

Notice: Undefined index: et_header_layout in /home/hrwfe90/domains/hrwf.eu/public_html/wp-content/plugins/pdf-print/pdf-print.php on line 1214

Notice: Trying to access array offset on value of type null in /home/hrwfe90/domains/hrwf.eu/public_html/wp-content/plugins/pdf-print/pdf-print.php on line 1214

Notice: Undefined index: et_header_layout in /home/hrwfe90/domains/hrwf.eu/public_html/wp-content/plugins/pdf-print/pdf-print.php on line 1215

Notice: Trying to access array offset on value of type null in /home/hrwfe90/domains/hrwf.eu/public_html/wp-content/plugins/pdf-print/pdf-print.php on line 1215

Notice: Undefined index: et_template in /home/hrwfe90/domains/hrwf.eu/public_html/wp-content/plugins/pdf-print/pdf-print.php on line 1216

Hungary ends legal recognition for transgender and intersex people

President Ader should not sign problematic new law.

By Kyle Knight & Lydia Gall

HRW (21.05.2020) – <https://bit.ly/2Xsmuxl> – Hungary's parliament this week passed a law making it impossible for transgender or intersex people to legally change their gender – putting them at risk of harassment, discrimination, and even violence in daily situations when they need to use identity

documents. The law is a major backwards step on transgender and intersex rights, and yet another violation of Hungary's international rights obligations. It comes at a time when the government has used the Covid-19 pandemic as a pretext to grab unlimited power and is using parliament to rubber-stamp problematic non-public health related bills, like this one.

"Danny," a 33-year-old transgender man living in Budapest, described his daily humiliation to Human Rights Watch. "I'm always stressed and uncomfortable ... where I have to show my identity documents, for instance when I go to the post office or want to cross a border. I get funny looks, questions, and am forced to explain a very personal story to random strangers and that's humiliating," Danny said. "It really destroys my day."

The legislation redefines the word "nem," which in Hungarian can mean both "sex" and "gender," to specifically refer to a person's sex at birth as "biological sex based on primary sex characteristics and chromosomes." According to Hungarian law, birth sex, once recorded, cannot be amended. This means that anyone who doesn't identify with the sex they were assigned at birth – such as transgender people – will be denied the right to change their legal gender marker to correspond to their identity.

Intersex refers to the estimated 1.7 percent of people born with sex characteristics that differ from social expectations of female or male. Because their bodies are often misunderstood or miscategorized, intersex people may need access to legal gender recognition procedures later in life.

This new law compounds the marginalization trans people in Hungary already face. A recent survey showed that 95 percent of respondents in Hungary believe the government does not effectively combat anti-LGBT bias. It also violates Hungary's obligations under the European Convention on Human Rights.

Hungarian President Janos Ader has a duty to ensure that people's basic rights are not violated by unconstitutional laws. He should decline to sign this law and instead refer it to the Constitutional Court for review. And the European Union's Commissioner on Equality, Helena Dalli, should strongly denounce Hungary's attack against nondiscrimination, a core right enshrined in EU treaties.

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Notice: Undefined index: et_footer_layout in /home/hrwfe90/domains/hrwf.eu/public_html/wp-content/plugins/pdf-print/pdf-print.php on line 1267

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Notice: Undefined index: et_template in /home/hrwfe90/domains/hrwf.eu/public_html/wp-content/plugins/pdf-print/pdf-print.php on line 1268