**<https://www.ohchr.org/EN/Issues/Health/Pages/Violence-and-its-impact-on-the-right-to-health.aspx>**

**QUESTIONNAIRE**

**“Violence and its impact on the right to health”**

I have the honour to address you in my capacity as Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, pursuant to Human Rights Council resolution 42/16.

I would like to invite you to respond to the questionnaire below. Submissions received will inform my next thematic report on “Violence and its impact on the right to health”, which will be presented to the Human Rights Council in June 2022.

The questionnaire on the report is available at OHCHR website in English (original language) as well as in French, and Spanish: (<https://www.ohchr.org/EN/Issues/health/pages/srrighthealthindex.aspx>).

All submissions received will be published in the aforementioned website, unless it is indicated that the submission should be kept confidential.

There is a word limit of 750 words per question. Please submit the completed questionnaire to ohchr-[srhealth@un.org](mailto:srhealth@un.org). The deadline for submissions is: **18 January 2022.**

Tlaleng Mofokeng

Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

**Contact Details**

Please provide your contact details in case we need to contact you in connection with this survey. Note that this is optional.

|  |  |
| --- | --- |
| Type of Stakeholder (please select one) | **☐ Member State**  ☐ Observer State  ☐ Other (please specify) |
| Name of State  Name of Survey Respondent | Hungary  Hintalovon Child Rights Foundation (NGO) |

# Background

Within the framework of Human Rights Council resolution 42/16, the Special Rapporteur on the highest attainable standard of physical and mental health has identified sexuality, gender based violence and femicide as one of her priorities during her tenure (See [A/HRC/47/28](https://undocs.org/A/HRC/47/28) paras 50-64). In compliance with her mandate and in line with this priority she has decided to devote her next thematic report to the 50th session of the Human Rights Council in June 2022 to the theme of “Violence and its impact on the right to health.”

# Objectives of the report

The Special Rapporteur intends to shed light on who is seen as victims of violence, and who is affected by what type of violence, with emphasis on the violence experienced by women, children, LGBTI persons and conflict related gender based violence. She will also explore the role of men as perpetrators and their experience as victims of violence. Her analysis will look into the responses that survivors of violence receive with a focus on good practices, as well as the obligations, responsibilities, and protections that arise under the right to health framework and other relevant human rights in this connection. She will also report on emerging trends related to the impact of COVID-19 on all forms of violence and related responses.

In her report, the Special Rapporteur will address, inter alia, issues related to gender based violence, (including inter-personal and intimate violence), as well as structural violence. She will also assess the impact of the criminalization of sex work, same sex relations, transgender persons, abortion, drug use etc. on the enjoyment of the right to health. The Special Rapporteur would like to identify good practices and examples of comprehensive health responses to survivors of violence, and to identify lessons learned at the community, national, regional and international levels.

# Key questions

*You can choose to answer all or some of the questions below. (750 words limit per question).*

When responding to the questions below, please use the glossary with definitions at the end of the questionnaire, and refer to all or some of the forms of violence in focus for this study as applicable in your country, countries or region in focus:

1. Please describe, share data and information on the characteristics, number of cases, and the profile of victims and perpetrators in your country/ies or region(s) regarding:
   1. gender based violence against women
   2. gender based violence and other forms of violence against children:

In 2020 three times as many children were affected by domestic violence than in previous years (27 in 2019, 81 in 2020). The third most common crime committed against children aged 0-13 was sexual abuse. In 2020 during the peak of the pandemic’s first and second waves domestic violence reached a peak never seen before. Police data showed that compared to the previous year 1.5 times more signals were received by them regarding domestic violence. According to the latest (2019) statistics of the Central Statistical Agency one in every 10 children was endangered. Child and family wellbeing services recorded 174.413 endangered children. This is a 1000 more than the previous year. According to child protection data by the Central Statistical Agency, 3849 children were endangered in 2019 because of domestic physical violence; in compar- ison the criminal data shows that an investigation because of physical violence against children was only launched in 1163 cases. Data on sexual abuse shows a similar picture: child and family wellbeing services registered 735 sexually abused children, whereas 417 investigations were launched.

