# Hungarian Bill Proposed To Prevent Trans Women From Accessing Women's Pension

article, socio-economic rights, women's rights

TGEU calls on Hungarian lawmakers to vote against a discriminatory new law.

Proposed on 13 July, the new bill would explicitly prevent trans women from accessing the "Women 40" reduced pension age. This exception enables women who have worked for 40 years, but not yet reached the formal retirement age, to access their pension. The bill was proposed the same day a trans woman was granted the right to her pension under these conditions by the Veszprémm Regional Court. The Fidesz government is directly attempting to overrule the court decision with this bill.

In light of the continued attacks on the trans and LGBTI rights, TGEU reiterates the need for the European Commission to intervene. These attacks are in direct opposition to EU values.

## What would this mean for trans people in Hungary?

The bill, if passed, would mean that trans women will receive different treatment than cis women in Hungary. It puts into law discriminatory practices against trans women who have legally changed their gender marker.

This is in direct violation of EU-level law. One of the few protections for trans people at the EU requires Member States to protect against discrimination in accessing pensions.

### What is the situation for trans people in Hungary?

This bill comes as a blow for the already vulnerable trans, and wider LGBTI, communities. In recent years, the ruling Fidesz party has made multiple legislative attacks on LGBTI rights and freedoms.

- 2020: Hungary bans Legal gender recognition
- 2021: Hungary bans the portrayal of homosexuality and trans identities in materials intended for youth under the age of 18

## What is the response?

TGEU Member, Prizma, comments:

> "But this is not just a legal case, it's another strike to the already battered Hungarian transgender people and community. It's another move to take more away from our slight but hardly gained rights. Moreover, it's another move against all Hungarian LGBTQIA+ people as a whole."

TGUE's Senior Policy Officer, Francesca Sanders, adds:

> “That the Hungarian government would introduce such a blatantly transphobic law in contravention of its obligations as a Member State of the EU is deeply troubling, and demonstrates that, yet again, Hungary considers itself above the rule of law. The European Commission needs to take immediate action to protect the rights of the already extremely vulnerable trans community in Hungary.”

## What’s next?

TGEU calls on:

- Hungarian lawmakers to vote against the bill.
- The European Commission to take action. The must include this bill in the Commission’s rule of law assessment and on-going Article 7 TEU proceedings against Hungary.

EU institutions must take  measures to prevent further backsliding on human rights. This is especially important with Hungary set to take over the Presidency in 2024.