



## Convention on the Elimination of All Forms of Discrimination against Women

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### Committee on the Elimination of Discrimination against Women

Pre-session working group

**Thirty-ninth session**

23 July-10 August 2007

### List of issues and questions with regard to the consideration of periodic reports

#### Hungary

1. The pre-session working group examined the sixth periodic report of Hungary (CEDAW/C/HUN/6).

#### Constitution, laws and national machinery

2. Please provide information on the impact of the Equal Treatment Act on the promotion of gender equality. Please also provide examples of the circumstances giving rise to exemptions under the Equal Treatment Act, referred to on the report.

3. In addition to the complaints to the Equal Treatment Authority mentioned in the report, please provide information as to whether any court cases have been filed by women who faced discrimination, and their outcomes.

4. The report states that only a small percentage of the complaints filed with the Equal Treatment Authority related to discrimination against women and stressed that it was “very important to more efficiently inform those concerned about their rights and the available legal remedies, as well as to strengthen women’s non-governmental organizations”. What steps is the Government taking to ensure an adequate response to these requirements?

5. The report states that based on the proposed amendment No. T18902, “the introduction of the concept of sexual harassment to the Hungarian law is in progress”. Please provide information on the status of this proposed amendment, including its content and a timetable for its entry into force.

6. In its concluding comments in 2002, the Committee recommended that the Government assess the capacity of the national machinery for the advancement of women and that the national machinery be given the power, visibility and human and financial resources required to advance the State party’s efforts to implement

the Convention.<sup>1</sup> Please provide information on whether the measures taken do indeed strengthen the national machinery for gender equality and effectively respond to the concerns and recommendations previously expressed, including information on the relationship and coordination among all the structures in place at the national and decentralized levels.

### **Temporary special measures**

7. The report states that “there is a lot to do before de facto equality is attained” and “this requires positive measures leading to real equality”. The report also states that “there is a legal possibility for applying quota systems and other preferential rules” under the Equal Treatment Act. Please provide details on the temporary special measures, in accordance with article 4, paragraph 1, of the Convention, that are in place and are planned, and give an assessment of their impact in terms of accelerated achievement of the goal of de facto equality.

### **Political participation and decision-making**

8. Considering that there have been no significant changes to women’s access to decision-making posts, please provide details about the measures undertaken by the Government to improve women’s participation in political and public life, particularly at senior levels, including in the Parliament, Government Ministries and local government, taking into account general recommendation 25 on article 4, paragraph 1, of the Convention and general recommendation 23 on women in public life, within a given time frame.

### **Violence against women**

9. Please provide information on the implementation of the amendment of 2005 to act IV of 1978 of the Criminal Code and the amendment of 2006 to act XIX of 1998 on criminal proceedings, regarding restraining orders, including how many restraining orders have been issued and under what circumstances, and what is being done to inform women about the availability of this means of protection.

10. Please provide updated information on the number of court proceedings involving violence against women, including domestic violence, and indicate the number of convictions and the sentences imposed.

11. Please provide information on the implementation of the national strategy for the prevention and effective treatment of violence within the family, adopted by Parliament, including the goals and given timetables under the strategy.

12. The report states that “no training was provided on an organized and regular basis on the specific topic of family violence for those in charge of the application and enforcement of the law” (see CEDAW/C/HUN/6, footnote 30). Please indicate the steps being taken to provide such training and to ensure that public officials, especially law enforcement officials, the judiciary, health professionals and social workers, are fully sensitized to all forms of violence against women, as recommended by the Committee in its 2002 concluding comments.<sup>2</sup>

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<sup>1</sup> *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 38 (A/57/38)*, para. 316.

<sup>2</sup> *Ibid.*, para. 322.

13. The report refers to a number of initiatives, including a National Crisis Management and Information Telephone Service, a pilot programme providing temporary homes for victims and the Secret Shelter. Please indicate whether these initiatives remain in place and whether the pilot programme has been extended to other regions of the country. Please also indicate how many shelters exist for victims of domestic violence, whether victims have access to legal aid and describe any other services and assistance offered to victims of domestic violence.

14. In its 2002 concluding comments, the Committee recommended that the State party reform its law to define sexual crimes as crimes involving violations of women's rights to bodily security and that the State party define the crime of rape as sexual intercourse without consent, and amend its law on seduction of girls less than 14 years of age to incorporate the concept of statutory rape and prohibit sexual intercourse with underage girls. Please provide information on the steps taken to implement the Committee's recommendation.

15. At its thirty-sixth session in August 2006, the Committee decided to bring to a close its follow-up to the views of the Committee in communication No. 2/2003, Ms. A. T. v. Hungary, adopted on 26 January 2005, and also decided that any further information on follow-up to the views would be requested in the framework of the reporting procedure under article 18 of the Convention. Please provide information on further action taken in follow-up to the recommendations of the Committee concerning the author of the communication.

