

## Statement of the NGO Child Rights Coalition

### In the context of “amending laws related to stricter action against pedophile offenders”

With regard to “amending certain laws relating to strict action against pedophile offenders,” we would like to recall that **in July 2020, members of the NGO Child Rights Coalition initiated a petition** urging holistic governmental actions to provide real and effective protection for all children in order to prevent them from sexual violence and their re-victimization and provide strong protection for children who have already experienced violence. All this, in a professionally sound manner, based on research and expert consultations is conceivable only.

**Our petition was shared with more than 42,000 people on social media and signed by 11,580 people.** We have sent our petition to the responsible ministries in several places, recommending professional cooperation, but we have not been given their election time, but the issue of the registration of sex offenders has been on the agenda again in recent weeks, so they are being brought to the attention of decision-makers again.

**We welcome the fact that the Government 's intention announced last year can now be seen in the form of a bill, which is an important step in raising the profile of children' s protection, vulnerability and victimization in political and public discourse.**

**In addition to stricter penalties, we also welcome the changing rules on exclusion from employment, which can help combat sexual abuse, but we also consider it important to change society's attention to prevention and victim assistance and to launch a social dialogue on zero tolerance of abuse.**

The register, which we believe is incorrectly called the “anti-pedophile” register, is not new, as the consideration of registering perpetrators of sexual violence for Member States has already been laid down for the Member States in European Union Directive 2011/93 / EU by stating that access to such records shall be restricted in accordance with national constitutional principles and relevant data protection rules. **In view of this, in our opinion, the request for data from the register must be justified.**

As stated in the related opinion of the Hungarian Hintalovon Child Rights Foundation, an important point in the creation of the planned register is that criminal law does not recognize the “pedophile” category, i.e. a person with a disease who feels sexual arousal only at the sight of a body undergoing puberty change. Therefore, the response of criminal law should be appropriate for sex offenders. Research shows that child sexual abuse is most often not perpetrated by pedophiles as defined above, but by people who are often close relatives or close to the family in a relationship of trust

with the child. According to several studies, 90% of victims of sexual abuse know the perpetrator, who may be a close acquaintance, family member, or trustee.

**In line with our previous petition, we will continue to initiate a consultation with government bodies, with the participation of ministries, partner authorities, NGOs and experts, on the development of detailed rules for a separate register of perpetrators of child sexual abuse convictions.** The register must be primarily aimed at protecting children and must also comply with the requirements of the rule of law, ie necessity and proportionality. Due to the widespread international practice and the expected strong social impact, an impact assessment and wide-ranging professional consultation are strongly recommended.

**As we stated in our petition last year, but we maintain it, given that no action has been taken in this area, we recommend that**

- 1. The Government, as the State Party's representative, shall ensure the early implementation of the Council of Europe's Lanzarote Convention** and shall make every effort to end the sexual exploitation of children in Hungary and to establish a system of full professional support and assistance to victims and their families. In two-thirds of cases, the sexual exploitation of children (eg in prostitution) can be directly linked to the sexual violence suffered by children and child pornography.
- 2. Government bodies should create the conditions for the establishment and regular, genuine operation of inter-professional forums for the systematic investigation of individual cases,** with the participation of all governmental and non-governmental actors and institutions responsible for the well-being and safety of the child and the care of victims of violence and exploitation.
- 3. The Parliament should hold a plenary debate on the problem of child abuse and sexual violence against children (including child pornography)** and develop a strategy (action plan) for the prevention and protection of children and to improve the effectiveness of law enforcement in relation to offenses involving the sexual exploitation of children.
- 4. The Government should launch awareness-raising (information, awareness-raising) campaigns for the general public,** as well as perpetrators and victims, in order to provide information on the sexual exploitation and sexual, emotional and physical abuse of children, as well as on available preventive measures and services.
- 5. The Government should ensure that child and adult victims of sexual violence and exploitation receive adequate quality and long-term care and support** through a specialized national, multidisciplinary assistance system, the resources of which are provided on an ongoing basis. Compulsory vocational training should be provided for members of the child protection alert system, including knowledge of the nature of violence, its impact on victims, recognition of trauma symptoms and appropriate victim support.
- 6. The Art 204 of the Penal Code (Criminal Code) in accordance with the term of the Lanzarote Convention - which has also been ratified and transposed by Hungary - the term 'child pornography' offense shall be considered a sexual offense against children** and respect their rights, and change it to a "recording of child sexual abuse" as recommended by Interpol.
- 7. In accordance with international practice, in addition to criminal sanctions, perpetrators of sexual violence should, if necessary and justified, be provided (on a voluntary or compulsory basis) with medical, therapeutic and other services,** and a toll-free number should be available to call for help. or, if necessary, be referred to a therapy center.

8. We would also like to draw the attention of decision-makers to the fact that the European Union's long-awaited **Strategy on the Rights of the Child**, also welcomed by members of the NGO Child Rights Coalition, recommends that Member States improve child protection systems at national level and to prepare a package of child protection laws with criminal law focus, but also one which focuses on prevention and victim protection.

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