

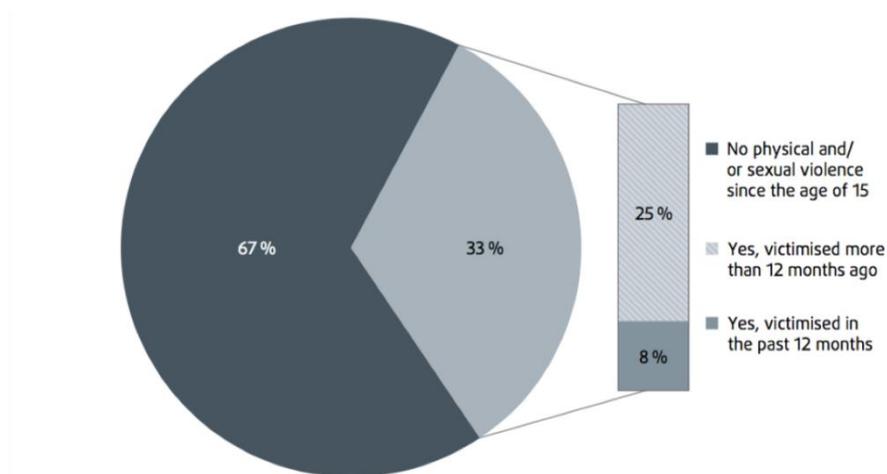
ONLY A FRACTION OF REALITY...- COMBATING VIOLENCE AGAINST WOMEN IN HUNGARY*

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Violence against women is rooted in women's unequal status in society and that status reflects the unbalanced distribution of social, political and economic power among women and men in society. It is one of the most pervasive human rights violations of our time and a form of discrimination that results in, or is likely to result in, physical, sexual, psychological or economic harm or suffering to women (Council of Europe 2011).

Violence against women undermines women's dignity and integrity and imposes serious harm on families, communities and societies. In the European Union (EU), estimates suggest that one in three women (or 61 million out of 185 million) have experienced physical or sexual violence, or both, since the age of 15 (European Union Agency for Fundamental Rights 2014a).

Figure 1
Women experiencing physical and/or sexual violence since the age of 15 and in the 12 months before the interview, EU-28 (%)



Note: Based on all respondents (N = 42,002).

Source: FRA gender-based violence against women survey data set, 2012

This European Union Agency for Fundamental Rights (FRA) survey is the first of its kind on violence against women across the 28 Member States of the EU. It is based on interviews with 42,000 women across the EU, who were asked about their experiences of physical, sexual and psychological violence, including incidents of intimate partner violence ('domestic violence'). The survey also included questions on stalking, sexual

* DOI 10.21868/PGnG.2018.2.1.

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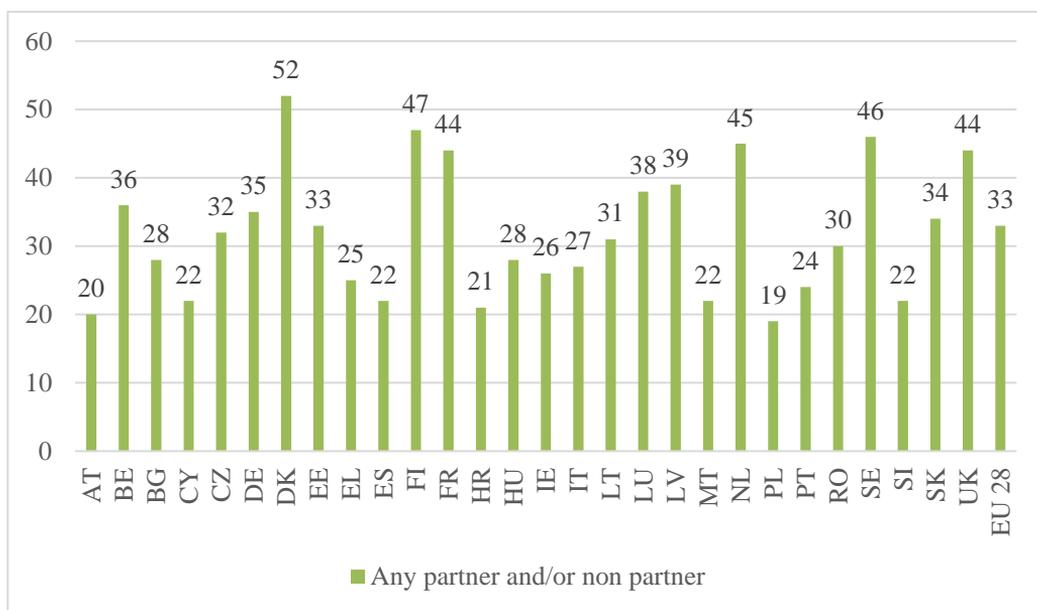
harassment, and the role played by new technologies in women’s experiences of abuse. In addition, it asked about their experiences of violence in childhood.

