

## **Contribution of Hungary to the thematic reports related to femicide or gender-related killings of women**

*[For questions 1-3 a comprehensive summary response is provided]*

1. On additional steps taken to create a national femicide watch and/or observatory on violence against women with a femicide watch role; observatories at Ombudsperson's office or Equality Bodies; academic institutions and/or NGOs, or any plans to create one, as applicable.
2. On new measures taken including research and studies undertaken to analyse femicide or gender related killings of women and girls, or homicides of women by intimate partners or family members and other femicides. If available, please share a copy of such studies.
3. On recent developments related to good practices and challenges in implementing an evidence-based response to the prevention of femicide.

*Hungary and the United Nations have the very same goal to provide more effective protection for victims of gender-based violence as well as domestic violence.*

*The direct consequence of the commonly shared goal is that, in Hungary, one of the strictest Penal Codes in the European Union protects all children, women and all victims of domestic violence since 2012.*

*In 2020, under the coordination of the Ministry of Justice, the Family Law Working Group was established, which, in cooperation with 60 NGOs, prepared a 170-page expert opinion. In addition, the Civil Law Working Group on Family Law was set up this year in order to channel civil proposals more effectively into the legislative process. The Working Party on Family Law has issued an expert opinion on the basis of which, after the proposal of the Government, the Parliament has amended the relevant legislation. The principal purpose of this amendment is to provide victims of violent crimes against close relatives with more effective protection than is the case under the previous legal framework. In this context, the most important new elements of the amendment are as follow:*

- 1) *excluding the possibility of parole for the most serious perpetrators in the case of fixed-term imprisonment;*
- 2) *introducing an expedited litigation procedure, which the victim may bring before the court of his or her place of residence, under which the victim will be able to assert his or her claims for damages or (in the case of non-pecuniary damage) damages much more easily;*
- 3) *conducting the expedited litigation primarily through an electronic communications network, thereby helping to spare the plaintiff victim from physical contact with the defendant, which avoids or significantly reduces the victim's so-called secondary victimization.*

*The Hungarian victim support system provides services to all victims of all crimes. It is important to note that beside the direct victims, the indirect victims are also entitled for the services as follows:*

*According to the Victim Support Act the services can be provided by the Hungarian victim support services to victims, who, as a natural person, becomes victim of a crime, or to who as a direct consequence of a crime suffered a disadvantage, in particular bodily or mental injury, emotional shock in the territory of Hungary. It means that in case of homicides of women by intimate partners e.g. the close relatives can be entitled to victim support services, in particular state compensation.*

*Also, 2020 was the “Year of Victim Support”, during which the Ministry of Justice, among other things, drew the attention of citizens to a large-scale communication and media campaign that they are not alone when they become victims. To this end, on 29 June 2020, a victim support website under the address <https://vansegitseg.hu/> was launched (available only in Hungarian), and the presence of victim support has intensified on all community platforms.*

*In addition, the development of a new Hungarian victim support strategy has begun. The reform, which also pays great emphasis on victims of domestic and gender-based violence, has the following directions:*

- 1) setting up a nation-wide network of victim support centers, i.e. establishing victim support centers in all county capitals within five years, where victims may receive tailored services from a wide range of services. To this end, despite the economic downturn caused by COVID-19, a Victim Support Center will soon be handed over in Nyíregyháza. This will be the ninth Victim Support Center after Budapest, Miskolc, Szombathely, Pécs, Szeged, Kecskemét, Veszprém and Szolnok. The goal of the Victim Support Centres is to support the victims – especially the special groups of victims like victims of gender based violence, domestic violence etc. – whose living conditions have changed as a consequence of having been victimised of a crime or an offence against property, and to provide them with customised psychological support and information required to assert their interests. The goal of the Victim Support Centre is to offer support to victims, to listen to them and to offer appropriate, customised help to restore their balance.*
- 2) developing a unified victim management system for more effective coordination of the various organizations involved in victim support,*
- 3) introducing an opt-out system: i.e., the establishment and development of a public victim support system based on direct access to increasingly more victims by public victim support services in order to improve the effectiveness of their access to victims,*
- 4) amending the Victim Support Act regarding state compensation (abolition of the means-test and extension of the time limit for making a claim,*
- 5) doing more uniform training and methodological support for state and civil victim support staff, with more focus on the prevention of violence between relatives and the reduction of the harm caused by violence between relatives.*

*We believe that, in particular, more uniform training and methodological support for those in charge of victim support will bring real added value in significantly reducing the high latency associated with domestic and gender-based violence. Therefore, we, in this respect, count on the active participation and proactivity of NGOs.*

4. On recent jurisprudence or case law on femicide.

*Under the Hungarian Criminal Code, the provision of manslaughter does not contain dedicated provisions that specify the sex of the victim. Furthermore, the statistics of the courts relate to the offenses and felonies committed. This means courts do not collect data disaggregated by the sex, race, nationality, ethnicity or religion of the victim and the perpetrator, respectively.*

*That said, according to the commentary to the Criminal Code, if manslaughter is committed out of sexual motive, or the commitment of a sexual or gender-based violence pairs up with an intent to kill, the crime qualifies as a graver infringement and thus entails a longer imprisonment (i.e. from 10 to 20 years). When deciding on the exact period of the imprisonment, courts take into consideration various factors, specified in Section 80 of the Criminal Code and in the corresponding opinion of the Curia (the highest court in Hungary). Based on the opinion of the Curia, aggravating factors include—among others—the following: (i) the victim of a crime is in a vulnerable situation or condition, or (ii) she is a pregnant woman, or (iii) she/he is a close relative of the perpetrator. These factors result in a longer sentence. Study finds that this opinion of the Curia is uniformly applied by lower courts in this regard.*

5. On data, if available, on:

- a. Intimate-partner femicides / homicides of women
- b. Family-related femicides / homicides of women
- c. Other femicides / gender-related homicides of women

Data should be presented for the past 3 years, and provide a comparison between the period since the start of the COVID-19 pandemic (i.e. March 2020) and data before then. It should contain absolute numbers as well as the proportion of such killings as compared to other killings (other homicides of women and homicides of men).

Year from to	Total number of homicides of women / men (% included)	Total number of homicide/femicide of women / men killed by intimate partners	Total number of homicide/femicide of women / men killed by a family member	Other gender related killings of women by unrelated perpetrator
2018	64 (39/61)	8	17	28
2019	78 (46/54)	13	25	20

2020	82 (38/62)	8	21	28
2020.03.01.- 10.30.	59 (40/60)	6	16	20
2021. 01.01- 11.05.	38 (39/61)	10 (8 women/2 men)	9 (2 women/7 men)	23 (7 women/16 men)

*The source of the above data is the list of cases as maintained by the Criminal Investigation Division of the Criminal Investigation Department of the National Police Headquarters, not the unified system of criminal statistics of the investigative authorities and of public prosecution.*