

IMPLEMENTATION OF  
THE  
ISTANBUL  
CONVENTION

AT THE LOCAL LEVEL

Toolkit for municipalities, local and regional authorities and communities to prevent and eradicate violence against women and domestic violence

"If you can't do it from above..."

Implementation of the Istanbul Convention at the local level.

Toolkit for municipalities, local and regional authorities and communities

to prevent and eradicate violence against women and domestic violence

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# INTRODUCTION

## The situation and problem areas of violence against women in Hungary

**Violence against women** and its many forms, such as intimate partner violence, sexual violence and sexual harassment in the workplace, are **widespread**. Violence is a violation of women's fundamental human rights.

According to representative research, the number of victims of violence against women in Hungary is in the millions. More than 223,000 women live in a relationship where their partner is physically and/or sexually abusive.<sup>1</sup> In Hungary, there are numerous domestic violence homicides every year, an average of one woman being killed every two to three weeks.

Over the past decades, positive changes have been made to address the problem in terms of legislation, institutions and services.<sup>2</sup> However, research and analysis on the issue, the experience of NGOs and recommendations from international organisations suggest that there are a number of problems and gaps in the system.

Often existing legislation and measures are not used and applied in practice by the competent authorities and institutions. At the same time, victims are often not informed and therefore do not know about the legal and other options available to them or where to turn for help. The victim's experience shows that there is often a lack of

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1 <https://nokjoga.hu/wp-content/uploads/nane-fra-nepesseg-enyubs-final-2014-w-w-2015jun19.pdf>

2 The main legislation on the subject:  
Act LXXVII of 2009 on restraining applicable in case of violence among relatives  
Act XXXI of 1997 on the Protection of Children and the Administration of Guardianship  
Act C of 2012 on the Criminal Code  
Act XC of 2017 on Criminal Procedure  
Act CXXXV of 2005 on State Support to Victims of Crime and Damage Alleviation

knowledge and competence on the part of professionals dealing with the phenomenon. Victim blaming and downplaying the violence are widespread.<sup>3</sup> The issue of violence against women is not addressed in a systematic and compulsory way in the training of professionals, law enforcement bodies and authorities. And if it does the content of the training is not adequate.

Although a framework for co-operation between different professions and institutions has been established, although a reporting system on child protection and on intimate partner violence has been created, their functioning and effectiveness need to be improved. Specialised services for victims are either difficult to access or non-existent. The public welfare system and the general, non-specialised victim protection measures and services are not adapted to provide effective interventions to the needs of this specific group of victims.

Another widespread problem in the country is the lack of up-to-date research on the issues around violence against women. There is no research done<sup>4</sup> either on the prevalence of the phenomenon, or on the experiences of victims in relation to the authorities and institutions. There is either a lack of targeted collection of administrative data on the issue and the measures taken by the various authorities and institutions, or these data are not publicly available. This, in turn, makes it difficult to analyse and evaluate the effectiveness of institutional action and to identify the necessary steps to be taken.

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3 [https://www.patent.org.hu/dokumentumok/kozpolitika\\_kutatas/VICATIS\\_kutatasi\\_beszamolo\\_2019.pdf](https://www.patent.org.hu/dokumentumok/kozpolitika_kutatas/VICATIS_kutatasi_beszamolo_2019.pdf)

4 In Hungary, research on this phenomenon has been carried out mainly at the initiative of the European Union, the United Nations and women's rights NGOs. At the same time, it is essential for state institutions to play an active role in researching and collecting data on the problem of violence against women and its current situation.

## The Istanbul Convention

### The need for and the creation of the Istanbul Convention

Under the more general international human rights conventions and standards, States and governments have an obligation to take an active, diligent and professional approach to all forms of violence against women, intimate partner violence and domestic violence. In reality, the responses of individual States and governments, the legal and other measures they take and the financial and human resources they allocate to tackle the problem vary widely. This is why the picture varies from country to country in terms of the accountability of perpetrators, the protection of victims and the quality of services available to them.

**Because of the scale of violence against women** and in order to ensure that **victims receive the same level of protection** against violence, the Council of Europe, Europe's leading human rights institution, has decided to adopt a specific convention on the subject. Thus, the **Convention on preventing and combating violence against women and domestic violence** was born.<sup>5</sup> Representatives of Council of Europe member States, including Hungary, participated in the drafting of the text of the Convention. The Convention was adopted by the Committee of Ministers of the Council of Europe on 7 April 2011. Subsequently, it was opened for signature by the acceding States on 11 May 2011. This took place in Istanbul, hence the short name of the Convention, the Istanbul Convention. The Convention entered into force on 1 August 2014.

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5 <https://www.coe.int/en/web/istanbul-convention/>

## History of the Convention in Hungary

**Hungary signed the Convention** on 14 March 2014. By signing the Convention, the Hungarian State expressed its intention to be legally bound by the Convention in the future. Both before and after the signature, the Hungarian government took steps to accede to the Convention, to enact it into law, and to prepare the ratification. Ratification is important because it makes the Convention legally binding in the country concerned.

In 2017, similar to many countries, an active campaign of discrediting and disinformation began in Hungary, attacking the Convention. False news and misinformation about the Convention were spread by several sources. The Council of Europe itself refuted the fake news and disinformation in a publication.<sup>6</sup> As a result of the campaign, the Convention **has not been enacted into law and ratified** in Hungary to date.

Since 2019, the **government has openly opposed** the ratification. In 2020, the Parliament adopted a political declaration rejecting the Convention. The government and the Parliament have rejected the Convention on the basis of the above-mentioned fake news and misinformation. It also argued that the Hungarian legislation was adequate and that the system offered greater protection to victims than the Convention.

The truth is that the Convention is not just about legislation; it imposes other measures and obligations on the States. In fact, **neither the Hungarian legislation nor the range of other measures and services required nor the practice is in line with the Convention's expectations.**

It needs to be said that in the past decades, positive changes have been made in terms of legislation, institutions and services to address the problem. However, research and analysis on the subject, recommendations from international organisations, the experience

of NGOs working with victims, and highly publicised cases all show that there are a number of systemic problems and gaps in the way Hungary deals with the problem of violence against women.

By not acceding to the Convention, the Hungarian State will lose the opportunity to get the support of a committee of independent experts who monitors the implementation of the Convention and periodically review and evaluate the measures taken, the situation and the practice. This also means that there will be no expert body to make recommendations to the government for effective and professional action against violence.

## A brief overview of the content of the Convention

The Convention covers both violence against women and domestic violence, including intimate partner violence. **Violence against women** is a generic term that includes acts of gender-based violence and forms of violence that disproportionately affect women causing – or likely to cause – them physical, sexual, psychological or economic harm or suffering, whether they occur in public or private life. **Domestic violence** means all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim; (The Convention uses the term domestic violence and, as this includes both intimate partner violence and domestic violence in the broader sense. This dual meaning is referred to throughout this publication.) For a detailed explanation of the terms, see the next section.

