

Dr. Ákos Kozma
The Office of the Commissioner for Fundamental Rights
Alapvető Jogok Biztosának Hivatala
1387 Budapest PO Box 40
Hungary

Dear Commissioner for Fundamental Rights,

I am writing to you concerning 'Act XXX of 2020' on Changes of Certain Administrative Laws and Free Donation of Property that was adopted by Parliament on 19 May 2020 and signed into law by the President on 28 May and whose Article 33 bans legal gender recognition, violating the human rights of transgender and intersex people.

These provisions are in breach of Hungary's obligations under international human rights law and also violate Article II, VI (1) and XV (2) of the Fundamental Law of Hungary. Besides violating the human rights of transgender and intersex people, this law will lead to further discrimination and increase the risk of attacks and hate crimes against transgender and intersex people.

Individuals should be able to obtain legal gender recognition through quick, accessible and transparent procedures on the basis of their self-declaration of gender identity. Furthermore, Hungary must ensure that transgender and intersex people can obtain documents by the State and other official institutions reflecting their name and gender identity without being required to satisfy criteria that in themselves violates their human rights.

In light of the above, I am urging you to immediately request a review of the 'Act XXX of 2020' by the Constitutional Court, as its Article 33 is in clear breach of Hungary's Fundamental Law.

I appreciate your attention to this urgent matter.

Yours sincerely,