gender registered partner can apply for citizenship after three years of residence, instead of eight.

In June, civil society filed a complaint to the European Commission for Hungary having failed to implement the 2018 Coman judgement and recognise a marriage formed abroad between people of the same gender.

The National Child Protection Service amended its online forms to better accommodate persons who wish to adopt individually.

In at least two cases, the court quashed decisions of the authorities who denied men, who were open about being gay, the ability to adopt (see here and here). In both cases, the authorities had to start a new adoption process.

FREEDOM OF ASSEMBLY

The Budapest Metropolitan Court ruled that the police failed to secure a 2020 Wonderland is for Everyone storytime event, which was disturbed by far-right activists. The appeal is ongoing.

The annual Budapest Pride march brought together tens of thousands again this year. The route was again altered this year, as far-right Mi Hazánk booked Andrásy avenue first.

The second Pécs Pride took place on 17 September.

The EuroCentralAsian Lesbian* Community (EL*C) conference was held in Budapest in the autumn and included a Dyke March. No incidents were recorded.

FREEDOM OF EXPRESSION

The Budapest Metropolitan Court ruled that the Government Office failed to sufficiently justify censoring Wonderland is for Everyone.

Thanks to the relentless work of CSOs, the government's anti-LGBTQI referendum failed in April, with over 1.5 million invalid votes cast. The referendum was a response to the European Commission's infringement procedures against Hungary (see here and here). The civil society campaign drew

attention to the discriminatory referendum, featured testimonies of LGBTQI people and allies, and was supported by over 400 volunteers nationwide.

On 20 December, the European Commission referred the 'propaganda law' to the European Court of Justice.

In July, the Metropolitan Court and the Court of Appeal both reaffirmed that the TV channel RTL Klub did not in any way violate the law when streaming a PSA about rainbow families. The Media Council had previously found a violation by RTL Klub.

In August, The Metropolitan Court obliged the Office of the Prime Minister to share the answers to their survey, which was sent out to municipalities in 2021 and which mapped how "LGBTQI propaganda" was being monitored. The Court of Appeal upheld the ruling.

In August, the Media Council sought legal aid from its foreign counterparts regarding the flawed rating of LGBTQI content regarding a same-gender kiss on Netflix's Jurassic World.

HEALTH

The Hungarian Psychiatric Association, the Hungarian Psychological Association, and the Hungarian Society for Sexual Medicine issued a statement criticising the 'propaganda law'.

Blood plasma donation screening questions were changed for the better by a plasmapheresis centre, which used to discriminate against men who have sex with men.

In March, the Government Information Center (KTK) sent out an email to those subscribed to COVID-19 news that they should vote 'no' during the April anti-LGBTQI referendum. In response, Háltér and Amnesty requested that KTK share the civil society call to vote 'invalid'.

Háltér trained 116 medical professionals and students on work with LGBTQI persons and released educational videos for health professionals.



HUMAN RIGHTS DEFENDERS

A few days after the elections and referendum, the National Election Committee (NEC) imposed fines of 176,400 huf (approx. 430 euro) on 16 NGOs and an additional three million huf (approx. 8,000 euro) each on the campaign's two main organisers, Amnesty International Hungary and Háttér Society. Some of the 16 organisations did not even partake in the campaign. The NEC alleged that the civil society campaign "defeated [...] the constitutional purpose of the exercise of power." The NGOs challenged the NEC decision in court. The Supreme Court annulled the fines on 12 NGOs, but not on Amnesty and Háttér, who turned to the Constitutional Court, which rejected their constitutional complaints. The case is pending before the European Court of Human Rights.

The 14 NGOs were finalists for the Parliamentary Assembly of the Council of Europe's Václav Havel Human Rights Prize.

LEGAL GENDER RECOGNITION

After years of legal battle and the call of the Commissioner for Fundamental Rights, the Budapest Metropolitan Government Office started to notify the local registrar to amend the name and gender marker of trans people who applied for legal gender recognition prior to its ban in May 2020. In 2021, the Constitutional Court ruled that the retroactive application of the ban was unconstitutional, and dozens of rejections were later overturned. Several trans people received their new documents this year.

PUBLIC OPINION

A study found that most Hungarians do not consider 'homosexual propaganda' an important issue.

SOCIAL SECURITY AND SOCIAL PROTECTION

The Budapest Local Government's new homelessness strategy mentions LGBT people in several instances.

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