The Convention takes a **comprehensive** approach. This means that it sets out the essential tasks and measures in all relevant, interrelated areas. There are four main pillars of intervention:

**prevention,  
the protection of victims,  
prosecution and punishment of perpetrators; and  
integrated policies.**

<sup>6</sup> <https://rm.coe.int/istanbul-convention-questions-and-answers/16808f0b80>

The Preamble to the Convention contains the main international standards on violence against women, domestic violence and the general characteristics of the phenomenon.

Chapter I sets out the purposes of the Convention, the definitions of the fundamental concepts, and the general obligations of the State, with an emphasis on ensuring equality between women and men and non-discrimination.

Chapter II provides for the adoption of comprehensive, coordinated **policies** and the provision of adequate financial resources. In addition, it sets out actions in the field of research and statistical data collection. Chapter III focuses on **prevention**. It includes measures relating to public education, training of professionals and the media.

Chapter IV contains the standards for the **protection and support of victims**. It covers general principles and aspects of victim protection, victims' rights to information and the services to be set up and operated.

Chapter V contains the substantive law. It specifies the acts of violence to be **prosecuted**, the minimum penalties and the aggravating circumstances. There are also provisions on compensation for victims, custody and visitation rights and a ban on mediation.

Chapter VI contains rules on investigations and prosecutions, including restraining orders, risk management and measures to be introduced and applied **in the course of proceedings to protect victims**.

Chapter VII covers measures on **migration and asylum**.

Chapter VIII is **about international co-operation**.

Chapter IX regulates the **monitoring mechanisms for the implementation of the Convention**. The GREVIO (group of experts on action against violence against women and domestic violence) plays a central role in this. GREVIO is composed of independent experts and periodically evaluates the measures taken by the State's Parties to the Convention.

## The importance of the Convention for local authorities (municipalities) and communities

States and governments are the primary addressees of the obligations, tasks and measures contained in international conventions, such as the Istanbul Convention. Actions are most effective when decision-makers at the highest level commit themselves and take the necessary measures. In addition to the State and government, others may also have a role, scope and responsibility in achieving the objectives of the Convention. In the capital city, this includes district governments and the Municipality of Budapest, and throughout the country, municipal and local governments. The following chapters of this publication provide concrete guidance, ideas and suggestions on what measures can be taken at the local level and how to put the Convention into practice.

## **POSSIBLE AREAS OF INTERVENTION AND MEASURES TO TACKLE VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE AT THE LOCAL LEVEL**

### **The role of local authorities and communities to ensure professional and effective action**

Violence against women and domestic violence is a threat to the fundamental rights, life, physical and psychological integrity and safety of victims. The Hungarian State has an international obligation to take effective and professional action, which also implies tasks and obligations at the level of local authorities: municipalities, towns, the capital and its districts, and county governments. The protection and safety of victims must be guaranteed by the competent authorities and institutions, even if the State is not a party to the Istanbul Convention. The Convention provides evidence-based guidance and assistance, based on decades of experience in this field, to help ensure that this obligation can be fulfilled as effectively and professionally as possible. A review of the Convention's purposes and content shows that it contains provisions in a number of areas. Except for legislation and measures at the national level, all the other provisions (articles) of the Convention can be interpreted, applied and implemented at the level of local authorities and communities. In this chapter, the main areas of intervention and possible measures are listed and proposed.

### **Purpose and scope of local government action**

The Istanbul Convention aims to prevent and eliminate violence against women and domestic violence. Violence against women takes many forms, from intimate partner violence to sexual violence and sexual harassment. In the context of domestic violence, the Convention includes action against both violence in the narrower sense of intimate partner violence and violence between other family members in the broader sense.

Local authorities can set targets to combat all or some forms of violence against women and specifically to tackle domestic violence. Ideally, the scope of action should be as broad as possible, taking into account local specificities, competencies and capacities and assessing needs.

The system of public institutions – including social services and health care – is hampered by a number of operational problems and weaknesses that prevent it from acting effectively. Even if this were not the case, there would still be a need for local, municipal-level action against violence against women. In Hungary, for example, housing policy – an essential policy area in supporting victims – is the responsibility of local governments. In addition, co-operation between different authorities and social and other institutions and organisations can be better coordinated at the local government level in order to ensure that measures based on local conditions are as effective as possible in meeting the needs of victims.

### **PRINCIPLES AND GUARANTEES OF PROFESSIONAL ACTION**

The Convention contains a number of internationally recognised general standards and provisions for effective and professional action against violence against women and domestic violence. These are relevant at the local level, in the work of local government,



local authorities, institutions and service providers, and must be enforced and applied. One way of doing this is to set out the principles of problem management and professional action in the relevant policy documents and methodological materials.

## The main principles guarantee rules

- The **equality of women and men as the main purpose and consideration must be taken into account** in the design and implementation of measures. Interventions should respond to existing inequalities and contribute to the elimination of discrimination against women.
- **Women must be protected against all forms of violence** in both the public and private spheres. **Zero tolerance** must be applied to all forms of violence.
- **A comprehensive approach is needed** to tackle the problem based on the development and implementation of integrated and coordinated policies.
- Action **should focus in equal measure on prevention, protection of victims and prosecution of perpetrators.**
- State authorities, officials, agents, institutions and other actors acting on behalf of the State must refrain from engaging in any act of violence against women and act in accordance with this commitment.
- The competent authorities **must act with due diligence** to prevent, investigate, punish and ensure compensation for acts of violence against women and domestic violence.
- The **rights, protection, safety and needs of victims are paramount.** They must be at the centre of every intervention. All actions must be planned and implemented with this in mind.
- In the course of the measures, **effective co-operation** between **all relevant actors** - authorities, institutions, victim support services, NGOs, etc. - should be promoted and ensured.

## Definitions in the Convention

The Convention defines the basic concepts related to the problem.<sup>7</sup> They provide guidance for action at the local level.

**Violence against women** is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life;

**Intimate partner and domestic violence** shall mean all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim;

**Gender** shall mean the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men;

**Gender-based violence against women** shall mean violence that is directed against a woman because she is a woman or that affects women disproportionately.

The Convention makes a number of other Statements that are essential and decisive for professional action, both at the national and local levels. These include:

- "Violence against women is a manifestation of historically unequal power relations between women and men, which have led to domination over, and discrimination against, women by men and to the prevention of the full advancement of women."

