

THE IMPACT OF DIFFERENT CRISES ON VICTIMS OF DOMESTIC VIOLENCE



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ВЛИЯНИЕ РАЗЛИЧНЫХ КРИЗИСОВ НА ЖЕРТВ ДОМАШНЕГО НАСИЛИЯ

What is domestic violence, what is partner abuse? In a partnership, in a family, relations are not necessarily equal. People can keep their partner or family in psychological, physical, sexual and economic dependence and abuse their position. This person abuses the victim(s) verbally, physically and in other ways. There was a widespread belief that the head of the family was entitled to control the rest of the family even by force. Worldwide and in Hungary it was refused to explore, investigate and interfere with what happened within the family. The NGO-s contributed big time to the recent legal changes. This led to international conventions. One of these conventions is the Istanbul Convention. Even the European Union joined it in 2023. The directive proposal by the European Commission considers violence against women and domestic violence a criminal law issue and a serious violation of human rights. Although the proposal focuses on women, the European Commission of Human Rights acknowledges that men and children can also become victims of domestic violence.

It is important to consider the victims' dependence and the perpetrators' desire for control and possession during criminal proceedings. Reducing latency can be possible by building trust with the victims. When victims of violence feel that they are receiving special protection, they are more likely to trust society and the authorities. To aid those affected by such violence, it is essential to offer them access to shelters, phone hotlines, and medical and legal aid.

The situation of victims of domestic violence and partner abuse becomes even more serious in crisis situations. There have been and are ongoing conflicts in the world, which have been scrutinised by economists, sociologists, criminologists, health professionals and lawyers alike in recent years. The latest related research worldwide provides a lot of important new information that can help prepare for the problem and provide professionally competent answers.

It is clear from the processed literature that the individual forms of violence are connected in crisis situations and pose an even greater danger. Violence at the macro level, such as war, also increases violent conflict at the micro level. The crises caused by the fear of COVID, the lockdown,

war conflicts, hunger, and the climate disaster spill over into family homes and make the victims of domestic violence and partner abuse even more vulnerable. Most of the processed materials analyse research born after COVID. The COVID–19 epidemic also provided many lessons regarding the management and prevention of the economic effects of future natural disasters and the associated increased domestic violence.

Introduction / Kirish

In Hungary during the last decades all the violent conflicts that were taking place in other parts of the world, seemed distant, we felt that they were not dangerous for us, that they could not apply to us. This idyllic state of affairs was first questioned by the COVID panic, immediately followed by Russian-Ukrainian conflict. We need to explore conflict zones outside Europe and prepare to live with conflicts that will drastically change our lives. The need to find solutions to criminal threats in crisis situations has already been suggested [2]. The COVID epidemic and war conflicts all teach us that international preparedness and action is essential in crises that cross national borders [3]. The potential consequences of environmental scarcity must also be prepared for at the international level. The problem of migration is also a constant source of tensions, generating strong ethnic divisions and social and cultural conflicts. Global environmental problems can lead to gang wars within countries and tensions between states, even escalating into war [1].

Health crisis, economic vulnerability and domestic violence

Both domestic violence and violence against women are systemic, cross-border violations of fundamental rights and serious crimes that must be prevented and prosecuted [URL1]. COVID–19 has exacerbated the problem of domestic violence. Violence has intensified and/or become more serious in this crisis situation [URL2].

There has been a large amount of research and publications on conflicts caused by mental and economic stress. The European Parliament has also addressed the question of the extent to which the COVID–19 epidemic has affected different members of society, to what extent they have become multiple victims. The pandemic has exacerbated structural gender inequalities, particularly for girls and women from disadvantaged groups. Neither the EU nor the Member States were prepared for the global crisis and the economic and social impossibility that followed. The resolution states that the Member States have failed to tackle violence against women and girls. Neither in their emergency response plans, nor in their preparations for future global crises, have they included plans for measures to prevent violence against women. They therefore call on Member States to set up safe and flexible emergency alert systems to help support services work in a coordinated way. The resolution also calls on member states to share national legislation and best practices on dealing with relationship violence. In the framework of the 'Next Generation EU', Member States are called upon to take measures to restore social, economic and gender equality for women who were disadvantaged during the COVID–19 epidemic. These actions are particularly relevant in the areas of employment and gender-based violence [URL3].

There have been papers in economics and sociology that have explored the relationship between the COVID–19 epidemic and the conflict situations that followed. From December 2019 to July 2023, the virus infected 692 million people worldwide, resulting in 6.9 million deaths. The studies made it clear that during the epidemic, people had to cope with increasing mental health problems and economic hardship. During the epidemic, inequality increased, and health and social systems collapsed. Studies have shown that these challenges have led to more conflict at both the individual and societal levels [6].

