Hungary's Constitutional Amendments Will Hurt Children

statement & call to action, youth and families

TGEU expresses its concern over attempts to amend Hungary's Constitution ("fundamental law"), which would **limit the rights of trans and gender-diverse children** to grow up in accordance with their identities. On 10 November 2020, Hungarian Minister of Justice Judit Varga proposed encoding a new "right", according to which children have to be raised according to the sex registered at birth. If approved, no child would gain better protection. Instead the existence of trans and gender-diverse children would be erased and providing them with support would be much harder.

The proposal further foresees a right to education according to a "constitutional identity" and Christian values. This is a direct attack against families with other or no religious beliefs. It forms part of the populist crusade of the Orban government against an imagined "Islamisation of Europe".

The Hungarian Transgender Association Transvanilla fears that the amendment would force parents and educational institutions to educate children in line with the government's understanding of sex and gender.

TGEU calls on Hungarian lawmakers to reject the law proposal as incompatible with European values and the Convention the Rights of the Child, to which Hungary is a signatory party.

If adopted, the proposal violates with the rights of the child to the preservation of their identity and non-discrimination as protected by the Convention on the Rights of the Child. Children have a right to an education that helps drive their personal development not a national agenda.

TGEU Executive Director Masen Davis comments:

> "The proposal is part of a larger campaign of the Hungarian government against trans people. Earlier this year, Hungary made it impossible for trans people to change their names and legal gender marker. We are concerned for the health and safety of trans children and adults in Hungary in such a hostile climate. We are calling upon EU Commission President von der Leyen to include the LGR ban and this attempt to erase gender diverse children in the Commission's rule of law assessment and on-going Article 7 TEU proceedings against Hungary."

TGEU Policy Officer Jonas Hamm comments: "The pretence to 'protect children's right' is cynical. No child would gain better protection from these changes. Children need a supportive environment where they are loved and supported, no matter their gender identity or religious affiliation. This law does not protect children, it hurts them."

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