/source: <https://hintalovon.hu/wp-content/uploads/2021/06/Hintalovon_Alapitvany_Gyermekjogi_jelentes_2020.pdf/>

In 2015-2016 out of 1,310 registered child victims of trafficking in the European Union, 647 were of Hungarian nationality, 86% of which were girls. According to the same statistics, most of the registered child victims in the EU during the period 2015-2016, were of Hungarian nationality (647 out of 1310), and 86% of them were girls. More than half of the Hungarian victims of human trafficking for sexual purposes (64%) registered in the same period were children, 7.4% of all victims, and approximately 71 children were under the age of 11. In 2019, 119 children and young adults up to 24 years old in State institutional care became victims of sexual abuse or were suspected victims of sexual abuse and 10 of the children were suspected of being exploited in prostitution.

/source and further information: <https://ecpat.org/wp-content/uploads/2021/05/ECO_HUNGARY_Final-version-ENG_22January2021.pdf>/

* 1. gender based violence against LGBTI or other persons based on real or imputed sexual orientation, sex characteristics, and gender identity:
  2. violence against persons with disabilities, including GBV.
  3. gender based violence against men
  4. conflict gender based violence, including sexual violence

In Hungary, girls belonging to the Roma minority are understood to be most at risk of suffering the negative consequences of CEFM. However due to privacy protections, the data available on this phenomenon in Hungary is not disaggregated by nationality, and limited research is available on this topic. In Hungary, every year since 2012, approximately 3% of those who get married are under the age of eighteen. According to the Hungarian Central Statistical Office, in 2018, similarly to the previous four years, 370 girls and 33 boys under the age of eighteen got married. In the majority of the cases, the age difference between the bride and the groom was not bigger than 6 years (both parties were between the ages of 17 and 23). However, there were weddings where the brides were significantly (up to 30-40 years) younger than their future husband. In these cases, it is questionable how much influence the minors had in the process of getting the legal permission needed in order to acquire a marriage license and whether the marriage was in the best interest of the child, as required by the relevant provisions of law. In these instances there is a serious possibility that children are victims of forced marriage. An article based on information shared by UNICEF Hungary shines light on the connection between child marriages and human trafficking. The article notes that it can be easy to cover up the human trafficking of exploited girls with marriage in Hungary. A high level of latency is typical when it comes to unofficially marrying off children under the age of 16 by their parents, even though this form of marriage is not permitted by the authorities or law. There are no statistics available on this phenomenon. This shows that the legal response alone is not going to be adequate. Communities also need to be educated and informed to avoid the continuance of ‘unofficial marriages’, which might be registered later when it is legal for both parties to enter into an official marriage. It is crucial to amend legislation so there are no exceptions allowing child marriages and to initiate research in this area to understand the causes and motivation behind the phenomenon, with a special focus on cultural practices related to CEFM within Roma communities in order to address the issue appropriately.

/source + further information: <https://ecpat.org/wp-content/uploads/2021/05/ECO_HUNGARY_Final-version-ENG_22January2021.pdf>/

* 1. Please share analysis and available evidence on the impact of COVID on the above

1. Please describe whether the legal framework prohibits and sanctions these forms of violence and the definitions and forms of violence included in the legal system. Please explain redress options for survivors of violence, (the pathway they go through if they decide to file a complaint), levels of impunity and if access to comprehensive physical and mental care for GBV-survivors is recognized as a form of reparation.

No definition of the child is included in the Fundamental Law of Hungary or in any other national Act, so the Hungarian law follows the definition set out in the Convention on the Rights of the Child, i.e. all persons below 18 years of age are considered children. According to the Criminal Code most crimes implicate a more severe sentence if they are committed against persons under 18, 14, or 12. This also applies to SEC-related crimes. In most cases, the lower limit of the penalty for acts constituting some form of SEC is a two year sentence. Five years is the lower sentence for the crime of human trafficking committed against a minor for the purpose of sexual exploitation. According to the amended provisions of the Criminal Code, entered into force on 21 December 2014, violent sexual offences against minors committed after the amendment are exempt from the statute of limitations. However, the amended provision is not retroactive and only applies to acts committed after its entry into force. Recidivism is generally considered to be an aggravating factor in Hungarian criminal law, but in many provisions related to SEC, more serious regulations on recidivists are set out as separate, aggravated cases.

