1. Please explain how your organisation or institution defines homelessness in various contexts, for example, when measuring the extent of homelessness or conducting research about it, or preparing proposals and advocacy projects. Please explain why the definition was chosen. Do these definitions differ from those used by your government? Please provide any available data on the extent of homelessness in general and among particular groups in your country and identify any limitations to this data.

Habitat for Humanity Hungary (HfHH) defines homelessness in a broader sense than the Hungarian government and its institutions do. While the definition used by the state considers homelessness as limited to people without a registered residence and to those spending their nights in public spaces (as outlined by the 1993 Social Act).[[1]](#footnote-1) HfHH instead uses the broader definition based on the ETHOS typology[[2]](#footnote-2) developed by the European Federation of National Organisations Working with the Homeless (FEANTSA), which – in addition to the people living in public spaces - also includes people living in insecure and inadequate housing conditions, such as people living in insecure tenancy or those living in extremely overcrowded dwellings.

There is no official data collection of homeless people in Hungary. Certain expert estimates put the number of narrowly defined homeless people somewhere between 15000-30000, and the number of people living in extreme housing poverty around 1,5 million.

*2. What population groups are most affected by homelessness in your country/ in your organization’s area of work? Please provide any information you have about the extent or experiences of homelessness among particular groups such as children and youth, women, indigenous peoples, persons with disabilities, and others. If relevant studies exist please indicate or share a link, a reference or a copy.*

The F3 Working Group (a group of social workers and other related professionals) conducts a survey on 3rd February each year to assess the extent and structure of homelessness in Hungary. Although the survey reaches only roofless and houseless people and not so much people in insecure and inadequate housing conditions, it still provides the most detailed and up-to-date overview of the extent of homelessness and the composition of the homeless population in Hungary.[[3]](#footnote-3)

According to this F3 survey, Roma people are more affected by homelessness than the majority, men are more affected than women and the share of people between the age of 18-25 years among homeless has been growing in the past few years. Homelessness among minors is officially non-existent as minors becoming homeless are taken into state care. A related serious problem is the unlawful removal of children from their families solely due to housing problems. Although, it is forbidden by Hungarian and international law, housing problems are among the leading causes for removing children from their families and placing them into state care. The Committee on the Rights of the Child repeatedly condemned Hungary for this harmful practice.[[4]](#footnote-4)

*3. In your organization’s view, what are the primary systemic and structural causes of homelessness? How is your organization addressing these and how should these be addressed by Governments?*

Over 90 per cent of the housing stock in Hungary is privately owned. Consequently there is a severe shortage of available rental housing at affordable price. There is a growing number of lower-paid or poor people who cannot afford to own a home, but due to the shortage of affordable rentals, is also unable to rent, and thus is forced to live at friends, family, or shelters or on the street. Since the regime change in 1989, successive governments have not taken effective policy measures to provide people in housing need with affordable rental housing and prevent those having a home from accumulation of debts that can eventually result in loss of their housing. Instead, successive governments, although to a varying extent, financed subsidies that help middle-class and higher income households to acquire housing property. In our opinion, the structure of housing expenses in the state budget should be reorganised so that it would provide housing maintenance support for households unable to cover their monthly utility bills, expand social housing stock by purchase and construction of dwellings, or let privately owned dwellings at affordable price through social rental agencies.

HfHH operates its Housing First programme providing affordable rental housing to homeless people by renovating deteriorated, uninhabitable municipal dwellings in collaboration with volunteers and future tenants. Our organisation has been successful in advocating its Social Rental Agencies concept, creating the possibility for owners of empty dwellings to rent it out to people in housing need with state guarantee and subsidy.

*4. Please provide any information available about discrimination and stigmatization of people who are homeless, including laws or policies that may be used to remove homeless persons from public spaces or to prohibit activities in public spaces such as sleeping, camping, eating, sitting, or asking for money. Please explain whether such discrimination is prohibited by law at national and/or local levels and describe any initiatives being taken or proposed to address this problem.*

The Constitution of Hungary stipulates that the government or municipalities can determine public spaces where “habitual use of public space” is criminally prohibited.[[5]](#footnote-5) On the basis of this constitutional provision the act on petty crimes was amended to criminalise the “habitual use of public space”, and municipalities defined zones on their territory where this activity can be implemented. Thus legislation and policies in Hungary has not been moving towards eliminating discrimination, but instead, the government created the constitutional basis for discriminatory practices against homeless people. The legislative changes and the criminalisation of homeless people have been widely condemned both domestically and internationally.

In 2014, criminal proceedings were launched against in 354 cases against homeless people for using the public space for living.

NGOs protested against the amendment of the Constitution, however, protests have not succeeded in altering the strong commitment of the government to ban homeless people from public spaces. The Parliamentary Commissioner for Fundamental Rights launched its investigation, and referred the criminalising decree brought by the City Council of Budapest in front of the Supreme Court and the Constitutional Court. Certain provisions of the decree have been annulled by the Supreme Court.

*5. Please indicate if you know whether homelessness has been recognized as a human rights violation by courts, by national human rights institutions in your country/ in the area of your expertise, and if so, on the basis of which human rights (for example: right to adequate housing, right to life, etc) Provide information on any initiatives being taken by your organization or others to address homelessness using an explicit human rights framework.*

It has not been recognised as a human rights violation by the Hungarian government and since the Hungarian Constitution provides the constitutional basis for local and national jurisdictions to discriminate against homeless people by criminalising them for using the public space, action is directed at the abolition of the legal provisions concerned. Hungary has failed to ratify article 31 of the Revised European Social Charter which provides the right to housing.

*6. Please provide information on how your organization has used or intends to use administrative procedures to challenge homelessness as a violation of human rights?*

HfHH does not take a specifically human rights based approach or legal approach. Rather we advocate for implementation of the housing-led solutions of homelessness, such the Housing First model, which we started to employ also in Hungary. We are currently in partnership with three municipalities who provided public housing, which we renovated so that homeless people living in shacks could move in. Social assistance is provided to the homeless people moving into these social housing units, as part of our programme.

*7. Please provide information about any proposed or existing strategies or legislation that your organisation or institution might be familiar with aimed at reducing or eliminating homelessness. Explain any goals or timelines that have been adopted for this purpose, describe how progress has been monitored, describe how those affected by homelessness have been involved and provide information on results to date. Does your institution/organization have any suggestions for how existing or proposed strategies could be improved?*

This year the Ministry of Human Resources drafted a strategy on homelessness. The strategy is short of formulating housing policy measures preventing people from becoming homeless or re-housing homeless people. In our opinion, housing-based solutions to homelessness and also for the prevention of homelessness such as the extension of the social housing stock that can be created by both purchase or through creating Social Rental Agencies, a country-wide housing first programme and a well-targeted housing maintenance support could significantly reduce homelessness in Hungary.

1. 1993/III. Social Act, 4§2-3. [↑](#footnote-ref-1)
2. <http://www.feantsa.org/spip.php?article120&lang=en> [↑](#footnote-ref-2)
3. <http://www.bmszki.hu/hu/f3-homeless-survey> [↑](#footnote-ref-3)
4. UN CRC, Concluding observations on the combined third, fourth and fifth periodic reports of Hungary, 14 October 2014, <http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fHUN%2fCO%2f3-5&Lang=en> [↑](#footnote-ref-4)
5. COnstitution of Hungary, XXII/3. [↑](#footnote-ref-5)