<sup>7</sup> Istanbul Convention, Article 3

- Violence against women as gender-based violence is structural in nature and "is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men".
- "Women and girls are often exposed to serious forms of violence such as domestic violence, sexual harassment, rape, forced marriage, crimes committed in the name of so-called »honour« and genital mutilation, which constitute a serious violation of human rights of women and girls and a major obstacle to the achievement of equality between women and men."
- "Domestic violence affects women disproportionately, and men may also be victims of domestic violence."
- "Children are victims of domestic violence, including as witnesses of violence in the family."
- "Ongoing human rights violations during armed conflicts affect the civilian population, especially women, in the form of widespread or systematic rape and sexual violence and the potential for increased gender-based violence both during and after conflicts."<sup>8</sup>

<sup>8</sup> Istanbul Convention, Preamble

## INTEGRATED POLICIES AND DATA COLLECTION

### *Provisions of the Istanbul Convention*

**Article 7** - Parties shall take the necessary legislative and other measures to adopt and implement State-wide effective, comprehensive and co-ordinated policies encompassing all relevant measures to prevent and combat all forms of violence covered by the scope of this Convention and offer a holistic response to violence against women.

**Article 8** - Parties shall allocate appropriate financial and human resources for the adequate implementation of integrated policies, measures and programmes to prevent and combat all forms of violence.

**Article 9** - Parties shall recognise, encourage and support, at all levels, the work of relevant nongovernmental organisations and of civil society active in combating violence against women and establish effective co-operation with these organisations.

**Article 10** - Parties shall designate or establish one or more official bodies responsible for the coordination, implementation, monitoring and evaluation of policies and measures to prevent and combat all forms of violence covered by this Convention.

**Article 11** - Parties shall undertake to collect disaggregated relevant statistical data, support research in the field of all forms of violence, conduct population-based surveys).

### Coordinated policies - local action plan

To ensure a coordinated, effective and professional response to violence against women and domestic violence, it is best for decision-makers to set out the main objectives and the necessary actions in a policy document. A concrete tool could be the development, adoption and then consistent implementation and review of a **local (district)**

**action plan** based on the Istanbul Convention, aimed at putting into practice the provisions of the Convention that are applicable at the local level.

The first essential step in developing an action plan is a **situation and needs assessment**.

A key element of the action plan is a local overview: gathering relevant research, surveys, and data; mapping the practices and experiences of different authorities, institutions, professions, and NGOs (e.g. through targeted interviews); identifying local (district) problems and needs; and finally identifying resources and key actors.<sup>9</sup>

The assessment is then used as a basis for setting **objectives, priorities** and relevant areas and later for defining the necessary **actions**. People in charge, deadlines and financial resources must be assigned for their implementation.

Budgeting can be a challenge when financial resources are limited or unavailable. In this case, it is advisable to at least indicate what options and plans are available to fund the action. A cost-effective way to address violence against women may be to expand existing local organisations with services that specifically address the needs of victims of violence against women.

As a result of the assessment, actions may be justified and necessary in **different areas**. Taking into account the scope and competencies of local authorities, the following objectives and measures can be included in the action plan:

- *raising awareness among the local population* on violence against women and domestic violence; providing information to victims and to the people supporting them on the topic of gender-based violence, the options available and the institutions and organisations to which victims can turn for help;
- *to develop the professional competencies of practitioners and*

<sup>9</sup> Proposals for the content of the situation and needs assessment can be found here: <https://nane.hu/szakembereknek/onkormanyzatok/>

law enforcers involved in this field, *to organise related training*, to familiarise them with approaches, methods, practices and tools for effective and professional action;

- *strengthening the inter-institutional and inter-professional co-operation* of the authorities, institutions, service providers and NGOs involved in this field, and improving the functioning of the reporting system on child protection and violence between relatives, both in general and in relation to specific cases;
- *developing the services* of institutions, service providers and NGOs with responsibilities and working in this field; creating institutions and services that are trauma-informed and respond to the specific needs of victims of violence against women;
- *developing the council housing system* in a way that takes into account the specific needs of women and victims of violence against women;
- *reviewing and developing* the administrative and *statistical data collection system* on the subject and publishing the relevant data.

The action plan should specify the intervals and the way in which implementation will be **monitored**. Emphasis should also be placed on the **evaluation** of the action plan. The results of both monitoring and evaluation should be taken into account and integrated into the next planning phase.

The action plan should be coordinated with other relevant local policy documents, strategies and plans (such as the Service Planning Concept).

According to the Equal Treatment Act<sup>10</sup> (egyenlő bánásmódról szóló törvény), the local governments of municipalities, towns and districts of the capital adopt a **local equal opportunities programme** every five years. Women are specifically mentioned in the legislation

<sup>10</sup> Act CXXV of 2003 on Equal Treatment and the Promotion of Equal Opportunities, § 31 <https://njt.hu/jogszabaly/2003-125-00-00>

as a disadvantaged group. The action plan drawn up can also be incorporated into the local equal opportunities programme, either as a separate part, a chapter or an annex.

It is important to bear in mind, however, that violence against women and domestic violence require specific methodologies and expertise, both in terms of situation assessment and in the development and implementation of measures. The action plan is developed and implemented with the **meaningful involvement and co-operation of all local actors involved in the field**: municipal and district authorities, institutions, service providers, NGOs and other civil society organisations with expertise in the field. The existing professional consultation platforms can play a key role in this. One example is the Victim Support Professional Cooperation System (Áldozatsegítő Szakmai Együttműködési Rendszer) operating in the districts of the capital. It is also useful and justified to involve the local population and to incorporate their experiences in the definition of objectives and measures and in the design of the action plan. Local people can share their experiences, suggestions and opinions on the planned measures in public forums or by filling in (online) questionnaires, which, due to the nature of the topic, ensure anonymity.

## Coordination and co-operation

The Convention provides for the establishment of a coordinating body at the national level to coordinate, implement, monitor and evaluate policies and measures to prevent and combat all forms of violence covered by the Convention. Its tasks also include coordinating the collection of relevant data and analysing and disseminating the results. The **creation of a body** responsible for the coordination and the **designation of the person or persons** in charge can also be done at the local level. The designation of such a body or person is particularly useful in terms of responsible use of resources, planning and action based on as much evidence and evidence as possible. The work of the

responsible body/person can greatly facilitate the flow of information and co-operation between different authorities, institutions and organisations, both in general and in relation to the handling of specific cases.

It is useful to conclude **co-operation agreements** to strengthen co-operation between different authorities, institutions, service providers and NGOs at the local level. On the one hand, this is an important step in principle, as it demonstrates and records the commitment of the various players to take decisive action to tackle the problem. On the other hand, it sets out the common principles for such action. Thirdly, it sets out the specific tasks and commitments of each actor.

Cooperation is also strengthened if **inter-professional, inter-institutional forums** are established and operate at the local level, with the involvement of the various relevant actors - local government, police, courts, family and child welfare centres, child welfare authorities, NGOs, health services, educational institutions, etc. There is evidence that protection and support for victims of domestic violence are much more effective<sup>11</sup> when different authorities and institutions **work together and consult on a case**. In addition to establishing general forums for co-operation, it is important to develop a framework, principles, modalities and procedures for co-operation. This can be facilitated by professional protocols in the authorities and institutions specifically aimed at providing professional and effective support for victims of violence against women. Case conferences and case meetings organised by local government institutions specifically on this subject also serve this purpose.