1. Only a fraction of the reality

The full extent of violence against women is difficult to estimate, as it continues to be under-reported and stigmatised, meaning that what actually gets reported is only a fraction of the reality. In Hungary, less than 65 % of the population tend to trust the police. (European Commission 2016) In the European Institute for Gender Equality (EIGE)’s Gender Equality Index 2015 it was found that where people tend to have more trust in justice institutions, levels of disclosed violence are higher. (European Institute for Gender Equality 2015) It is estimated that in Hungary, 28% of women have experienced violence, which is 5% lower than in the EU overall. (European Institute for Gender Equality 2015)

Table 1

Women who have experienced physical and/or sexual violence by current and/or previous partner, or by any other person since the age of 15, by EU Member State (%)



Source: FRA gender-based violence against women survey data set, 2012

2. About the facts

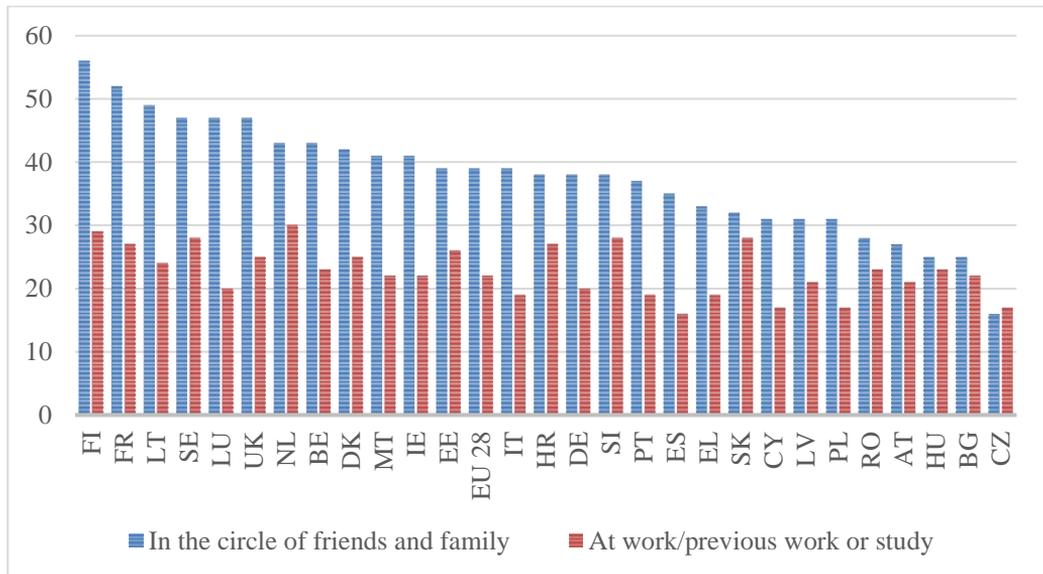
The 2014 European Union Fundamental Rights Agency survey data results showed that:

- since the age of 15, 28% of women in Hungary have experienced physical and/or sexual violence, and 12% of women have been stalked;

– 25% of people said they knew someone who has been a victim of domestic violence. (European Union Agency for Fundamental Rights 2014b)

Figure 2

Knowledge of cases of domestic violence in the circle of friends or family, or in the work environment, by EU Member State (%)



