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UPR HUNGARY
ILGA-Europe, COC Netherlands and Háttér
United Nations Human Rights Council, Geneva. 23rd September 2011

Madam President,

We would like to commend Hungary for its commitment to equality and non-discrimination as expressed during the UPR process. We appreciate that the government of Hungary has accepted various recommendations in relation to the protection of human rights for lesbian, gay, bisexual and transgender people, including 1) measures to raise awareness including training for the police and the judiciary; 2) the strengthening of hate-crime legislation including providing victim assistance; and 3) the explicit prohibition of discrimination on the basis of sexual orientation and gender identity.

Madam President, may we ask the government of Hungary what timeframe it envisages for the implementation of these recommendations?

Whilst Hungary has made significant progress in the past decades in expanding the rights and protections enjoyed by lesbian, gay, bisexual and transgender people, discriminatory laws -especially in the field of family law- are still in place. Sexual orientation and gender identity are not explicitly included as grounds for discrimination in Hungary's constitution. Prejudice, discrimination and even violence on the basis of sexual orientation and gender identity are widespread. Unlike in the case of other vulnerable groups, the Hungarian state has no specific programs on promoting equal opportunities for LGBT people, including a lack of social dialogue with LGBT NGOs.

In this context, we call on the government of Hungary:

1. To explicitly include sexual orientation and gender identity as grounds of discrimination in its constitution, which would be in line with the government's acceptance of the recommendation to explicitly prohibit discrimination on these grounds;
2. To expand the current law on partnership registration to include adoption rights and assisted reproduction to ensure equality for same-sex couples;
3. To ensure that no ban on same-sex marriage is introduced to the constitution. Such a negative legislative change would send the message that discrimination of same-sex couples is tolerated and would foster further prejudice and discrimination;
4. To reflect in legislation the possibility for trans people to change their gender in order to end the current ambiguity around existing procedures;
5. To reconfirm its commitment to freedom of assembly by providing all necessary safeguards for pride marches to take place;
6. To engage systematically with civil society organisations working on sexual orientation and gender identity issues, as well as with other civil society organisations, to ensure that UPR recommendations are being implemented.

Finally, we urge Hungary to consider using the *Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity* as a tool in such policy development.

Thank you Madam President.