The Criminal Code prescribes that a perpetrator of the criminal offence of endangering a minor shall be prohibited from engaging in any occupation or other activity in the course of which he or she is educating, supervising, caring for, or treating a person under the age of 18 or has any other relationship of power or influence with such person. However, in certain cases requiring special equity, the mandatory application of a ban on occupation may be dispensed with. This is of immense importance regarding recidivism, as the provision does not fully guarantee that former offenders will not take up a position or job in which they come into close contact with minors. In addition, a problem in the application of the law is that the courts often do not generally ban the convicted person from contact with children, but where appropriate, only from occupying a profession as a teacher. Based on this, convicted offenders can still hold other jobs where they come into close contact with children.

There are no separate bodies within the Hungarian Police specifically created to deal with cases related to SEC. Within the Hungarian Court System there are no separate departmentsthat deal specifically with cases where the child is present as a victim. The Child Protection Act defines the members of the alerting system, the professionals and institutions who are obligated to notify the relevant authorities or initiate official proceedings in the protection and interest of the child. According to the Child Protection Act, the members of the alerting system are for example health service providers, general practitioners, the police, educational institutions and the guardianship authority. If a Hungarian child becomes a victim abroad, the relevant minister and the Department of Child Protection and Guardianship of the Ministry of Human Capacities must take the necessary steps after the state where the victim has been identified has contacted the Hungarian authorities. The members of the alerting system are obliged to report to the child welfare service if there is a risk of an endangered child. Official proceedings must be initiated in case of suspected or known child abuse. If the child is suspected of being a victim of a crime, the guardianship authority will file a report for prosecution. If a sexual offence against a child has been committed to the detriment of a child the offence is exempt from the statute of limitations. All citizens and social organisations working for the interests of children can report when a child is at risk of or is being endangered or abused, but it is not prescribed by law. The members of the alerting system are obliged to cooperate with each other and inform each other.

Hungary has yet to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, which specifically recognises that children have the right to appeal to international mechanisms specific to them, when national mechanisms fail to address violations effectively. In 2019, as a response to the initiation of the Ombudsman and the Secretary of State for Family and Youth Affairs of the Ministry of Human Resources indicated that preparations for accession to the Protocol have begun.

/source and further information: <https://ecpat.org/wp-content/uploads/2021/05/ECO_HUNGARY_Final-version-ENG_22January2021.pdf>/

1. Please share examples of the types of structural and institutional violence with origins within the State, (perpetrated or condoned by the State) or perpetrated by those not representing or affiliated to the state in your country/ies of region, and who is affected. In particular, describe structural/institutional violence in medical settings against women and girls, LGBTI persons and persons with disabilities or any other individuals or groups relevant in your country/ies or regions.

The UN CRPD Committee published a report in 2020, in which the Committee found systemic and regular violations of the rights of children with disabilities, based on the findings of field visits and interviews. The Committee criticised the de-institutionalisation strategy of Hungary and called for its revision as well as the revision of assisted living and community based services. A positive step by the government was the adoption of the action plan leading up to 2022 of the National Disability Programme 2015–2025. The programme aims to better the life and circumstances of persons with disabilities, and to enhance their inclusion and equality. The current action plan proclaimed 12 priorities, such as healthcare, complex rehabilitation and public transport. Early intervention, education and training were also separate priorities.

/source: <https://hintalovon.hu/wp-content/uploads/2021/06/Hintalovon_Alapitvany_Gyermekjogi_jelentes_2020.pdf>/

1. Please also share information on the impact of criminalization of sex work, same sex relations, transgender persons, abortion, drug abuse, harmful practices in obstetric care, female genital mutilation on the violence experienced by the affected individuals and their enjoyment of the right to health.

