

Mandates of the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

Ref.: AL HUN 2/2025

(Please use this reference in your reply)

18 November 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association and Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, pursuant to Human Rights Council resolutions 52/4, 52/9, 59/4 and 59/5.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning criminal investigations against the organizer of Pécs Pride, Géza Buzás-Hábel.

Mr. **Géza Buzás-Hábel** is a teacher and a human rights defender in Pécs, and the director and co-founder of Diverse Youth Network. He has been the long-term organizer of Pécs Pride.

Special Procedures mandate holders have previously raised their concerns about the amendments to a number of laws, including the constitutional Fundamental Law¹, in HUN 1/2025, dated 9 April 2025. We thank the government for its reply, dated 11 April 2025. However, concerns remain regarding the compatibility of the legislative amendments with Hungary's obligations under international human rights law.

According to the information received:

In March 2025, the Parliament of Hungary adopted legislative amendments concerning the right to assembly, aimed at preventing and criminalizing LGBTIQ-themed assemblies. As a result of these amendments, organizing such events is now punishable by up to one year in prison, and participants can be fined up to EUR 500 for committing a misdemeanour.

While the Budapest Pride 2025 event eventually went ahead as a municipal cultural event, and not as a public assembly, this approach was deliberately not chosen by the Pécs Pride organizers.

¹ *T/11152, Fifteenth Amendment to the Fundamental Law of Hungary*, currently under consideration by the Legislative Committee); to amend related legislation, including the Equal Treatment Act (*T/11153, On certain amendments related to the fifteenth amendment to the Fundamental Law*, currently under consideration by the Legislative Committee); and to amend the Act on the Right of Assembly (*T/11201, Amendment of Act LV of 2018 on the Right of Assembly related to the protection of children and related acts*, enacted and published on 18 March 2025)

The Pride march in Pécs was scheduled to take place on 4 October 2025. The organizer, Mr. Géza Buzás-Hábel, duly notified the police about the planned event, in accordance with applicable law. The police banned the event, and the Supreme Court of Hungary (Kúria), upheld the ban.

The organizer proceeded with the event, despite the Kúria's decision and it became one of the largest Pécs Pride events, with the participation of several thousand participants.

On 4 October 2025, the Pécs Pride march went ahead peacefully. The police did not intervene to disperse the crowd.

Two weeks after the Pride, Mr Géza Buzás-Hábel was summoned for interrogation by the police as a criminal suspect for 'organizing a prohibited assembly', which is an offense punishable by up to one year in prison. The interrogation took place on 28 October 2025. Following the interrogation, the police reportedly closed the investigative phase of the process and reportedly recommended the indictment of Mr Buzás-Hábel. The lawyers of Mr. Buzás-Hábel have not been informed yet of any indictment.

While we do not wish to prejudge the accuracy of the information received, we would like to express our concerns about the summons and interrogation, and potential indictment of Mr. Buzás-Hábel, for his peaceful acts of organizing the Pécs Pride march. We reiterate our strong concerns about the legislative amendments introduced in March 2025, which effectively ban LGBTIQ themed assemblies in Hungary.

The legislative amendments established a basis for unlawful restrictions on the human rights to freedom of expression and peaceful assembly. In particular, they rely on the discriminatory assertion that the peaceful expression of gender-diverse identities poses a threat to public health and morality, especially that of children. The criminalization of speech and assemblies related to the human rights of LGBT persons, as well as those advocating for their human rights, also infringes on the right to privacy, through amendments expanding the use of biometric facial recognition technology in the context of peaceful assemblies, with the effect of threatening, deterring, and targeting individuals seeking to exercise their rights to freedom of expression and peaceful assembly.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide a detailed explanation as to how summons of Mr. Géza Buzás-Hábel and his interrogation are in compliance with Hungary's

obligations under international human rights law, in particular with the obligation of not to discriminate in the protection of human rights based on any status.

3. Please indicate what steps have been taken and measures put in place by your Excellency's Government to ensure that all human rights defenders taking peaceful action to promote and protect the rights of LGBTIQ persons, including through the organization of and participating in peaceful assemblies, can carry out their legitimate activities free from fear of criminalization, threats or violence.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please accept, Excellency, the assurances of our highest consideration.

Mary Lawlor

Special Rapporteur on the situation of human rights defenders

Irene Khan

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Gina Romero

Special Rapporteur on the rights to freedom of peaceful assembly and of association

Graeme Reid

Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to remind your Excellency's Government of its obligations under the International Covenant on Civil and Political Rights (ICCPR), ratified by Hungary on 17 January 1974, in particular, articles 2, 19, 21, 22 and 26, which respectively guarantee the human rights to non-discrimination, freedom of expression, freedom of peaceful assembly, freedom of association, and equality before the law without discrimination in relation to all Covenant rights.

We would like to emphasize that human rights are universal and apply to everyone, irrespective of their status, political or other opinion and exercising of their human rights in relation thereto. The principles of equality and non-discrimination are part of the foundations of the rule of law and human rights. They are reaffirmed in article 2(1) of the ICCPR. In June 2024, the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity (IE SOGI) presented his report to the 56th session of the Human Rights Council (A/HRC/56/49) focusing on unlawful restrictions on the rights to freedom of assembly, association and expression based on sexual orientation and gender identity.

