

## **NGO Report on VAW in Hungary Handed in by NANE Women's Rights Association**

Hungary became a member of the EU in 2004. As typical of this region however with this accession the hopes of the NGOs dealing with VAW did not automatically come true. Although the last three years have seen many changes in the public discourse of VAW and DV in particular, the accession did not necessarily have a catalyst effect on the feminist ideas, nor did it put a stop to the antifeminist backlash.

### **Background:**

Ex-communist countries have special challenges regarding women's rights and human rights in general. The issue of VAW was not at all on the political agenda before 1989 at all. Even after the transition women's rights did not appear on the political agenda as did the problems of the Roma or the poor. Women still tend to be considered as a non-marginalized group. (E.g. the newly established Minister/s of Equal Opportunities rarely take action in issues regarding VAW and often take no notice of feminist NGOs.)

### **A successful campaign:**

In 2002 three NGOs started a petition after the funeral of a 12-year-old boy who had been brutally murdered by his father as revenge for his wife leaving him. In the next few weeks after his funeral 50 000 signatures were collected and representatives of the NGOs met political decision-makers to express their worries and call attention to the fact that the Hungarian state has obligations to protect victims of DV and persecute its perpetrators. This campaign was all the way through conducted with the active cooperation of all the three NGOs working in the field of DV and resulted in a relatively progressive Parliamentary Resolution with included several important points concerning the responsibilities of the state (e.g. the conduction of a national awareness-raising campaign, the establishment of a national network of battered women's shelters, and legislation on the restraining order). Although the Resolution has not been implemented, still it was the first such resolution signed by a Hungarian Parliament.

### **Backlash:**

During the last three years we have seen a massive counterattack towards feminist principles, which also undermined our cooperation with state institutions. These attacks were mainly targeted against the legislative process on the restraining order (go-order). Originally the draft of this law was based – as we suggested – on the 'Austrian model'. In the following months however concerns about the 'social acceptance' of this law and concerns about the 'right to property' have turned the legislative process toward

narrowing the concept of the law. Backlash forces have led to less fruitful state—NGO cooperation and have partly caused the following problems:

- Legislation on the restraining order was severely and halted altogether as of October 2005. (The current version of the draft law only covers cases in the criminal procedure phase.)
- No legislation was commenced to define DV and stalking respectively as one integral criminal item. (The then Minister of Justice in 2002 made it clear that he regarded the Penal Code as non-changeable.)
- Over the last three years professionals and scholars of non-gendered interpretation of DV have been positively favored in state-related events like campaigns and conferences compared to representatives of feminist NGOs.
- Restrictive measures were introduced into Penal Code on ‘hindering visitation rights’. From 2005 a parent blocking visitation of the other parent is punishable by prison sentence (compared to the previous system of fining such parents.) Under this law many battered mothers were punishable as it makes no provision for mothers whose children are threatened or beaten during visitation by a battering father.

### **Good practice :**

State—NGO cooperations are still very rare in Hungary and feminist NGOs are still more likely to be left out or silenced than taken into account and consulted as experts in this field. So we can present very few ‘good practice’ models on an institutional level (compared to the many ‘bad practice’ examples we have seen). One such ‘good practice’ example was the result of our campaign: the National Police Headquarters issued an Ordinance on DV protocol of the police. In the drafting of this document the three NGOs coordinating the petition campaign were all consulted.

In the last 4 years NANE Association has had a rather good working relationship with the police. We regularly invite police officer guest lecturers and co-trainers in our training programs. In the fall of 2005 we are organizing our first co-training event in a three-day-long training for a group of police officers.

### **Some successful campaign elements:**

As we see our campaign forces as one of our best-result activities, below we share some of our methods that have led to the heightened visibility of DV in the public discourse.

- **Silent Witness Exhibition:**  
With this exhibition the women killed in DV are commemorated by real-life size wooden figures wearing a sticker describing the real story of single women. The exhibition can be taken to any location by car and is a favored message of the visual media. (More information about the original project at <http://www.silentwitness.net>.)

- **Media Watch:**

Every year during the 16 Days NANE Association collects all Hungarian murder cases from the media and police news that have happened in the past 12 months. (The stories of female victims also appear on the Silent Witnesses whose stories are updated yearly.) This non-inclusive survey shows that every 4 days there is a domestic murder in Hungary (including male victims and non-spouse murders as well). This slogan is a very powerful tool in our lobbying activities.

- **Booklet about the people killed in DV:**

We print out all murder cases (one murder case per page) and make it into a bound booklet which can be presented to politicians and shown to the media. This rather thick book is an excellent example of tragic effect of state inaction about violence in the private sphere.

- **Silent Witness Marches:**

As the political situation evolves we routinely organize a Silent Witness March during the 16 Days. The route of the March involves the state institutions that are in some way involved in the legislation on DV. We also invite the press to event. The March and the message we give out on these occasions regularly makes it to the evening news of the biggest television channels. The effect of the March can be strengthened by speak-outs from survivors of DV and relatives of victims who were killed in DV. Such events also have a direct effect on state—NGO cooperation. In 2003 it took a Silent Witness March for the Ministry of Justice to invite NANE Association for a consultation about legislative process on the restraining order.

### **Issues to be addressed:**

- How to exert pressure on states that fail to oblige their responsibilities towards victims and perpetrators.
- What to do with counter-lobby forces that manage to get their say in legislation (e.g. divorced fathers, researchers and lecturers who claim a non-gender based interpretation on DV and who are favored by government forces).

In our view these dilemmas could be better handled by stronger and more publicized recommendations and protocols issued by the UN and EU. On the other hand control mechanisms are vital. At the moment states that openly defy recommendations about DV – as does the Hungarian state<sup>1</sup> – face no consequences.

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<sup>1</sup> For example this happens in a recent CEDAW decision which was the first DV case considered by the CEDAW Committee and was accidentally a Hungarian case. In its ruling the Committee stated that the Hungarian state did not fulfill its obligations toward the woman handing in a complaint as it did not protect her and her children from ongoing domestic violence. Although the date given by the Committee to the Hungarian state to provide for the safety of this woman and compensate her for her losses has been passed by several months, nothing has been done in this case.