In the case of domestic and intimate partner violence, and where children are concerned, **the current legislation** also provides a framework for co-operation at the local level.

11 [https://nane.hu/wp-content/uploads/integralt\\_magyar\\_nane\\_hcm.pdf](https://nane.hu/wp-content/uploads/integralt_magyar_nane_hcm.pdf)

The **law on restraining orders for partner violence**<sup>12</sup> contains rules on the institutional system for the prevention of intimate partner violence and on the obligation to report it. On the one hand, the Act lists the institutions, authorities, service providers and organisations that carry out tasks related to the prevention of intimate partner violence as part of their core activities.<sup>13</sup> These institutions and persons are obliged to report to the body responsible for coordinating family protection if they detect a risk of intimate partner violence. The listed institutions and the body responsible for coordinating family protection are also obliged to co-operate and inform each other in order to prevent violence between family members and to reduce the harm caused.<sup>14</sup>

Where children are concerned, the **Child Protection Act** creates a similar obligation.<sup>15</sup> The Act lists those who, in the context of their core activity, perform tasks related to the child protection system in order to promote the upbringing of children in families and to prevent and eliminate the chance of children being placed at risk.<sup>16</sup> It also stipulates that the institutions and persons listed are obliged a) to report cases of child endangerment to the child welfare service provider, b) to initiate official proceedings in cases of child abuse or serious neglect or other serious endangering reasons, as well as in cases of serious endangering behaviour of the child. The persons, service providers, institutions and authorities identified are also obliged to co-operate

12 Act LXXII of 2009 on injunctions for violence between relatives, <https://njt.hu/jogszabaly/2009-72-00-00>

13 These include: health service providers (public health service, general practitioner, general paediatrician); personal care service providers (family support service or centre, child welfare service or centre, children's or family transition home); public education institutions, vocational training institutions and educational counsellors; guardianship authorities, police, prosecution offices, courts, probation services, organisations providing victim support and compensation, refugee reception centres, temporary refugee shelters, associations, foundations. See Section 2 (1) of the Act on Restraining Orders.

14 2. §., (2-4)

15 Act XXXI of 1997 on the Protection of Children and the Administration of Guardianship, <https://njt.hu/jogszabaly/1997-31-00-00>

16 17. § (1)

and inform each other in order to facilitate the child's upbringing in the family and to prevent and eliminate the risk of harm.<sup>17</sup>

## Data collection and research

**The collection, analysis and publication of statistical data** are key to monitoring the work of public authorities and institutions and to identify necessary improvements.

At the local level, relevant statistical data may include data on the various procedures (length of procedures initiated, completed, number of procedures, outcome), data on official measures (e.g. number of temporary preventive restraining orders), and data on the various victim support and other services and their use.

In addition to statistical data collection, **research and analysis** on the issue can provide important information on, for example, local people's knowledge of the problem, attitudes and knowledge of the available options - legislation and services. It is useful to initiate targeted research on the needs of victims and the effectiveness of support for them. Questions on this topic could also be incorporated into the methodology of other planned research on a more general topic. Particular care should be taken to ensure that the methodology is professionally appropriate for surveys targeting the general public, that interviewers are specially trained in the case of face-to-face interviews, and that information on where victims can turn for help is available.

17 17. § (2-4)

### Proposals to local authorities:

- Situation and needs assessment at the local level
- Development and adoption of a local action plan
  - ◆ objectives, priorities, actions; responsible people and body, deadlines, timetable, budget
  - ◆ meaningful involvement of all actors; co-operation, consultation
  - ◆ developing a monitoring system
  - ◆ developing an evaluation system
  - ◆ links to other policies and documents (local equal opportunities programme, other concepts)
- Ensuring coordination at the local level; strengthening local co-operation
  - ◆ designation of the responsible body or person(s)
  - ◆ drafting and signing co-operation agreements
  - ◆ establishing, strengthening and operating co-operation forums
  - ◆ the meaningful involvement of NGOs with expertise in the subject and the use of their experience and know-how
- Data collection, data analysis
  - ◆ review and analysis of statistical data available at the local level
  - ◆ the regular collection and publication of relevant statistical data
  - ◆ preparing, analysing and publishing research and surveys at the local level, including the topic in other surveys.

## PREVENTION

### *Provisions of the Istanbul Convention*

**Article 12** - General obligations

**Article 13** - Awareness-raising: promotion and implementation of campaigns or programmes to raise public awareness and knowledge (on the forms of violence, its effects on children and the need for prevention). Wide dissemination of information on measures to prevent violence.

**Article 14** - Education: include teaching material on issues such as equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity.

**Article 15** - Training of professionals (on the prevention and detection of such violence, equality between women and men, the needs and rights of victims, as well as on how to prevent secondary victimisation and on coordinated multi-agency co-operation)

**Article 17** - Participation of the private sector and the media in the elaboration and implementation of policies and to set guidelines and self-regulatory standards to prevent violence against women and to enhance respect for their dignity.

## General obligations

The Convention also sets out basic obligations in the field of prevention. These should be borne in mind when organising related activities.

- Changes must be promoted in "the social and cultural patterns of behaviour of women and men with a view to **eradicating prejudices, customs, traditions and all other practices which are** based on the idea of the inferiority of women or on stereotyped roles for women and men."
- Parties shall take the necessary **legislative and other measures** to prevent all forms of violence covered by the scope of this Convention by any natural or legal person.
- "Any measures taken pursuant to this chapter shall take into account and address the **specific needs of persons made vulnerable by particular circumstances** and shall place the human rights of all victims at their centre."
- "Parties shall take the necessary measures to **encourage all members of society**, especially men and boys, to **contribute actively to preventing** all forms of violence."
- "Parties shall ensure that **culture, custom, religion, tradition** or so-called »honour« **shall not be considered as justification** for any acts of violence."
- "Parties shall take the necessary measures to promote programmes and activities for the **empowerment of women.**"<sup>18</sup>

## Awareness campaigns, programmes, information

When it comes to violence against women and domestic violence, it is crucial that the general public is aware of the basic information, including where victims can turn for protection and help.

<sup>18</sup> Article 12

Both research and practical experience show that there is much to be done to raise awareness in Hungarian society: there are many misconceptions about violence against women and domestic violence, and victim blaming is common.<sup>19</sup> At the local government level, there are many opportunities to disseminate information and raise awareness, thus preventing violence.

## Organising awareness-raising campaigns and programmes at the local level

Information campaigns and programmes organised at the local level - on the different forms of violence, its effects, equality between women and men, avoiding gender stereotypes, and gender equality in non-violent relationships - can contribute to prevention. These can be presentational events or online initiatives to reach all sections of the local population.

Relevant **international and world days** and related local initiatives provide a good opportunity for such campaigns and programmes. Examples are International Women's Day (8 March), International Day for Countering Hate Speech (18 June), International Day of the Girl Child (11 October), International Rural Women's Day (15 October), World Day for the Elimination of Violence against Women (25 November), or the 16 Days of Action Against Violence Against Women campaign (25 November-10 December). Several local authorities in Hungary have joined the 16 Days of Action campaign in recent years. Such initiatives should be organised regularly.

