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Public Statement

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Hungary: Police fail to protect participants of the Budapest Pride March

Amnesty International has today expressed its concerns to the Hungarian authorities about the alleged failure of the police in Budapest to protect lesbian, gay men, bisexual and transgender (LGBT) participants from attacks by counter-demonstrators during and after the Pride March on 7 July 2007. The peaceful assembly of approximately 2,000 lesbian, gay men, bisexual, and transgender rights activists was for the first time under attack in Budapest.

A few hundred counter-demonstrators reportedly harassed the participants along the route of the Pride March, from Heroes' Square to the Freedom Bridge, throwing eggs, bottles, and Molotov cocktails at them, and threatening their security and physical integrity. According to reports received by Amnesty International several individuals were injured. The police were present during the Pride March, but allegedly did not take any action to disperse the violent counter-demonstrators, in breach of the Hungarian Act on assembly.

At the end of the route of the Pride March an after-party was organized at the Buddha Beach club, which the police reportedly held closed for several hours in order to prevent further episodes. However, when the closure was lifted, groups of counter-demonstrators who were still in the area allegedly attacked participants trying to leave, and 11 cases of individuals being beaten up have been reported. Witnesses alleged that the police failed to patrol the area or react to emergency calls in order to prevent the incidents, although present for a few more hours after the party.

Amnesty International is additionally concerned about police attitudes towards participants of the Pride March, which were reported by non-governmental organizations Patent -- People Against Patriarchy, Gemini Dance Club, and NANE Women's Rights Association. According to information published by the organizations, including witnesses' testimonies, police officers responded to calls for help with a, what could be characterized as discriminatory and victim-blaming, attitude. One case reported is of an activist who called the police and urged them to take more effective action, and who received as a response that "she chose to participate in the event therefore she should take its consequences."

During the day the police arrested eight demonstrators who are reportedly being investigated. However Amnesty International is concerned that the incidents could have been prevented if appropriate positive action had been taken.

Amnesty International therefore calls on the Hungarian authorities to:

- o Ensure that thorough and impartial investigations are carried out into the physical attacks and threats against individuals because of their sexual orientation or gender identity on 7 July 2007, and that anyone reasonably identified as responsible be brought to justice in proceedings that meet international standards;
- o Ensure that the victims receive fair and adequate reparations, including compensation;
- o Publicly condemn attacks, threats of attacks and other harassment of LGBT individuals, making clear that such violence is a criminal offence and will be prosecuted as such;
- o Ensure that all individuals within their jurisdiction are able to effectively exercise their right to freedom of peaceful assembly without discrimination and that the police have sufficient resources and training to take effective steps to protect this right;
- o Ensure that police officers are provided with specific directives and training on their duty to protect the human rights of all individuals, and should include training specifically on the human rights of LGBT people and on how to identify and investigate homophobic crimes. Such training should stress that police misconduct and abuse against LGBT people will not be tolerated;
- o Ensure that law enforcement officials act with due diligence to provide effective protection to LGBT individuals who face threats to their lives and safety;
- o Take action to prevent any conduct by law enforcement officials that discriminates against individuals on the basis of their actual or imputed sexual orientation or gender identity.

Background

The authorities' failure to protect the participants of the Pride march violates their right to equal protection of the law guaranteed by Article 26 of the International Covenant on Civil and Political Rights (ICCPR), to which Hungary is a state party. Amnesty International is urging the Hungarian authorities to tackle discriminatory attitudes within the police

force in order to ensure that freedom of expression (Article 19 ICCPR) and peaceful demonstration (Article 21 ICCPR and Article 11 of the European Convention for the Protection of Human Rights and Fundamental Freedoms) is guaranteed. European jurisprudence had made it clear that the authorities are required to take positive measures to ensure that participants in a peaceful demonstration are able to proceed without fear that they will be subjected to physical violence by their opponents, even if some find their cause offensive (*Plattform Ärzte für das Leben v. Austria*, European Court of Human Rights, 1985).