In 2020, the Constitutional Court of Hungary emphasised that the proper development of a child is adversely affected by his or her direct involvement in prostitution in connection with the child’s right to protection and necessary care for his or her physical, mental and moral development, as stated both in the Fundamental Law and the Child Protection Act. Thus, the state’s institutional protection obligations play a particularly important role regarding the issue of exploitation of children in prostitution. Due to the seriousness and complexity of the issue it is difficult to create appropriate criminal regulation in regard to the sexual exploitation of children. Four different conducts included in the Criminal Code can be linked to this crime. Procuring of a person for sexual activities, the exploitation of children in prostitution, the facilitation of prostitution (which includes inducing any person, adults and children, to engage in prostitution as well as providing establishments where the prostitution can happen) and human trafficking, since the Hungarian legislation uses the term of human trafficking broadly, several acts of child sexual exploitation in prostitution falls under the criminal category of human trafficking. The existence of multiple applicable provisions creates a number of difficulties for law enforcement, as several offences are involved in one single case which poses a challenge to distinguish between different crimes due to the unclear and incoherent wording of the Criminal Code. Unlike the Criminal Code, until July 2020 the Infringement Act considered persons offering sexual services under the age of 18 purely as offenders. In order to resolve this contradiction – after both international and domestic criticism – the Government amended the Infringement Act as of 1 July 2020. It now states that a person under the age of 18 cannot be sentenced for violating the prohibition on offering sexual services. In addition, legal proceedings cannot be initiated if it is established on the scene that the person concerned is under 18. The law also states that in order to protect a child, the police must take immediate general protection measures and arrange placement for the child and notify the guardianship authority. There is no separate definition in Hungary for child sexual abuse material. According to the Criminal Code, pornographic recording means a video, film or photo recording or any image recording produced by any other means, depicting sexuality in a grossly indecent manner for the purpose of arousing sexual desire. Pornographic show refers to an act or performance representing sexuality in a grossly indecent manner for the purpose of arousing sexual desire. This definition is not in full compliance with that provided by the OPSC, since the OPSC refers to any representation by whatever means, which could include not only visual materials but also audio, written and drawing material as well.

Law amendments of the year 2020 introduced the definition of “alleged victim of trafficking in persons” for persons under 18 who is in violation of the prohibition on offering sexual services according to the Enforcement Act. The introduction of the definition provides a wider opportunity for child victims to receive assistance. Accordingly, the police apply general protection measures to protect alleged victims of trafficking, i.e. the police place the suspected victim in a designated special children’s home on a temporary basis and transport the child who has already been brought up and has a temporary care place or care to the designated special home.

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In 2019, each day 5 children brought to life their child, although the number of under 18 pregnancies decreased along with a general decrease in births: in 2018 1995, while in 2019 1820 under 18 girls delivered a child, 58 of whom were under 14.66 During the same year 14.1 abortions were on average for every 1000 minor aged 15-19. This data and a [**UNICEF 2020**](https://megelozes.unicef.hu/cikk/cikk/mit-gondol-a-magyar-tarsadalom-a-szexualis-felvilagositasrol/)study shows the gaps in sexual education and prevention. The study asked adults raising children under 18 years of age, and 69% of those answering thought that children did not receive sufficient information on safe sex, and a campaign to provide financial assistance to NGOs providing early intervention and care. 74% of them thought that information on STDs was also lacking.

/source and further information: <https://hintalovon.hu/wp-content/uploads/2021/06/Hintalovon_Alapitvany_Gyermekjogi_jelentes_2020.pdf>/

1. Please share information on the health and other type of responses provided by the State and/or other actors in your country/ies or regions in focus to survivors of each/some of the aforementioned forms of violence. Please assess what works well and not so well, and whether COVID-19 impacted the response and how.