Source: FRA gender-based violence against women survey data set, 2012

The EIGE has estimated that the cost of intimate partner violence against women in Hungary could amount to € 2 billion per year. This number was calculated according to the methodology used in EIGE's 2014 study and means the costs to society, looking at costs of lost economic output, health, legal services, social welfare, specialised services, and the physical and emotional impact on victims – clearly show that the impact of gender-based violence on economies and society is significant. (European Institute for Gender Equality 2014)

3. Is violence against women a crime in Hungary?

Hungary has no consolidated law on violence against women but does criminalise numerous forms of violence. *Stalking* (2008), *rape* and *sexual violence* (2012), and *sexual harassment* (2003) are all crimes in Hungary; recent changes to Hungary's criminal code now enable prosecution for *rape committed via coercive means*. In 2013, the specific offence of domestic violence, *intimate partner violence (kapcsolati erőszak)* was introduced (Act C of 2012 on the Criminal Code).

NGOs' coordinated human rights campaign to criminalise domestic violence from the twenty-first century marked a sea of change in Hungarian social movements. Earlier waves of contemporary women's activism in Hungary were very rarely and only barely connected to international networks of feminist and human rights causes. (Fábián 2014) With the fall of the communist system, the international human rights framework and its

associated policy recommendations – most notably the Austrian model that criminalises domestic violence (based on the 'Duluth model' from Minnesota, USA) – have profoundly affected Central and Eastern European conceptualisations and policies against domestic violence. (Krizsan – Popa 2010)

Due to a slowly emerging but persistent combination of pressures from within both the national and the international contexts, domestic violence not only gained public recognition, but Hungary also eventually established more concrete legal sanctions against it in July 2013.

4. What is being done to eliminate violence against women in Hungary?

The Hungarian government adopted the national strategy for the promotion of gender equality — guidelines and objectives 2010–2021 in 2010. The strategy sets out six priorities, including '*Taking measures to efficiently combat and prevent violence, eliminating all forms of violence against women, and taking urgent steps against the violation of women's, men's, girls' and boys' rights to physical and mental integrity.*' (European Institute for Gender Equality, Hungary – Laws and Policies)

Hungary signed the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) on 14 March 2014 but has not yet ratified it. (Council of Europe 2011.) (Kovács 2018) The Istanbul Convention is the most far-reaching international treaty to tackle this serious violation of human rights. (Rudolf – Eriksson 2007)

On 30 June 2015 the National Assembly adopted the 30/2015 (VII. 7.) Parliamentary Resolution on the national strategic goals concerning the effective combating of domestic violence. The Resolution includes commitments to funding services, public awareness campaigns, prevention, professional training, evaluation, interagency coordination and monitoring. (Magyar Közlöny 2015a)

4.1 Good practices show the way

Victim rights legislation in Hungary offers a good model. Victims have the right to attend proceedings and examine any procedural documents; make applications and submit observations at any stage in the proceedings; and exercise appeal rights. Victims have the right to use their mother tongue and have the right to interpretation. (Centre for European Policy Studies 2011)

4.2 How are women and girls protected?

Women victims of domestic violence in Hungary have legal access to restraining orders for a maximum of 60 days, and orders can be reissued if circumstances warrant (Centre for European Policy Studies 2011); women also have access to emergency barring orders prohibiting perpetrators from approaching the victim's home (Woman Against Violence Europe 2016); Victims can access legal aid during both investigation and court procedures. (Magyar Közlöny 2015b)

4.3 What help is available in Hungary?

Hungary has 16 shelters (15 shelters and the so-called Secret Shelter House) with 140 beds for women and children fleeing violence (Woman Against Violence Europe 2016) and helplines for those experiencing domestic violence, or sexual violence. The Ministry plans to open two so-called Halfway Houses connected to the Transitory Shelters, to help the victims' reintegration and prevent secondary victimisation.

Women experiencing domestic violence in Hungary can call a Crisis Management and Information helpline (06 80/20 55 20) (National Crisis Telephone Information Service). This number is available 24/7 and can be called for free (European Commission, National Hotlines).