#### **Exploitation of prostitution and trafficking**

16. In its 2002 concluding comments, the Committee requested the State party to include in its next report information on the review of its draft law on prostitution and information on any legislative changes to ensure that the exploitation of women in prostitution is effectively prohibited and that they are provided with access to health and social services and alternative means of support for the protection of their human rights.<sup>3</sup> The report refers to a new concept that was prepared in 2005 by the Ministry of Interior, which is "a summary of the problems of the existing regulatory system and the possible alternatives of stepping forward", and also refers to a pilot project providing mobile screening medical examination for prostitutes. Please provide information on the content and status of this new concept, whether it is being implemented, and other steps taken by the Government to implement the Committee's recommendation.

17. Please provide data on the number of women and girls who are trafficked to, from and through Hungary and also provide information on the numbers of prosecutions and convictions of traffickers.

18. The report states that steps have been taken "to create a National Programme aiming to prevent trafficking in people, to help victims and to enable their social reintegration". The report also refers to some other initiatives, such as an action plan against trafficking in persons developed by the Ministry of Interior. Please provide information on the status of the proposed national programme and/or action plan, including whether adopted and in force as well as on measures taken. Also indicate the results of any assessment undertaken of the national programme, the action plan

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<sup>3</sup> Ibid., para. 324.

and other initiatives to combat trafficking and protect the victims, and steps taken in response to such an assessment.

### **Stereotypes and education**

19. In its 2002 concluding comments, the Committee urged the State party to design and implement comprehensive programmes in the educational system, including human rights education and gender training, which includes dissemination of information on the Convention, with a view to changing existing stereotypical attitudes, including advancing the notion of parenting as a social responsibility of both mothers and fathers.<sup>4</sup> Please provide further details on the State party's comprehensive response to implement the Committee's recommendation. Please include information on measures to eliminate gender role stereotypes from school textbooks, within a given time frame.

20. The report states that "there is definite gender segregation not only in general in the various types of secondary education but also within the choice of vocation" and that "there is significant gender segregation in the choice of vocation in tertiary education as well". What measures are in place to encourage women and men to pursue non-traditional studies and careers, and what is their impact?

### **Employment**

21. The report discusses the wage differentials between women and men. In addition to the 50 per cent wage increase in the public sector, and considering that in the private sector the wage difference is higher, please indicate what other efforts have been made to address this problem and what has been the impact of such steps.

22. The report states that under the Equal Treatment Act "if the employer pays a lower wage to a woman he will be exempted from liability if there is a rational reason — directly related to the given legal relationship according to an objective evaluation — for the difference between pay levels. This rule is not adequate in the case of differences between wages paid to men and to women, this possibility for exemption should not be made available". Please indicate whether this exemption is still provided under the Act, and if so, what efforts are being made to change this, within a given time frame.

23. The report refers to horizontal segregation of the labour market, stating that about a quarter of all professions have become completely feminized. It also refers to vertical segregation, whereby women are underrepresented in senior/managerial positions. Please provide information on measures being taken to address this situation, including through the use of temporary special measures, in accordance with article 4, paragraph 1, of the Convention, and the Committee's general recommendation 25.

### **Health**

24. The report refers to the high rates of mortality among women due to cancer, including lung, breast, colon and ovarian cancer. Please elaborate further on the preventive and other measures taken to address this situation and their impact.

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<sup>4</sup> Ibid., para. 320.

25. Please elaborate further on the efforts to address smoking, alcohol consumption and medicine abuse among women.

26. The Committee recommended in its 2002 concluding comments that the State party reinforce programmes on sexual education for girls and boys, take all appropriate measures to foster responsible sexual behaviour and take all appropriate steps to stop the use of abortion as a means of birth control.<sup>5</sup> The report states that in 2004 the abortion rate was still high, that about 12 per cent of abortions were of women below the age of 20 and that modern means of contraception were very expensive. Please provide updated data on the abortion rate and indicate efforts taken to ensure that there is wide access to family planning information and affordable contraceptives.

#### **Roma women**

27. The report refers to a series of problems and disadvantages faced by Roma women, including in respect of education, health, housing and economic opportunities. Please provide further details on the measures taken to address these problems. In particular, please indicate whether a specific policy or strategy is in place, with goals, targets and timetables, to ensure that disadvantages faced by Roma women are overcome.

#### **Rural women**

28. The report states that the status of rural women, including in respect of employment, schooling and health, is not as favourable as that of women living in towns. On the other hand, it recognizes that the disadvantaged situation in rural areas “affects both men and women but in certain cases it imposes larger burdens and pressures on women”. In view of this situation, please indicate whether a gender perspective is integrated in rural development policies/plans and what the priorities are under those policies/plans in regard to the promotion of gender equality.

#### **Marriage and family relations**

29. The reports states that “minors may get married with permit issued by the guardianship authority” and that “the interests of the child of the couple” are taken into account. Please provide further information on the reasons that justify underage marriages and on how the interests of the minor are taken into account.

#### **Optional Protocol and amendment to article 20, paragraph 1**

30. Please describe governmental measures planned or in place to publicize the Optional Protocol and encourage its use. Please also indicate any progress made towards acceptance of the amendment to article 20, paragraph 1, of the Convention.

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<sup>5</sup> Ibid., para. 330.