<sup>19</sup> One example is the representative research conducted by IKEA and Kantar Hoffmann in 2021, the results of which are available at the following link: [https://www.ikea.com/hu/hu/files/pdf/63/b6/63b690de/ikea\\_egy-biztonsagos-otthonert\\_kutatasi-eredmenyek\\_2021.pdf](https://www.ikea.com/hu/hu/files/pdf/63/b6/63b690de/ikea_egy-biztonsagos-otthonert_kutatasi-eredmenyek_2021.pdf)

## Development and distribution of information and awareness-raising materials

A possible and relatively simple way to disseminate information is to develop and place information and awareness-raising materials, such as leaflets, on the premises of local government, municipal institutions, service providers, NGOs and other organisations open to customers and the websites of these institutions and organisations.

These include publications on **the nature**, forms, characteristics and impact on victims of **violence** against women and domestic violence.<sup>20</sup> It also includes publications summarising **where victims and their support persons can turn**, to which authorities, institutions and victim support organisations, and what legal and other options are available. Information on the institutions and services available to victims in the municipality or region in question could also be developed.

### Media

The Istanbul Convention also specifically mentions the role and responsibility of the media in this area. Municipal print and online newspapers and other local, regional print and online publications can play an important role in this activity.

There are many international examples of how to report and communicate about violence against women professionally, respecting the rights, dignity and safety of the victims.<sup>21</sup> Care must be taken, for example, to ensure that illustrations do not traumatise victims, do not r or stereotypes and that the contact details of organisations providing support are always included.

Training courses can be organised for media representatives on violence against women and domestic violence, and local media

<sup>20</sup> An example of this can be found in the information material available free of charge on the websites of NGOs: <https://nane.hu/kiadvanyok/>

<sup>21</sup> <https://nokjoga.hu/kiadvanyok-es-forrasok/ujsagiroknak/>

can adopt ethical guidelines and codes of conduct based on these. The local print and online press can also be involved in the campaigns and programmes, disseminating information and material in thematic columns.

### Good practice

NANE and the Patent Association have worked with several local municipalities to raise awareness of this social problem among the local population and to provide victims with information on where to turn for help. In 2020, the 15th district of Budapest joined the 16 Days of Action Against Violence Against Women campaign to raise awareness among the district's residents. Awareness-raising posters and a thematic issue in the district newspaper helped to achieve the campaign's objectives.

In 2021, the District VIII municipality joined the 16 Days of Action campaign, with posters and a leaflet for victims, based on local resources and responsive to needs. A series of thematic programmes were also implemented.

In the autumn of 2022, the municipality of District III also used a poster campaign to draw attention to this social problem. In addition, a page on the municipality's website has information on violence against women and where victims can turn for help.



## Education

To prevent violence, children and young people must be taught about violence against women, its different forms, the importance of equality between women and men, avoiding gender stereotypes, mutual respect, non-violent conflict resolution and the right to safety, in a way appropriate to their age.<sup>22</sup>

The above topics can be addressed in formal, school-based and informal education. This requires specific skills and qualifications from the organisers and facilitators. Training should be provided to prepare professionals working in public education and other institutions with children and young people to deliver these sessions. It is useful to draw on the expertise of NGOs and experts in the field.

Under the current system, local authorities have limited room for manoeuvre and options in relation to public education. Organising and supporting programmes for children outside school can be a way to take action.

NGOs working on the topic of violence against women have developed programmes that can be invited to school or extracurricular events. These cover the following topics: prevention of violence in relationships and within families, overcoming harmful and limiting gender stereotypes and prejudices, and the importance of equal relationships. These include the NANE Association's prevention programme<sup>23</sup> (Együtt Egyenlően) and the Rebel Girls (Lázadó Lányok) camp organised in partnership with the Patent Association.

22 A particular problem in the prevention of violence against women is the pornography industry. On average, children are exposed to pornographic images for the first time at the age of nine; violence against women is part of most of these films. It is important for the education system to counterbalance the fact that pornographic films and images are nowadays typically the primary sex education tool for young people. <http://turnmeon.hu/wp-content/uploads/2020/12/Kapcsolodj-be-WEB-2020-spread-L.pdf>

23 <https://nane.hu/szakembereknek/egyutttegyenloen/>

### Good practice

Organised by NANE and the Patent Association, the Rebel Girls day camp teaches girls aged 13 to 18 about topics such as gender roles in society, equal relationships and sex, and the phenomenon of intimate partner violence and how to recognise it.

The first Rebel Girls camp - organised regularly by the associations since then - was set up in co-operation with the Municipality of District II, for young residents of the district and those attending schools in the municipality.

## Training of professionals

Training all professionals involved is key in preventing violence, protecting victims and ensuring an effective and professional response. There are many gaps in this area. There are significant differences between the various professions in the extent to which violence against women and domestic violence and violence are included, if at all, in their training.

The most effective way to train professionals is to integrate this knowledge into the compulsory training in sufficient depth and content, adapted to the tasks and challenges of the profession. The lack of an integrated approach can be remedied by providing further training at the local level. Courses and workshops can be organised on violence against women in general or specific forms of violence (intimate partner violence, domestic violence, sexual violence or sexual harassment). The training methodology should be appropriate, based on the characteristics of violence, the principles of handling cases of violence and the rights and safety of victims. Training should be sufficiently detailed to ensure that professional action is taken. Inviting and involving organisations with expertise in the field is the most appropriate way to organise such training, and training of facilitators can also be provided.

Training can be organised for a specific profession or mixed, inter-

professional, and inter-institutional groups. In the first case, too, it is recommended that the importance of inter-institutional, inter-professional co-operation, its implementation and practical application, be highlighted. Emphasis should be placed on the evaluation of training and further development.

At the local level, it is useful to **assess the training gaps, needs and requirements of professionals** in the various professions and then to define the target group and specific training topics. Inter-professional and inter-institutional co-operation forums, established or operating at the local level, can also provide a good platform for planning.

### Good practice

NANE and the Patent Association are working with several local authorities to ensure that district social services and the police can respond more professionally and effectively to the needs of victims of violence against women. An example is the co-operation with District VIII, District XI, District VI and District III municipalities. The multi-day training is followed by a year-long supervising process, during which social and public authority professionals discuss cases and put into practice the theoretical knowledge acquired during the training.

