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Violations of the human rights of LGBTI people in Hungary

Written question No. 768 to the Committee of Ministers

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In May 2020, the Hungarian Parliament enacted legislation that prevents trans and intersex people from changing their name and obtaining legal recognition of their gender identity. In December 2020, Hungary amended its constitution to restrict children's gender identity to their sex assigned at birth and to ensure an upbringing that reflects values based on "Hungary's constitutional identity and Christian culture". Hungary also constitutionalised a restrictive, heteronormative definition of the family (stating that family ties must be based on marriage, where the mother is a woman and the father is a man) and changed the law to restrict adoption to married, heterosexual couples. On 15 June 2021, the Hungarian Parliament adopted further legislative amendments to a series of laws, designed to introduce a ban on the "portrayal and the promotion of gender identity different from sex at birth, the change of sex and homosexuality" for persons under the age of 18.

Each of these seriously discriminatory measures impedes the enjoyment of rights that are guaranteed by the European Convention on Human Rights, in particular by its Articles 8, 9, 10 and 14, and that are recognised by the European Court of Human Rights in its case-law. They are also contrary to numerous requirements spelt out by the Committee of Ministers in its Recommendation [CM/Rec\(2010\)5](#) on measures to combat discrimination on grounds of sexual orientation or gender identity, as well as to several resolutions of the Parliamentary Assembly, in particular [Resolution 1948 \(2013\)](#) "Tackling discrimination on grounds of sexual orientation and gender identity", [Resolution 2048 \(2015\)](#) "Discrimination against transgender people in Europe", [Resolution 2191 \(2017\)](#) "Promoting the human rights of and eliminating discrimination against intersex people" and [Resolution 2239 \(2018\)](#) "Private and family life: achieving equality regardless of sexual orientation".

Mr Ben Chikha

To ask the Committee of Ministers:

What action does the Committee of Ministers intend to take to ensure that Hungary reverses the above measures, ceases immediately its attacks on the rights of LGBTI people, and fully meets its obligations towards them under the European Convention on Human Rights and the other Council of Europe human rights standards mentioned above?

