

Minister for Foreign Affairs
Micheál Martin TD
Department of Foreign Affairs
80 St. Stephen's Green
Dublin 2

March 15, 2023

cc:

Oireachtas Foreign Affairs Committee
Oireachtas European Union Affairs Committee
Secretary General, Department of Foreign Affairs
Minister for Children, Equality, Disability, Integration and Youth
Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media

Dear Minister,

We are writing to you today regarding the ongoing European Commission infringement proceedings against Hungary for its "anti-LGBTQ+ propaganda law". As you are aware, the Commission has stated that such laws violate internal market rules, the fundamental rights of LGBTQ+ people and the core values of the European Union. For this reason and because Hungary failed to rectify its violations, Brussels referred the case to the Court of Justice of the European Union in December 2022.

The publication of the infringement procedure and referral of the case to the CJEU opens a six-week window during which all EU member states are invited to send 'written observations' to the Court and join the case against Hungary. It is understood that the Belgian government will add their names to the case alongside the Commission and other members are expected to join suit. After the infringement procedure was published in the Official Journal of the EU, three human rights organisations, Forbidden Colours, Háttér Society and Reclaim, launched a [petition](#) to remind EU member states of their commitments, and to ask them to provide written observations on the case by 27 March 2023. We understand that they contacted you separately yesterday.

The purpose of this letter is to ask that you include Ireland on the list of states who will stand up for the rights of LGBTQ+ Hungarians and for people across the European Union. Equality and the respect for dignity and human rights are core values of the EU, enshrined in Article 2 of the Treaty of the European Union. This point was set out by Commission President Ursula von der Leyen in a speech on the proposed law in the European Parliament on 7 July 2021;

"Europe will never allow parts of our society to be stigmatised: be it because of whom they love, because of their age, their ethnicity, their political opinions, or their religious beliefs."

The "anti-LGBTQ+ propaganda law" represents a direct and unprecedented attack on the basic human rights and freedoms which are a cornerstone of the European Project and stand in direct odds to Ireland's foreign policy objectives. We note that you have acknowledged the latter point in your response to [PQ 11617/23](#) from Gary Gannon TD. We note also in your response that;

"officials from [your] Department are actively reviewing the case with a view to agreeing our approach in the coming weeks."

We also note [recent media reports](#) which seem to indicate that the government will sign up.

We hope that you can confirm that you will lend the government's support to this case and ensure that the basic freedoms mentioned above are guaranteed to all regardless of their sexual orientation or their gender.

Yours sincerely,

Liam Herrick

Executive Director-Irish Council for Civil Liberties

Co-signed by:

| | | |
|--------------------|--------------------|---|
| Adeline Berry | Chair | Intersex Ireland |
| Ailbhe Smyth | Campaigner | |
| Ann Mason | Manager | GOSHH Ireland - Gender Orientation Sexual Health HIV CLG |
| Anna Nolan | Chair | National LGBT Federation |
| Antoin O Lachtnain | Director | Digital Rights Ireland HUGG- Suicide Bereavement Support Groups Ireland |
| Arlene Hanratty | Administrator | |
| Bernard Joyce | Executive Director | Irish Traveller Movement |
| Bill Foley | Secretary | Gay Health Network |
| Brian Killoran | CEO | Immigrant Council of Ireland |
| Chris Noone | Board Member | National LGBT Federation |

| | | |
|------------------|--------------------|---|
| Damien Peelo | CEO | Treoir-National Federation of Services for Unmarried Parents and their Children |
| Damien Walshe | CEO | Independent Living Movement Ireland |
| Daniel Holder | Deputy Director | Committee on the Administration of Justice (CAJ) |
| Eilis Barry | Chief Executive | FLAC-Free Legal Advice Centres |
| Eimhin Walsh | Chair | GAZE International LGBTQ+ Film Festival |
| Fiona Hurley | CEO | Nasc- The Migrant and Refugee Rights Centre |
| Ian Power | CEO | spunout |
| Jamie Kenny | Executive Director | Dublin LGBTQ+ Pride |
| John Devitt | Campaigner | |
| Karen Kiernan | CEO | One Family |
| Maria Joyce | Coordinator | NTWF-National Traveller Women's Forum |
| Martin Collins | Co-Director | Pavee Point Traveller and Roma Centre |
| Mary McAuliffe | Board Member | National LGBT Federation |
| Michael Brett | Group Manager | GCN- Gay Community News |
| Moninne Griffith | CEO | Belong To Youth Services |
| Noelle O Connell | CEO | European Movement Ireland |
| Oisín O'Reily | CEO | Outhouse - LGBTQ+ Centre |
| Orla O Connor | Director | National Womens Council |

| | | |
|------------------|---------------------------------|---|
| Paula Fagan | CEO | LGBT Ireland |
| Rose Wall | CEO | Community Law & Mediation |
| Shamika Dwarika | Pro Bono Development Manager | Public Interest Law Alliance (PILA) |
| Shane O Curry | Executive Director | Irish Network Against Racism (INAR) |
| Steph Hanlon | National Convenor | Le Chéile - Diversity Not Division Coalition |
| Tina Kolos Orban | CEO | Transgender Equality Network Ireland (TENI) |