### Proposals to local authorities:

- Awareness raising and information dissemination at the local level
  - ◆ Organising awareness-raising programmes and campaigns (preferably regularly)
  - ◆ Producing educational materials tailored to local needs and resources and disseminating them continuously
- Involving local media, print and online
  - ◆ training media professionals on the subject
  - ◆ adopting media ethics guidelines (zero tolerance; focus on victims' rights, dignity and safety; avoiding victim blaming; sharing information about support organisations)
  - ◆ the active involvement of the media in awareness-raising programmes, campaigns and education in general
- Organising local programmes for children and young people to prevent violence; training teachers and professionals working with young people to deliver these sessions
- Organising professional training on the subject
  - ◆ Mapping of the training system; assessment of training needs and requirements; definition of objectives, target groups, methodology
  - ◆ Designing training, paying particular attention to the general principles, the recognition of violence, the tasks and opportunities of each profession, interprofessional and inter-institutional co-operation
  - ◆ Organisation of training
  - ◆ Evaluation, review and improvement of training

## PROTECTING, SUPPORTING AND ASSISTING VICTIMS

### *Provisions of the Istanbul Convention*

**Article 18** - General obligations: effective co-operation of all bodies; focus on victims' rights and safety; avoid secondary victimisation, with special attention to vulnerable groups.

**Article 19** - Information to victims on available support services and legal measures.

**Article 20** - Provision of general support services (legal, psychological counselling, financial assistance, housing, education, training, assistance in finding employment, access to health care and social services)

**Article 22** - Provision of specialist support services: immediate, short- and long-term support services to any victim; specialist women's support services to all victims of violence and their children.

**Articles 23-25** - shelters; telephone helplines; running rape crisis or sexual violence referral centres.

**Article 30** - Compensation for victims from the perpetrator and adequate State compensation.

**Article 31** - Consideration of violence in matters of custody, visitation rights and safety of victims and their children

**Article 48** - Prohibition of mandatory alternative dispute resolution processes or sentencing

## General obligations

The Convention lays down several fundamental principles and obligations for the protection and support of victims. These can also be implemented at the local level.

- "Ensure that there are appropriate mechanisms to provide for effective co-operation between all relevant State agencies, including the judiciary, public prosecutors, law enforcement agencies, local and regional authorities as well as non-governmental organisations and other relevant organisations and entities, in protecting and supporting victims and witnesses of all forms of violence."<sup>24</sup>
- "Parties shall ensure that measures taken pursuant to this chapter shall:
  - ◆ be based on a gendered understanding of violence against women and domestic violence and shall focus on the human rights and safety of the victim;
  - ◆ be based on an integrated approach which takes into account the relationship between victims, perpetrators, children and their wider social environment;
  - ◆ aim at avoiding secondary victimisation;
  - ◆ aim at the empowerment and economic independence of women victims of violence;
  - ◆ allow, where appropriate, for a range of protection and support services to be located on the same premises;
  - ◆ address the specific needs of vulnerable persons, including child victims, and be made available to them."<sup>25</sup>
  - ◆ "The provision of services shall not depend on the victim's willingness to press charges or testify against any perpetrator."<sup>26</sup>

<sup>24</sup> Article 18, paragraph 2

<sup>25</sup> Article 18(3)

<sup>26</sup> Article 18, paragraph 4

## Effective co-operation between all relevant bodies

In the previous sections, it was mentioned that inter-professional and inter-institutional co-operation could be strengthened at the local level by setting up and operating professional forums and signing co-operation agreements. Training courses can bring together representatives of various professions and cover inter-professional and inter-institutional co-operation.

The flow of information is particularly important in managing individual cases. **Case discussion sessions** and mentoring can follow training.

Particularly useful are **professional rules, protocols and guidelines** setting out the principles of case management, legal and other options, and specific measures and procedures for the protection and assistance of victims, including referral of victims. These protocols should be specific to the capabilities – resources, and needs - of the institution or body concerned and should respond appropriately to the needs and shortcomings of the district.

### Good practice

In co-operation with the III District, NANE and the Patent Association are developing a professional protocol on appropriate support for victims and inter-professional co-operation for all institutions that come into contact with victims of violence against women.

## Information for victims

Under the Convention, victims must be provided with adequate and timely information about available support services and legal measures in a language they understand. This type of information can be tailored to the local context and can be provided by indicating the

institutions and services available locally. In addition, information on available institutions and services can be included in related public campaigns and other information materials. Information on this can be found in the previous section.

## Victim support and other services

### General aspects and assessment

One of the key elements in protecting and supporting victims is to have services available to them. In the case of violence against women and domestic violence, such services are most effective when they provide specialised, specialist care and support to victims of violence, with the help of professionals specially trained in the nature of violence and how to help victims effectively.

General services can also provide useful information and counselling for victims. They should also have basic information on how to recognise violence, identify incidents of violence, communicate with and treat victims, and effectively refer victims to the appropriate institution, authority or service. Particular consideration should be given to the fact that it can be stressful for victims to have to contact different institutions and services. Multiple referrals should therefore be avoided or reduced to the minimum necessary.

Introducing new services is usually a particularly resource- and time-intensive task. It must also be considered that advertising the service and informing the public takes time. The Convention specifically mentions shelters, helplines and crisis centres for victims of rape and sexual violence.

In the case of intimate partner and domestic violence (in Hungarian legislation, violence between relatives or relationship violence), there are services available for victims in the State care system (National Crisis Management and Information Telephone Service – 'Országos Kríziskezelő és Információs Telefonszolgálat', crisis centres, secret shelters, halfway houses).

Local authorities can play a prominent, central role in operating a system of victim support institutions and services. At the local level, municipal and district authorities should first assess the situation of victim support and care. It is necessary to map out the existing general and specialist services available, the experience gained in this area, and the needs and requirements. After the assessment, it is possible to determine what new services are needed and what services can be introduced, expanded or operated in a sustainably local authority or its contracted partners.

Below are some specific services and measures included in the Convention and can be introduced and implemented at the local level.

### **Establishing institutions specifically responding to the needs of victims of violence against women**

A big step forward in helping victims of violence against women is to have services available at the local level that respond in a complex way to the various needs of victims. For example, social workers, lawyers, and psychologists should be available in a crisis centre. Victims have access to a completely different quality of help in an institution that responds specifically to their needs and where they can turn to helpers who are trained and experienced in the field. In specialised victim support centres, the professionals are brought together, so joint case management can be effective. This type of institution can also introduce other services such as childcare, which is often difficult for victims to access, or a trauma support group, which also provides a way of connecting victims.

In addition to services specifically available to victims, local governments can create institutions and spaces that do not specifically address the problem of violence and provide individual services and community programmes for women. It is often much more difficult for victims to talk about violence in an environment where they know the perpetrator. In addition, women are often confronted with reactions

(either from their environment or from authorities and institutions) that prevent them from leaving the abusive relationship or seeking help. The latency of violence can also be reduced by a safe space where women can meet other victims and trained helpers and talk honestly about the difficulties: such as the burden of household and care responsibilities or even the violence they are experiencing. Speaking out about the violence they face, in a safe and understanding environment is the first step to seeking help and receiving appropriate support.

### **Providing housing for victims**

In Hungary, the housing crisis is particularly affecting women fleeing domestic violence. They often cannot permanently escape from the abusive relationship and have to return to the abuser because of a lack of housing solutions. They face problems not only with short-term housing but also with long-term housing. Housing is an important need to address to focus on other problems.