The Child Protection Act defines the members of the alerting system, the professionals and institutions who are obligated to notify the relevant authorities or initiate official proceedings in the protection and interest of the child. The members of the alerting system are obliged to cooperate with each other and inform each other. However, the mechanisms mentioned above are not completely successful, due to the lack of information and inadequacy felt by members of the alerting system, the high number of cases and the low number of professionals. This means that vulnerabilities in many cases are not adequately or not at all identified. Several shortcomings and problems in the functioning of the child protection system can be identified, which make it difficult to identify and provide effective assistance to children who are at risk of sexual exploitation or have already become victims. On the one hand, this contributes to the fact that it is more difficult for children to step out of the vicious circle of exploitation, and on the other hand, it causes a sense of failure and frustration for professionals.

The 2020 US TIP report highlighted that the government does not have an institutional framework for identifying, managing, or supporting child victims of trafficking. In response to these shortcomings, the Government’s National Strategy for Combating Human Trafficking 2020-2023 and its Action Plan for its Implementation for the period 2020-2021 set the goal to develop more effective operation in the areas of child vulnerability, family and adult crisis detection and alert system in the form of developing guidelines and recommendations.

The best-known helpline for child abuse in the country is operated by the Kék Vonal Child Crisis Foundation. The Helpline for Abused and Missing Children can be reached 24/7. In addition, the Directorate General for Social Affairs and Child Protection operates the Child Protection Helpline, which aims to facilitate a professional, effective and timely response to any call indicating a child in danger, regardless of the person making the call and whether or not they are obligated to report. The Telephone Witness Program of the National Police Headquarters also gives an opportunity for anonymous reporting of crimes.

The 32/2011. (XI.18.) decree of the Ministry of Public Administration and Justice launched the concept of child-sensitive (child-centred) justice in Hungary. Section 62 / C. (1) of Act XIX of 1998 on Criminal Procedure introduced the concept of a victim in need of special treatment. Victims under 18 and victims of human trafficking were automatically counted as such. Later, mainly thanks to Act XC. Of 2017 on Criminal Proceedings, this was supplemented also by further procedural safeguards. Since 1 July 2018, children are entitled to special treatment in accordance with the provisions of the new Act on Criminal Proceedings. A particularly important change for victims of human trafficking under 18 is the possibility of avoiding face-to-face confrontation with alleged perpetrators in court (via use of video conferencing for giving evidence), classified data management, increased protection of privacy, video and audio recording of testimonies (to reduce the number of repeated testimonies) and the fact that psychologists, experts, helpers and supporters may be present in addition to the child during certain procedural acts.

The Victim Support Service, operated by the Ministry of Justice, treats victims of human trafficking as a priority group and provides them with financial support in the form of immediate financial assistance or state compensation. Victims of child abuse, exploitation in prostitution and human trafficking are also assisted by the National Crisis Management and Information Telephone Service, which provides accommodation for victims if necessary According to information provided by the government-operated Victim Support Service, in 2019 a total of 35 cases (10 girls and 25 boys) were registered regarding sexual exploitation involving children under 18.274 The Victim Support Service provides financial and information assistance to victims of crime. Financial support means applying for state compensation and immediate financial assistance. Information assistance refers to being informed about the rights of victims and the benefits and institutions available.

There are no explicit provisions in Hungarian law regarding the compensation of children who have been victims of sexual exploitation. However, victims of crime can apply for financial compensation and assistance in several ways. It is possible to enforce a civil claim for compensation or restitution in connection with a criminal offence in criminal proceedings (adhesion procedure). However, its fulfilment is uncertain as it depends on the convicted person’s financial situation. In civil damages lawsuits, the victim can assert their claim against the perpetrator as a defendant in the form of restitution (nonfinancial damage) if they were unable to or did not try to enforce it during the criminal proceedings.

