

AMNESTY INTERNATIONAL

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Hungary: Authorities must lift ban on 2012 Pride March

On 6 April 2012 the Chief of Budapest Police issued a resolution banning the 2012 LGBT Pride march, scheduled on 7 July 2012.

Amnesty International is concerned that the banning of the Pride march violates the rights of Lesbian, Gay, Bisexual and Transgender (LGBT) people to exercise their freedom of peaceful assembly and freedom of expression without discrimination.

According to the information available to Amnesty International, the organisers of the Pride march, the Rainbow Mission Foundation, applied to register the event and its route on 3 April. They are planning to appeal to the Budapest Metropolitan Court against the Budapest Police Resolution.

The resolution of the Budapest Police justified the ban on grounds that the Pride march would have negative consequences on traffic, which could not be diverted to alternative routes. The resolution highlights that the exercise of the right to freedom of peaceful assembly by participants of the Pride march would affect the freedom of movement of those who are not taking part into it.

Although states may restrict the rights to freedom of peaceful assembly and to freedom of expression for achieving an aim that is legitimate under international human rights law, any restriction should be proportionate and necessary to the achievement of that aim. However, in this case, the ban on the LGBT Pride march is not a proportionate restriction. The route proposed by the organisers has been regularly used for holding other marches and demonstrations, including in recent weeks. Traffic disruption alone is not a legitimate aim for which the exercise of the rights to freedom of peaceful assembly and to freedom of expression can be restricted. The freedom of movement of those not attending the Pride march would in this case be limited only partially and temporarily.

Amnesty International calls on the Hungarian police and government authorities to immediately lift the ban on the Pride March so that lesbians, gay, bisexual and transgender individuals and groups can exercise their rights to freedom of expression and to freedom of peaceful assembly without discrimination, including through the cooperation of the relevant authorities with the organizers, so that they are able to make preparations for, and participate in, the 2012 Budapest Pride without obstruction, hindrance or threat.

Background

The rights to freedom of peaceful assembly and to freedom of expression are recognized by several human rights instruments, such as the International Covenant on Civil and Political Rights (ICCPR) and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) to which Hungary is a state party.

Restrictions to the rights to freedom of peacefully assembly and to freedom of expression are permissible under international law only insofar as they are purported at achieving a legitimate aim – such as the

protection of public safety, order, health, or morals or the fundamental rights and freedoms of others – and they are proportionate and necessary to the achievement of that aim.

Last year the Budapest police banned the Gay Pride march on 11 February 2011 on similar grounds to those included in the Resolution issued by the Chief of Budapest Police on 6 April 2012. In 2011, the Budapest Metropolitan Court eventually reversed the ban following an appeal by the organizers.

See also:

[*Hungary: Authorities must ensure freedom of peaceful assembly and non discrimination of LGBT people
Courts overturns ban on Pride March 2011*](#)

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