Following the COVID–19 epidemic, online violence against women and intimate partner violence have also become increasingly common [URL4]. According to the data from the World Health Organization (WHO), by 2021, one in three women worldwide will have been a victim of

physical or sexual violence by a partner or another person at least once in their lifetime [URL5].

The WHO responded quickly to the violence caused by COVID-19, developing a global strategy to prevent violence against women and children. According to the WHO, more attention needs to be paid to vulnerable groups of women, including women with disabilities, who are at increased risk of domestic violence. For them, accessing services and providing care at home was even more difficult under COVID-19. Similarly, particular attention should be paid to displaced women, refugees and women in conflict-affected areas. They are even more vulnerable due to their poor social and health situation. The WHO recommends that health facilities make information on locally available services widely available (e.g. emotional support and emergency helplines, shelters). Humanitarian organisations should also organise support for women and children who have suffered violence and collect data on violence against women in preparation for COVID-19 [URL6].

According to the WHO, the COVID-19 pandemic has reinforced a number of negative phenomena. It has led to increased levels of anxiety, depression, excessive alcohol consumption and domestic violence [URL7].

The United Nations Women (UN Women) has highlighted that violence against women and children has also worsened during the Ebola epidemic, with an increase in human trafficking, sexual exploitation and child marriage and sexual abuse [URL8].

The so-called 'shadow pandemic', i.e. the domestic violence epidemic in the shadow of COVID-19, has appeared not only in economically underdeveloped countries, but also in rich countries. Research has shown an increase in suicidal tendencies and depression, in addition to an increase in domestic violence. Both women and men were affected by anxiety about their personal safety [URL9].

It is important to look at the often different findings and experiences of different countries.

In Portugal, domestic violence during the pandemic affected both sexes and all age groups. According to the responses to the online questionnaire, the abuser was the partner or ex-partner in 47.3% of cases, a parent or foster parent in 17.8%, a child or foster child in 8.9%, a sibling or stepsibling in 1.4%, and a person currently living with the victim in 2.7%. 21.9% of victims did not say who the abuser was. 13.0% of the abuse was verbal, 1.0% sexual and 0.9% physical. The study highlights that a high proportion of victims of verbal abuse were male. The authors call for further research into the vulnerability of male victims. They also pointed out that many elderly victims reported sexual abuse [4].

An Australian study showed that during the COVID-19 epidemic, domestic violence victims had higher economic insecurity than their partners. Victims' financial insecurity was also often greater than that of the abusive partner. Those who experienced economic hardship during the COVID-19 epidemic were more likely to experience physical, sexual and economic abuse. The COVID-19 epidemic caused acute economic stress in the community and domestic violence was also perpetrated by people who had not previously engaged in abusive behaviour within their families [URL10].

According to the UN Refugee Agency, the situation of refugee women has worsened during the COVID-19 epidemic. Not only did their financial position deteriorate, but they were also at increased risk of gender-based violence. The Agency cited Syria and Venezuela as examples [URL11].

In Sri Lanka, researchers have also emphasised that domestic violence can affect anyone, regardless of age, gender, social status, sexual orientation, religion, education or economic background. Domestic violence can occur in a variety of relationships, including couples living together, married couples or even separated partners. In Sri Lanka, data on violence against women and girls in 2019 was collected by the Department of Statistics. It shows that Sri Lankan women suffered twice as much violence from their partners (17.4%) as from strangers (7.2%). Similarly, sexual violence from partners (6.2%) is higher than violence from others (4.1%) [URL12].

In Argentina, an increase in domestic violence was also observed when women and their partners were quarantined. Compared to the period before the pandemic closures, verbal violence increased by 12%, sexual violence by 35% and physical violence by 23% in 2020. Three main phenomena were identified as the cause. The first is the inability to escape from the abuser. The second is social isolation, which has also contributed to mental health problems and increased alcohol consumption. The third was deprivation [URL13].

War conflicts and violence against women - Rape is cheaper than bullet

Sexual violence in war was first declared a war crime in the 1949 Geneva Convention. The Rome Statute of the International Criminal Court of 17 July 1998 classifies many forms of sexual violence as crimes against humanity and war crimes. The Istanbul Convention applies to all crimes of violence against women in times of peace and armed conflict [URL4].

András Hárs gives a precise overview of when wartime sexual crimes constitute genocide, war crimes or crimes against humanity. He describes not only the development of the regulation of sexual crimes as international crimes, but also the practice of international criminal courts. He also quotes Navathenem Pillay's statement in which Pillay states that rape is not a trophy of war [5].