Article 19 of the ICCPR guarantees the right to freedom of opinion without interference and the right to freedom of expression, which includes the right "to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media". This right encompasses not only the exchange of information that is favourable, but also that which may criticize, shock, or offend. In its [general comment No. 34](#), the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including "political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse" (CCPR/C/GC/34, para. 11).

Any restriction on the right to freedom of expression must be compatible with the requirements set out in article 19(3) ICCPR. Under these requirements, restrictions must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) be necessary and proportionate for those objectives. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant, proving "in specific and individualized fashion the precise nature of the threat, and the necessity and proportionality of the specific action taken, in particular by establishing a direct and immediate connection between the expression and the threat" and any restrictions must be "the least intrusive instrument among those which might achieve their protective function" ([CCPR/C/GC/34](#), paras. 34-35).

Articles 21 and 22 guarantee the right to freedom of peaceful assembly and of association and note that restrictions on these rights must be prescribed by law and necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and

freedoms of others.

Article 21 of the ICCPR protects the right to peaceful assembly, stating that no restrictions may be placed on the exercise of the right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others. The Human Rights Committee in its [general comment No. 37](#) on the right of peaceful assembly (article 21), stated that the authorities must show that any restrictions on the right to freedom of peaceful assembly meet the requirement of legality, and are also both necessary for and proportionate to at least one of the permissible grounds for restrictions enumerated in article 21. The onus is on the authorities to justify any restrictions and where this onus is not met, States violate article 21 of the ICCPR.

Any laws that restrict the rights to freedom of expression and peaceful assembly must, according to the Human Rights Committee, “themselves be compatible with the provisions, aims and objectives of the Covenant.” In particular, “[l]aws must not violate the non-discrimination provisions of the Covenant” (CCPR/C/GC/34, para. 26), including those prohibiting discrimination on the basis of sexual orientation and gender identity (CCPR/C/GC/37, para. 25).

The imposition of any restrictions should aim at facilitating the right, rather than seeking unnecessary and disproportionate limitations on it. Restrictions must not be discriminatory, impair the essence of the right, or be aimed at discouraging participation in assemblies or causing a chilling effect (CCPR/C/GC/7, para. 36). The prohibition of a specific assembly can be considered only as a measure of last resort. Where the imposition of restrictions on an assembly is deemed necessary, the authorities should first seek to apply the least intrusive measures (CCPR/C/GC/37, para. 37). General comment 37 also stated that blanket restrictions on peaceful assemblies are presumptively disproportionate; and that restrictions on participation in peaceful assemblies should be based on a differentiated or individualized assessment of the conduct of the participants and the assembly concerned (CCPR/C/GC/38, para. 38).

The Human Rights Committee has specifically observed that “[r]estrictions on peaceful assemblies should only exceptionally be imposed for the protection of ‘morals’. If used at all, this ground should not be used to protect understandings of morality deriving exclusively from a single social, philosophical or religious tradition, and any such restrictions must be understood in the light of the universality of human rights, pluralism and the principle of non-discrimination. Restrictions based on this ground may not, for instance, be imposed because of opposition to expressions of sexual orientation or gender identity.” (CCPR/C/GC/37, para. 46)

The Model Protocol for Law Enforcement Officials to Promote and Protect Human Rights in the Context of Peaceful Protests indicates that “specific, supportive and protective efforts should be made to facilitate the right to freedom of peaceful assembly of individuals or groups that may be in situations of vulnerability, that have been subjected to discrimination or marginalization or that may face particular challenges in participating in assemblies” including lesbian, gay, bisexual, transgender, queer and intersex persons (A/HRC/55/60, para. 15). The Protocol also specifically states that, in order to protect and facilitate the right to freedom of peaceful assembly

of individuals and groups in situations of vulnerability, including LGBTQI, law enforcers should actively (A/HRC/55/60, para. 65):

- a) “Develop and implement specific supportive strategies aimed at promoting and protecting the rights of individuals and groups in situations of vulnerability in the context of protests” including, among others, the establishment of “protocol on the prevention and provision of immediate response to harassment or attacks on these groups, including sexual and gender-based violence”; and creation of “systems for the continuous monitoring of potential threats or acts of retaliation against these groups”.
- b) “Foster communication with relevant stakeholders, including civil society organizations and community leaders, to understand the specific protection needs of such individuals and groups,” and “involve, as appropriate, representatives from the identified groups in the planning stages of a protest to ensure that their perspectives are considered”.
- c) “Ensure that deployed officers are trained to mitigate and respond to the specific protection needs of these groups and that dedicated rapid response teams are available to provide assistance, whenever required”.
- d) “Consider establishing specific complaint mechanisms within independent investigation units or oversight bodies, including the development of separate mechanisms for children and for victims of sexual and gender-based violence”.

Furthermore, we would like to refer your Excellency’s Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms, adopted on 9 December 1998 (also known as the UN Declaration on Human Rights Defenders). Articles 1 and 2 of the Declaration state that everyone has the right to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms.

Likewise, we would like to bring to the attention of your Excellency’s Government the following provisions of the UN Declaration on Human Rights Defenders:

- article 5(b), which provides for the right to form, join and participate in non-governmental organisations, associations or groups;
- article 9(1), which establishes that in the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights, everyone has the right to benefit from an effective remedy and to be protected in the event of the violation of those rights; and

- article 12(2) and (3), which provides that the State shall take all necessary measures to ensure the protection of everyone against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure, or any other arbitrary action as a consequence of their legitimate exercise of the rights referred to in the Declaration. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities, and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, and acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.