In Hungary, institutional housing services are available for victims, but even these are limited. Often there is no professional justification for victims to live in an institutional setting, but no support is available for their independent housing and accommodation outside institutions.

For the above reasons, it would be particularly important for municipalities to prioritise the development of housing programmes, building on the municipal housing stock, that responds to the needs of victims of violence against women.<sup>27</sup> Housing for victims can be addressed and supported in different ways at the municipal level. This could include targeting victims, prioritising victim status in the point system for allocating council housing, expanding the number of places in family transition and maternity homes, or setting up housing agencies targeting victims of violence against women.<sup>28</sup>

27 The book *Nők és lakhatás. A nők speciális szükségleteire válaszoló lakhatási megoldások*, by Fanni Dés, Zsuzsanna Pósfai provides a detailed analysis and suggestions on the topic: <https://library.fes.de/pdf-files/bueros/budapest/17396.pdf>

28 For more information on the housing proposals, please visit: <https://nane.hu/szakembereknek/onkormanyzatok/> and <https://library.fes.de/pdf-files/bueros/budapest/17396.pdf>

### Good practice

Many single mothers are victims of violence. Women who have fled their abusive partners are also over-represented in temporary housing. This is why it is important that several local authorities in the capital and outside Budapest have included single mothers and women leaving temporary housing institutions as a special target group in the point system used to allocate council housing.

### Information helpline

Victims of violence against women often do not receive any information about what to do, where to turn for help, or what options they have. An anonymous information line run by the municipality would make this information easily available to them. Such a line could provide victims with more targeted, accurate information about the help available at the local level. In contrast, national helplines often do not provide this information or find it more difficult to do so.

### A coordinated institutional database at the local level

The problem that often arises in the practice of different authorities and institutions is the lack of information on the services and options available to victims, including the crucial knowledge: the number of available places in institutions. The creating of a database between institutions would be an important step towards more effective and coordinated assistance to victims of violence against women and facilitate the work of professionals working in local and district authorities.

A common database of places in family transition homes and maternity homes would allow family support centres and other support organisations to see which institutions have places available at the

district, capital, or county level and where they can enquire about placing a woman. At present, it is often the case that finding a place requires several phone calls and personal contacts between staff members in different institutions. This could be remedied by a unified system and database, which could easily be set up at the local level.

### Financial support for victims

In the case of intimate partner violence, financial barriers often prevent women from leaving their abusive partner for long periods, especially if they have children together. International experience and examples from abroad show that flexible financial support tailored to the needs of victims can be very useful and often life-saving when fleeing an abusive relationship. Flexible financial assistance supports the victim's needs as they arise within a certain limit. It is much more cost-effective than giving victims a predetermined amount.

If the municipality can provide such financial support, it can greatly help the victims.<sup>29</sup>

### Providing compensation to victims

The Istanbul Convention contains specific provisions on the right of victims to claim compensation from the perpetrator and the State. Several factors make it difficult to pursue such claims in Hungary, as evidenced by the low number of such cases.<sup>30</sup>

Special attention should be paid to this possibility in the local action plan. Specific information could be provided to victims, and this knowledge could be included in training professionals and protocols.

### Methods and measures for the protection and safety of victims

Several provisions in the Convention are particularly important to keep

29 <https://library.fes.de/pdf-files/bueros/budapest/17396.pdf>

30 [https://www.patent.org.hu/dokumentumok/Kutatasi\\_beszamolo\\_VICO\\_2022.pdf](https://www.patent.org.hu/dokumentumok/Kutatasi_beszamolo_VICO_2022.pdf)

in mind at the local level and in handling individual cases, and practical experience confirms their prominent role.

### **Taking into account the history of violence when establishing parental custody and visitation rights**

Under the Convention, decisions on parental custody and visitation rights must be ensured to consider the history of violence. It must also be ensured that exercising visitation rights or parental custody does not jeopardise the rights and safety of the victim or the children.<sup>31</sup>

Children can be the direct and indirect targets of intimate partner violence and domestic violence. Violence has serious consequences and negative effects on them.<sup>32</sup> The Convention, therefore, States that children should be considered victims even if they are not direct victims but witnesses of violence.

In cases of intimate partner violence, after the parties have separated, contact with the child is a means for the abuser to continue the violence. Failure to investigate the history of violence, to take into account the severity of the violence or to underestimate the impact on the victims is a serious problem in child custody and visitation proceedings in Hungary<sup>33</sup>. This is evidenced by research, practical experience and highly publicised cases involving children.

Action at the local level should pay particular attention to this problem, both in co-operation forums and in the training of professionals. It is recommended to give special attention to this issue in professional protocols and to ensure effective and professional action to ensure the safety of victims.

### **Prohibition of mandatory alternative dispute resolution - mediation**

The Istanbul Convention prohibits the mandatory use of alternative

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31 Article 31

32 [https://nane.hu/wp-content/uploads/gyerek\\_2022\\_web.pdf](https://nane.hu/wp-content/uploads/gyerek_2022_web.pdf)

33 <https://nokjoga.hu/wp-content/uploads/kapcsolattartas-kenyszerlathatas-szorolap-2014-a4.pdf>

dispute resolution procedures, including mediation and conciliation, in cases of violence against women and domestic violence.

One of the main characteristics of domestic violence is a power hierarchy between the victim and the perpetrator. Therefore, the perpetrator and the victim cannot be considered equal parties with equal opportunities. Mediation based on equal status and shared responsibility can be harmful and dangerous for victims in many ways. On the one hand, it relativises the perpetrator's responsibility for the violence and re-traumatises the victims. On the other hand, it leads to a settlement in which the victim's free will and free decision-making are not guaranteed.<sup>34</sup>

Mediation in cases of domestic violence is a regular practice in Hungary. Special attention should be paid to the problem in local action plans, co-operation and case discussion forums, professional training materials, and guidelines and protocols.