The term 'conflict-related sexual violence' (CRSV) has been used by the UN since 2000 to refer to cases of rape committed during an armed conflict [URL14]. Eight years later, a resolution states that armed conflict-related sexual violence is a tactic of warfare that in itself threatens the maintenance of international peace and security [URL15]. A UN Security Council resolution on conflict-related sexual violence was also adopted in 2009 [URL16]. The Stop Rape Now initiative [URL17] is a network of UN agencies. It aims to prevent rape from being used as a war strategy. The UNDP (United Nations Development Programme) Global Programme on Strengthening the Rule of Law in Conflict and Post-Conflict Situations has helped to strengthen national capacity to end impunity for gender-based violence in 20 conflict and post-conflict countries [URL16]. The Security Council also sought answers on how to hold perpetrators of sexual violence in armed conflict accountable at national level [URL18].

The first perpetrator to be convicted of 'conflict-related sexual violence' by the ICC in 2016 was a Congolese warlord [URL19].

Gender-related violence during and immediately after the war has also been collected by some women's NGOs. The first important finding of their research was that there is still little information available to social scientists on the phenomenon of violence and changes in crime during global crises. In developing their research methodology, they encourage a rigorous investigation to understand the causes in more depth. A global analysis must of course take into account the different characteristics of different parts of the world. In any case, the common feature is that the increasing violence in global crises primarily affects inherently vulnerable groups, including minorities and women. Given the increasingly global nature of crises, the study of deviant and criminal behaviour that changes during these crises should also be the subject of international comparative and multidisciplinary research [URL20].

In many countries, even in times of peace, the regulation and prevention of domestic violence and gender-based violence was not sufficient. When there is a risk of conflict, the number of such cases increases, as the different forms of violence are interlinked and reinforce each other. Regulation must be strengthened even in times of peace, and we must be prepared for even more serious problems in times of crisis. Violent conflicts give rise to new forms of behaviour, making rape even more violent. This is due to stress, trauma, insecurity and the widespread acceptance of rape as a common form of behaviour among soldiers.

There is also another area in which women's sexual freedom is violated in conflict or in situations of danger, and this phenomenon is hardly mentioned. In such cases, women are not forced to have sex

by physical violence, but rather by peacekeepers or aid workers abusing their power to distribute food and medicine [URL21].

In 2021, NATO issued guidance on what NATO personnel should do in the event of 'sexual violence in armed conflict'. Data collection and mandatory reporting are among these tasks [URL22].

The UN Secretary-General's report for 2023 examined the situation of 'conflict-related sexual violence'. The term includes all forms of sexual violence, such as sexual slavery, forced prostitution, forced pregnancy, forced abortion, forced sterilisation, forced marriage, etc. The report for the year 2022 mentions the situation in the Democratic Republic of Congo, Ethiopia, Haiti, South Sudan, among others. It also addresses the issue of wartime sexual violence in Ukraine, stating that it was a form of torture and inhuman treatment of civilians and prisoners of war [URL23].

It is also important here to review the findings and experiences in each country.

The war on the territory of the former Yugoslavia taught us many sad lessons about the vulnerable position and multiple victimisation of women. It should be emphasised here as well, however, that the victims of sexual violence were not only women, but also men. UN reports have recorded data on gender-based violence since the beginning of the war, with around 25,000 women, girls and men sexually abused. Sexual violence is characterised by a high latency rate, so this rate only represents the number of recorded cases.

The judgments of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the judgments of the Court of Bosnia and Herzegovina made it clear that sexual violence was systemic and institutionalised, used as an instrument of war and ethnic cleansing. This was an attempt to ensure that minority populations in the area fled their own homelands and never returned to their homes. These judgments declared sexual violence a crime against humanity, a war crime and genocide. Previously, it was common to regard rape by the victors as a 'side-effect' of war, and societies have come to accept that this is one way in which the victor expresses his or her subjugation of the vanquished [URL19].

A very important finding of the researchers in the Colombian armed conflicts is that micro- and macro-level violence cannot be separated. When wars are fought, members of society who are already oppressed, such as women, are more exposed to violence. It is taken as a fact that wars and armed conflicts involve gender-based violence against women, thus reflecting the overall status of women in society. If domestic violence and partner abuse were given more social attention, women would not be so vulnerable to gender-based violence in times of war. Researchers call for an appropriate response to domestic violence that would change the social mindset and provide women with a broader range of tools to defend themselves against gender-based violence during armed conflict [7].

I think it is important to note that, although women are a much higher proportion of the victims of sexual violence in these cases, this does not mean that there are not male victims. This is also stated in the UN report [URL24].

Summary / Xulosa

In crisis situations, the different forms of violence are interlinked and pose an even greater threat. Macro-level violence, such as war and pandemics, spill over into the family home and make women, men and children victims of domestic violence and partner abuse even more vulnerable. The COVID-19 epidemic has also provided many lessons for the management and prevention of the economic impacts of future natural disasters and the increased domestic violence associated with them. Equal rights must be guaranteed in family and partnership relations. This requires a broad range of education and training, alongside legal and institutional guarantees. In the European Union, all professionals working with victims of gender-based violence and members of law enforcement agencies should receive appropriate training to ensure that justice is done [URL4].

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