



UNIVERSAL PERIODIC REVIEW (MAY 2016) Recommendations for Hungary

The **Hungarian LGBT Alliance** is an umbrella organization bringing together LGBTQI organizations in Hungary. **Transvanilla Transgender Association**, the only registered trans rights organization in Hungary, has been representing the rights of trans people since 2011. **Háttér Society** is the oldest LGBTQI organization, providing key services such as legal support and a helpline. **Budapest Pride** works on increasing the visibility of LGBTQI people by organizing awareness-raising events, such as film festivals and the Pride March. **Labrisz Lesbian Association** works to draw public attention to the discrimination against sexual minority women, and eliminate prejudice and stereotypes against them.

We ask States to turn to the stakeholders' Report submitted jointly by Hungarian LGBT NGOs for more information on the lack of tangible progress since the first review; and invite them to consider making the following **recommendations** to Hungary, listed by problem areas:

Right to equality and non-discrimination

- Adopt a comprehensive strategy and action plan covering all spheres of life to tackle discrimination based on sexual orientation and gender identity.
- Strengthen its efforts in fighting homophobic and transphobic hate speech by amending relevant provisions of the Fundamental Law and the Civil Code, and by condemning such statements, especially if made by public officials.

The Right to Privacy

- Develop a quick, transparent and accessible legal procedure based on self-determination for legal gender recognition.
- Ensure through legislation or by interpretation of the law, that data on previous change of gender and gender identity is covered under data protection law.

Right to life, liberty and security of the person

- Adopt guidelines for law enforcement agencies on their response to hate crimes; integrate those guidelines in training police officers, prosecutors, judges.
- Take comprehensive measures to prevent hate crimes and encourage victims to report the incidents.

Right to employment

- Extend the requirement to adopt equal opportunity plans to all public and private employers and issue guidelines on their content with specific reference to the needs of LGBTQI employees.
- Introduce financial incentives for employers to provide diversity trainings for their employees specifically including LGBTQI issues.

Right to freedom of expression, association and peaceful assembly

- Ensure that LGBTQI people and their representative organizations are not restricted in their right to peaceful assembly and that their safety is secured at demonstrations and public events. Ensure that the right to peaceful assembly is secured by proportional police presence that does not undermine the visibility of LGBTQI people.
- Refrain from stigmatizing and negative statements about LGBTQI persons/events and publicly condemn any such remarks made by State and party officials.

Right to education

- Amend the law on the National Basic Curriculum and the Framework Curricula to include information on sexual orientation/gender identity.
- Ensure that all textbooks and other educational materials authorized for use in public education cover sexual orientation and gender identity in an objective manner, and promote tolerance and respect for LGBTQI persons.
- Issue a model policy of non-discrimination and anti-bullying for educational institutions with reference to sexual orientation/gender identity and expression and integrate issues of homophobic and transphobic bullying into anti-violence and safe school programs.

Right to health

- Introduce sensitizing training for doctors and other medical staff on discrimination against and the specific health needs and concerns of LGBTQI persons.
- Create clinical guidelines on treatment for trans persons and ensure that costs of gender affirmation procedures are reimbursed by public health insurance.
- Stop unnecessary medical treatment and surgery of intersex people without their consent and improve law and policy to facilitate the legal recognition of intersex individuals on official documents, respecting their right to self determination.

Right to family

- Provide legal recognition to same-sex parenting.
- Take measures to prevent discrimination against same-sex couples and their children in the fields of education, healthcare and access to social benefits.
- Remove discriminatory legislative restrictions for lesbian couples in accessing assisted reproduction technologies.
- Remove the requirement to be single as prerequisite for legal gender recognition.

Right to asylum

- Ensure that law 2007/LXXX. explicitly states gender identity and expression as grounds of persecution.
- Explicitly include sexual orientation, gender identity and expression in information materials as grounds for persecution that LGBTQI asylum seekers can base their claims on.
- Ensure that asylum procedures are conducted in line with UNHCR Guideline no. 9 and consider the special situation and needs of LGBTQI claimants.

Contact: Bea Sandor, board member, Hungarian LGBT Alliance;
sandor.bea@lmbtszovetseg.hu