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34 <https://nokjoga.hu/wp-content/uploads/flyer-mediacio.pdf>

### Proposals to local authorities:

- Definition and application of general principles
  - ◆ ensuring the human rights and safety of victims; preventing secondary victimisation
- Ensuring effective interprofessional co-operation
  - ◆ Development and application of professional rules, protocols and guidelines
  - ◆ Organising case meetings, mentoring, linked to training where appropriate
- Information for victims, preferably tailored to local specificities
- Introduction and operation of special victim support services
  - ◆ Situation assessment, needs assessment
  - ◆ Introduction and operation of services based on local specificities, needs and demand
    - Specialised services
    - Housing benefit
    - Flexible, needs-based financial support
    - Compensation for victims
- Addressing specific problems (in training, protocols, interprofessional co-operation)
  - ◆ Taking violence into account when arranging parental custody and visitation rights
  - ◆ Prohibition of mediation

## PROSECUTION OF PERPETRATORS: PROCEDURES

### *Provisions of the Istanbul Convention*

**Article 49** - *General obligations: to take the necessary legislative or other measures to ensure that investigations and judicial proceedings in relation to all forms of violence covered by the scope of this Convention are carried out without undue delay while taking into consideration the rights of the victim during all stages of the criminal proceedings. To ensure the effective investigation and prosecution of offences established in accordance with this Convention.*

**Article 50** - *Immediate response, prevention and protection: Parties shall take the necessary legislative or other measures to ensure that the responsible law enforcement agencies engage promptly and appropriately in the prevention and protection against all forms of violence (e.g. use of preventive operational measures and collection of evidence).*

**Article 51** - *Risk assessment and risk management: Parties shall take the necessary legislative or other measures to ensure that an assessment of the lethality risk, the seriousness of the situation and the risk of repeated violence is carried out by all relevant authorities in order to manage the risk and if necessary to provide coordinated safety and support.*

**Article 56** - *Measures of protection: Parties shall take the necessary legislative or other measures to protect the rights and interests of victims, including their special needs as witnesses, at all stages of investigations and judicial proceedings.*

**Article 57** - *Legal aid: Parties shall provide for the right to legal assistance and to free legal aid for victims under the conditions provided by their internal law.*



In particular, the Convention provides that the following **protective measures** should be taken during the proceedings:

- providing for their protection, as well as that of their families and witnesses, from intimidation, retaliation and repeat victimisation;
- ensuring that victims are informed, at least in cases where the victims and the family might be in danger when the perpetrator escapes or is released temporarily or definitively;
- informing them, under the conditions provided for by internal law, of their rights and the services at their disposal and the follow-up given to their complaint, the charges, the general progress of the investigation or proceedings, and their role therein, as well as the outcome of their case;
- enabling victims, in a manner consistent with the procedural rules of internal law, to be heard, to supply evidence and have their views, needs and concerns presented, directly or through an intermediary, and considered;
- providing victims with appropriate support services so that their rights and interests are duly presented and taken into account;
- ensuring that measures may be adopted to protect the privacy and the image of the victim;
- ensuring that contact between victims and perpetrators within the court and law enforcement agency premises is avoided where possible;
- providing victims with independent and competent interpreters when victims are parties to proceedings or when they are supplying evidence;
- enabling victims to testify, according to the rules provided by their internal law, in the courtroom without being present or at least without the presence of the alleged perpetrator, notably through the use of appropriate communication technologies, where available.<sup>35</sup>

The above rules of the Convention apply primarily to the actors in criminal proceedings, the police, the prosecution and the court. The Convention's requirements should be incorporated into training for these professions, as well as into protocols and guidelines. The prompt conduct of proceedings, respect for the rights of victims, effective investigation, preventive measures and other protective measures also require the involvement of other institutions. Cooperation at the local level can greatly assist in this.

## Risk assessment and risk management

The Convention's risk assessment and management rules apply to all authorities concerned. The risks to human life, the gravity of the situation and the risk of recurrence must be assessed, and appropriate risk management and protection measures must be taken.

There are many good international examples of risk assessment. Risk assessment questionnaires are also available in Hungarian (NANE Association uses them in its work).<sup>36</sup> Some authorities and institutions, such as the police, are required to carry out some risk assessment, but in many cases, this is not standardised. Information on the methods and questionnaires used is often not available. Experience from practice and victims shows that in most cases, neither formal nor informal risk assessment is carried out.<sup>37</sup> Risk assessment and management are not considered a common, good practice.

Questionnaires, procedures and measures for risk assessment and management can be developed and applied at the local level. Inter-professional and inter-institutional co-operation, information flow between different actors and joint case management are key to the success of risk assessment.

<sup>36</sup> One example is the "Big 26" questionnaire developed in Minnesota, USA, which is available in Hungarian: <https://nane.hu/wp-content/uploads/kockazatfelmero-kerdoiv-26.pdf>

<sup>37</sup> [https://nane.hu/wp-content/uploads/Nok-elleni-eroszak-a-jarvany-idejen\\_Magyarorszag-i-korkep\\_RISKFREE-2022.-december.pdf](https://nane.hu/wp-content/uploads/Nok-elleni-eroszak-a-jarvany-idejen_Magyarorszag-i-korkep_RISKFREE-2022.-december.pdf)

### Good practice

The Vodafone for Women's Safety programme was implemented in the first half of 2010 in co-operation with the Vodafone Hungary Foundation, the NANE Association, the Budapest Police Headquarters, several Budapest district police stations, Top Cop Security Zrt. and iData Technical Informatics Ltd. Under the programme, women subjected to long-term abuse by their current or former partners or at risk were given a mobile alarm device. The alarm from the device was sent to the relevant district police station, where it was treated as a priority. The victims included in the programme were assessed for their vulnerability using risk assessment questionnaires.

## Legal aid

The various forms of violence against women are, in most cases, criminal offences. If they are prosecuted, victims often face years of trials. Domestic violence typically continues after the victim has fled. The very nature of intimate partner violence means that perpetrators often become more violent after the breakup and harass their ex-partner. Court and authority cases concerning parental custody, visitation rights and various lawsuits and proceedings brought by the abusive partner as part of the abuse, such as defamation suits, are common. The situation of victims is exacerbated by the fact that legal professionals are often not adequately trained and prepared to deal with the nature of violence effectively and professionally and have a victim-blaming attitude.

Victims of violence against women and domestic violence have a basic need to receive legal aid in their judicial and administrative cases.

They can have it through counselling or legal representation, even with limited financial means. They should have it in cases where they are not considered to be in need, therefore, cannot access free legal assistance provided by the State.<sup>38</sup> It is equally important that the victim support lawyer is properly trained in legal procedures and jurisprudence relating to violence against women to provide professional support.

Local authorities can ensure that appropriate legal aid is provided. It can operate as a stand-alone service. Ideally, this can be provided through complex, integrated client care, including legal, psychological and social support. Victims of violence have a single point of access to the support and assistance they need to build their physical, psychological, sexual and financial security.<sup>39</sup>

38 Act LXXX of 2003 on Legal Aid contains the forms of support provided by the State. <https://njt.hu/jogszabaly/2003-80-00-00>

39 An example is the integrated care model jointly operated by NANE and the Patent Association.

**Proposals to local authorities:**

- Ensuring the protection of victims during proceedings
  - ◆ taking into account the rights of victims and providing them with adequate and prompt protection
  - ◆ the conduct of proceedings without delay
  - ◆ effective investigation and prosecution
- Risk assessment and risk management for all relevant authorities
  - ◆ Situational assessment
  - ◆ Development of risk analysis, risk assessment methods and procedures (questionnaires)
  - ◆ Developing a risk management framework, including measures that can and should be taken
  - ◆ Incorporating risk analysis and risk management into professional training, protocols and case meetings
- Providing legal assistance
  - ◆ Specific training for lawyers on violence against women, related legislation and case law

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