/source and further information: <https://ecpat.org/wp-content/uploads/2021/05/ECO_HUNGARY_Final-version-ENG_22January2021.pdf>/

1. Please specify the budget allocated in your country/ies in focus, to health related response to survivors of all/some forms of violence mentioned above. Please indicate the percentage of the national budget devoted to this; the percentage of the international aid provided or received for this. Please explain the impact of Covid 19 to the funding of responses to all/some forms of violence in your State/institution.
2. Please describe the needs of survivors of the abovementioned forms of violence as identified by your State/institution. Please share survivor-self identified needs and those of their families, with a focus on health emergency and long-term needs.
3. Please share examples of good practices and examples of comprehensive health responses to survivors of violence and indicate efficient multi-sectorial efforts at the community, national, regional and international levels by State or non-State actors.
4. Please describe State and other actors initiatives and measures to prevent these forms of violence, specific budget allocated to prevention, and good practices in this regard.

The government has adopted a national strategy to combat trafficking in human beings for the years 2020-2023 and an Action Plan for its implementation for 2020-2021. The strategy includes intentions to review the relevant regulatory environment in the areas of prevention, education, victim identification and victim support, as well as international and domestic cooperation.

Within the Hungarian state organisational system, training and awareness-raising campaigns related to the prevention of SEC are carried out almost exclusively by the central and regional bodies of the National Police Headquarters (ORFK). It is worth mentioning that in the majority of cases there is no information about the direct results of these training and educational programmes. The ORFK however plans to start monitoring the results, and conduct follow-ups in relation to its trainings, and develop studies on the effectiveness of certain programmes. The most recent reports by the Council of Europe’s Group of Experts on Action against Trafficking in Human Beings released in 2015 and 2019 highlighted the need to reach out to vulnerable children living in marginalised areas through prevention and awareness-raising programmes and stressed the importance of training professionals working in basic and specialist care. The 2019 report also mentioned the appointment of specialised police chiefs in 2019. At the end of 2019, the ORFK organised a three-day training for them, during which they received lectures on cooperation with non-governmental organisations related to the identification and protection of victims and the use of special investigative techniques.

Within the ORFK there are several internal training sessions focusing merely on or touching upon SEC related issues and crimes. This training focuses on issues such as the uniform implementation of police duties related to exploitation in prostitution and human trafficking, the introduction and relevance and usage of the International Child Sexual Exploitation database hosted by INTERPOL and on victim identification. ORFK has compiled an e-learning material for the identification of victims of human trafficking and on the domestic regulation on human trafficking and related crimes. Training is mandatory for criminal justice personnel involved in the identification of victims of human trafficking and the detection of related crimes. In the second half of 2019, the course was completed by 1,230 people. In 2019, the ORFK launched an internal training on the techniques of questioning an abused and traumatised child. From 2021, this will also be included in the training programme of the Faculty of Law Enforcement of the National Civil Service University.

The OFRK organises external training and prevention and awareness raising programmes such as the joint conference of 2018 with Hanns Seidel Foundation on “The dangers that children fleeing from orphanages, residential homes, foster parents face.” A total of 200 people, police officers, social care and child protection professionals of local government, family helpers and employees of NGOs attended. The aim of the event was to foster more effective cooperation between the participants and the institutions they represent, as well as to provide professionals and persons dealing with minors with information about the dangers of exploitation in prostitution and the pathways leading to victimisation. In the same year a joint awareness raising day programme was organised in several child protection institutions. The police presented a programme, entitled “Are you sure you want this?!”, which was developed to raise awareness on the dangers of sexual exploitation among children in child institutions. Within the framework of the programme, using the tools of drama pedagogy, they presented a play “I stand up for you”, made in 2016 in partnership between the Névtelen Utak Foundation and the KVTársulat, to raise awareness on SEC.A total of 40 tutors and 60 girls between the ages of 14-18 living in the institution participated.

In Hajdú-Bihar County the ORFK participated in the BARISHEJ (Roma word, meaning ‘big girl’) programme in the academic year of 2019/2020. A series of 18 lectures were held for 20 cumulatively disadvantaged Roma girls between the ages of 12-18 on how to avoid victimisation. During the lectures, the police specifically addressed the dangers of working abroad, the phenomenon of human trafficking and the exploitation of children in prostitution. In the same year police held lectures for orphanage and high school students on the same topics. During the series, 266 lectures were held for 6,674 students and 46 lectures were organised for 469 parents to receive the necessary information.

