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Hungary: Court overturns ban of Pride march 2011

Amnesty International welcomes the decision by the Budapest Metropolitan Court on 18 February, overturning a police resolution of 11 February that banned the Budapest Pride march. The march had been scheduled for 18 June 2011, and was banned following an attempt by the organizers to extend the march's route.

The decision to reverse the ban on the march is a victory not only for lesbian, gay, bisexual and transgender (LGBT) people throughout Hungary, but also reinforces the right to freedom of peaceful assembly for all Hungarians.

The original police resolution had justified the banning of the Pride march by an alleged disruption of traffic. However, the Court found that "the arguments of the [police] resolution cannot prove completely the lack of alternative routes. According to the Law on the Right of Assembly, the negative consequences on traffic on the affected roads cannot in themselves be a justification for the prohibition." The Court further noted that "if the Court was to accept...the reasoning about the traffic obstruction...it would mean that virtually no public events could be held anywhere in Budapest."

The rights to freedom of peaceful assembly and association are recognized in numerous human rights treaties to which Hungary is a state party, including in Article 21 of the International Covenant on Civil and Political Rights and Article 11 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Now that the Court has affirmed the right to peaceful assembly for the LGBT community, the police must ensure that the community can exercise this right without fear of violence or harassment by groups that oppose the Budapest Pride. Given that the Pride march is likely to be targeted by counter-demonstrators, the Pride participants will need to be adequately protected by law enforcement officials. The authorities are obliged to ensure the protection and safety of the Pride organizers and participants. Effective security measures must be put in place to protect participants during the various events of the Budapest Pride, including the Pride march, in June.

Sandor Steigler, President of the Rainbow Mission Foundation, organizers of the Pride, said: "In June 2011 we will organize our march for the 15th time to show the diversity of our community, and through peaceful protest call the attention of policy makers and the broader society to the problems of LGBT people. We welcome anyone committed to the cause of human rights and acceptance, regardless of sexual orientation or political opinion to join us at our march."

Background

Rainbow Mission Foundation had already registered the Pride march and its route in September 2010. There were no reported objections raised by police at the time. However, after the organizers requested an extension to the route in February 2010, so that the march end closer to the Hungarian parliament, the police issued a resolution that prohibited the march altogether.

Amnesty International publications:

Hungary: Authorities must ensure freedom of peaceful assembly and non-discrimination of LGBT people, 16 February 2011, AI Index: EUR 27/002/2011

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