List of References:

- Act C of 2012 on the Criminal Code. https://www.unodc.org/res/cld/document/hun/1978/hungarian_criminal_code.html/Hungary_Criminal_Code_2012_Excerpts.pdf [accessed October 2, 2018]
- Centre for European Policy Studies (2011). *Local and regional good practices on victims' rights*. European Union. <https://cor.europa.eu/en/engage/studies/Documents/local-regional-good-practices-victims.pdf#search=local%20regional%20victims> [accessed October 5, 2018]
- Council of Europe (2011). *Council of Europe Convention on preventing and combating violence against women and domestic violence, and its explanatory report*. Council of Europe Treaty Series No. 10. <https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/090000168008482e> [accessed October 2, 2018]
- European Commission (2016). *Eurobarometer*. <http://ec.europa.eu/COMMFrontOffice/publicopinion/index.cfm/Chart/getChart/themeKy/18/groupKy/88> [accessed October 2, 2018]
- European Commission, National Hotlines. https://ec.europa.eu/anti-trafficking/citizens-corner-national-hotlines/national-hotlines_en [accessed October 5, 2018]
- European Institute for Gender Equality (2014). *Estimating the costs of gender-based violence in the European Union*. Publication Office of the European Union, Luxembourg. <https://eige.europa.eu/rdc/eige-publications/estimating-costs-gender-based-violence-european-union-report> [accessed October 3, 2018]
- European Institute for Gender Equality (2015). *Gender Equality Index 2015 – Measuring gender equality in the European Union 2005-2012: Report*. <https://eige.europa.eu/rdc/eige-publications/gender-equality-index-2015-measuring-gender-equality-european-union-2005-2012-report> [accessed October 3, 2018]
- European Institute for Gender Equality. *Hungary – Laws and Policies*. <https://eige.europa.eu/gender-mainstreaming/countries/hungary/laws-and-policies> [accessed October 2, 2018]

- European Union Agency for Fundamental Rights (2014a). *Violence Against Women: An EU Wide Survey, Factsheet*. Publications Office of the European Union, Luxembourg. <http://fra.europa.eu/en/publication/2014/violence-against-women-euwide-survey> [accessed October 2, 2018]
- European Union Agency for Fundamental Rights (2014b). *Violence Against Women: An EU Wide Survey, Main Results*. Publications Office of the European Union, Luxembourg. <http://fra.europa.eu/en/publication/2014/violence-against-women-eu-wide-survey-main-results-report> [accessed October 2, 2018]
- Fábíán, K. (2014). Naming Rights: Nation, Family, and Women's Rights in the Debates on Domestic Violence in Contemporary Hungary. *Hungarian Studies Review*, Vol. 41, Issue 1-2: 153-182.
- Kovács, Zs. (2018). EP delegation urges Hungary to ratify istanbul convention. *Daily News Hungary*, February 15, 2018, <https://dailynewshungary.com/ep-delegation-urges-hungary-ratify-istanbul-convention/> [accessed October 4, 2018]
- Krizsan, A., Popa, R. (2010). Europeanization in Making Policies against Domestic Violence in Central and Eastern Europe. *Social Politics: International Studies in Gender, State & Society*, Volume 17, Issue 3: 379–406.
- Magyar Közlöny (2015a). No. 99. <https://magyarkozlony.hu/dokumentumok/6ba1f5d065b0b79b0c7cc6ddaa197c6084bf839f/megtekintes> [accessed October 5, 2018]
- Magyar Közlöny (2015b). No. 150. <https://magyarkozlony.hu/dokumentumok/d92cf106432bb5e80d0f582bc31349d79b71de86/megtekintes> [accessed October 5, 2018]
- Megszavazták: szigorúbban büntetik a családon belüli erőszakot. *HVG*, June 3, 2013, https://hvg.hu/itthon/20130603_Megszavaztak_szigorubban_buntetik_a_csaladon_beluli_eroszakot [accessed October 2, 2018]
- National Crisis Telephone Information Service. <http://www.bantalmazas.hu> [accessed October 5, 2018]
- Rudolf, B., Eriksson, A. (2007). Women's rights under international human rights treaties: Issues of rape, domestic slavery, abortion, and domestic violence. *International Journal of Constitutional Law*, Volume 5, Issue 3: 507–525.
- Woman Against Violence Europe (2016). *WAVE Report on the Role of Specialist Women's Support Services in Europe*. Wave, Vienna, 87. http://files.wave-network.org/researchreports/WAVE_Report_2015.pdf [accessed October 5, 2018]