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**Glossary of definitions for the purpose of this questionnaire**

* Gender based-violence, is violence directed toward, or disproportionately affecting someone because of their gender or sex. Such violence takes multiple forms, including acts or omissions intended or likely to cause or result in death or physical, sexual, psychological or economic harm or suffering, threats of such acts, harassment, coercion and arbitrary deprivation of liberty. Examples include, sexual violence, trafficking, domestic violence, battery, dowry related violence, coerced or forced use of contraceptives, violence against LGBTI people, femicide, female infanticide, harmful practices and certain forms of slavery and servitude. Gender-based violence may be perpetrated against women, girls, men, boys, and non-binary persons. Gender-based violence, including sexual violence, may linked to a conflict.
* Gender based violence against women (including girls) refers to violence that is directed against a woman because she is a woman or that affects women disproportionately. (CEDAW, [General recommendation 19](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT/CEDAW/GEC/3731&Lang=en), 1992). It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty. Gender based violence affect women to different degrees depending on their experience of varying or intersecting forms of discrimination including on the basis of ethnicity/race, socioeconomic status, age, disability, being lesbian, bisexual, transgender or intersex, etc. [(CEDAW, General recommendation 35, 2017).](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/GC/35&Lang=enhttps://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/GC/35&Lang=en)
* Violence against children refers to all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse against children. (CRC, [General Comment No. 13](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f13&Lang=en), 2011). Violence experienced by boys and girls may also be a form of gender-based violence.
* Gender based violence perpetrated against LGBTI or other persons based on real or imputed sexual orientation, gender identity, and /or sex characteristics includes killings, imposition of death penalty for homosexuality, death threats, beatings, corporal punishment imposed as a penalty for same-sex conduct, and/or transgender persons, arbitrary arrest and detention, abduction, incommunicado detention, rape and sexual assault, humiliation, verbal abuse, harassment, bullying, hate speech and forced medical examinations, including anal examinations, and instances of so-called “conversion therapy” and forced/coerced medically unecessary procedures on intersex children and adults. (Report of the Independent Expert on protection against sexual orientation and gender identitiy, ([A/HRC/38/43](https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/38/43), 2018, [OHCHR, Born Free and equal](https://www.ohchr.org/Documents/Publications/Born_Free_and_Equal_WEB.pdf), OHCHR, [Background note on human rights violations against intersex perople).](https://www.ohchr.org/Documents/Issues/Discrimination/LGBT/BackgroundNoteHumanRightsViolationsagainstIntersexPeople.pdf)
* Conflict related gender-based violence: Conflict can result in higher levels of gender-based violence against **women and girls**, including arbitrary killings, torture, **sexual violence** and forced marriage. Women and girls are primarily and increasingly targeted by the use of sexual violence, including as a tactic of war. M**en and boys** have also been victims of sexual violence, especially in contexts of detention. *Conflict related sexual violence* refers to rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage, and any other form of sexual violence of comparable gravity perpetrated against women, men, girls or boys that is directly or indirectly linked to a conflict. That link may be evident in the profile of the perpetrator, (often affiliated with a State or non-State armed group, which includes terrorist entities); the profile of the victim, ( frequently an actual or perceived member of a political, ethnic or religious minority group or targeted on the basis of actual or perceived sexual orientation or gender identity); the climate of impunity, (generally associated with State collapse, cross-border consequences such as displacement or trafficking, and/or violations of a ceasefire agreement). The term also encompasses trafficking in persons for the purpose of sexual violence or exploitation, when committed in situations of conflict”. (Report of the Secretary General [S/2019/280](https://undocs.org/en/S/2019/280), 2019.)
* Systemic or institutional violence refers to institutional practices, laws or procedures that adversely affect groups or individuals psychologically, mentally, culturally, economically, spiritually, or physically. This violence has its origins within or outside the state, and is a major obstacle for the realization of the right to health, a right which is interconnected with rights to the underlying determinants of health.