



Housing is a human right!

Dear Secretary Franchetti, dear Secretariat,

As members of The City is for All grassroots organization that is the only homeless-led organization in Hungary, we would like to call your attention to a pressing problem that poor and marginalized children and their families are facing in the country. Article 7 of the Act XXXI of 1997 on the protection of children and guardianship administration explicitly declares that “the child must not be removed from their family due to their endangerment on the basis of solely material reasons” and the preamble of the Act defines as the goal of the state “to support the upbringing of children within the family”. However, the experiences of the members of our group, people in housing poverty who turn to our group, as well as experts in the field clearly demonstrate the deficient enforcement of Article 7.

Data provided by the municipal child protection services (TEGYESZ) demonstrate that 21.000 children were living removed from their families in 2012 (approximately 8.200 in children’s homes, 13.000 with state provided step-parents, and 300 in care homes). According to the report of Habitat for Humanity Hungary on housing poverty in Hungary in 2012, a significant number of these children are forced to live removed from their families due to housing difficulties. Furthermore, research conducted by ELTE University shows that in spite of the above legal instructions, among the code numbers that TEGYESZ uses to indicate the reasons for the temporary placement of children in children’s homes or at step-parents three are directly related to the financial or housing conditions of the family:

- code 11: parent with no income
- code 12: homeless parent
- code 13: parent with housing problems

In 2012, these code numbers were used in 300 cases. Even though the research could not control for the combination of different reasons, thus, it is possible that other reasons also played a part in the removal decision in some of these cases, the mere fact that such codes exist and they are used in hundreds of cases within just one year is alarming enough to call for immediate state action. In addition, the definition of the child’s endangerment in the child protection act is not specific enough and in this way makes families vulnerable to the abuse of power by the authorities.

Clearly, the child protection system in Hungary does not have adequate means to handle situations in which the child’s well-being is at risk due to inappropriate housing. As a result of the severe lack of social housing in the country (3% of the entire housing stock, one of Europe’s lowest), the lack of alternative forms of housing (e.g. social housing



Housing is a human right!

agencies, temporary housing solutions), and the very low level of state housing support (that is only a fraction of the average cost of housing); for families that cannot afford even a cheap rent, the only remaining solution is family or mothers' homes. However, since the number of people who live in housing poverty or are at risk of becoming homeless is on the increase, these institutions operate with long waiting lists, therefore, it is very difficult to get a place in them. In addition, there is no formal right to housing in Hungary even for specific vulnerable groups such as families with children; consequently, the state and local governments are not bound to provide some form of housing at least for these families. A further problem is that there is no meaningful co-operation between child protection authorities, local governments and the state. In fact, there is even a certain conflict of interests among them: even though state care of children is highly detrimental both for the child and the entire family, it is cheaper for local governments to remove the child than providing them with social housing, since children's homes, state provided step-parents and homeless shelters are financed by the state. As a result of all the above reasons, even though it is against the law, in many cases children are removed from their families solely for material reasons, as the above data demonstrate.

Clearly, the situation presses for immediate legal and institutional amendments. We hereby call the Committee to investigate this pressing issue that endangers the well-being of hundreds of children in Hungary each year and press the Hungarian government to take the necessary steps to stop the unnecessary removal of children from their families as soon as possible.

Kind regards,

Mariann Dósa

The City is for All

Budapest, 06 September 2014