



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

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**Committee on the Elimination of Discrimination
against Women**
Thirty-ninth session

Summary record of the 802nd meeting (Chamber A)

Held at Headquarters, New York, on Tuesday, 31 July 2007, at 3 p.m.

Chairperson: Ms. Gabr (Vice-Chairperson)

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In the absence of Ms. Gaspard, Ms. Gabr, Vice-Chairperson, took the Chair.

The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Sixth periodic report of Hungary (continued)
(CEDAW/C/HUN/6, CEDAW/C/HUN/Q/6 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Hungary took places at the Committee table.*

2. **The Chairperson** invited the delegation to continue replying to questions raised at the previous meeting under articles 7 to 9 of the Convention.

Articles 7 to 9

3. **Ms. Rauh** (Hungary) said that complaints of sexual harassment were often withdrawn before they went to court because, despite witness protection schemes, it was difficult to get witnesses to come forward.

4. **Ms. Buzás** (Hungary) said that the Government was considering the establishment of an inter-ministerial human rights committee that would meet six times a year to coordinate and monitor human rights activities, including reporting to the various treaty bodies. Civil society organizations, non-governmental organizations and scientific institutions in the field would also be represented on the committee, thus establishing a needed institutional relationship.

5. **Ms. Makár** (Hungary) said that the new Subcommittee on Gender Equality of the parliamentary Human Rights Committee, composed equally of men and women, had already met three times since February. It coordinated with the Ministry of Social Affairs and Labour, but developed its own plan of work.

6. The Ministry of Social Affairs and Labour and the Central Statistical Office had for years published a statistical yearbook giving gender-disaggregated data in various fields. While it did not yet cover local public administrations, it provided acceptable data on the number of women in leadership positions in the various ministries.

7. The Socialist Party had independently established a 20 per cent quota for the presentation of women candidates for national office, but the bill before Parliament, scheduled to be discussed and adopted in the fall, covered both local and national lists of candidates to be published in advance of elections, and provided that the combined lists should be composed equally of men and women. As a way of making legislators — most of whom were men — more gender-sensitive and of promoting equitable decision-making, the Government was planning to send an information package on the question to each member of Parliament and to sponsor events such as a parliamentary “50-50 Day”.

8. **Ms. Buzás** (Hungary), referring to women in diplomacy, said that one third of the professional staff of the Ministry of Foreign Affairs were women: both the head of ministry and the state secretary were women and 21 others were in mid-management. The picture regarding foreign posting was not as bright: there were only three women heads of mission and only six ambassadors, though more women served at the consular level. The Ministry’s equal opportunity plan aimed to achieve a better gender balance. In the application for posts, however, no distinction was made between men and women, and all were chosen on the basis of their qualifications.

9. **Ms. Rauh** (Hungary) said that the parliamentary Subcommittee on Gender Equality had not yet been sent copies of the report, although the text was available on the homepage of the Ministry of Social Affairs and Labour. The Ministry was scheduled, however, to report on the matter to the Subcommittee in the fall.

Articles 10 to 14

10. **Ms. Simms**, observing that access to education was not the problem for Roma girls and women but rather discriminatory treatment once in the schools, asked if, as part of its curriculum changes to combat stereotypes, the Government was planning to include positive images of Roma women; and if it was envisaging any temporary special measures to deal with the under-education of Roma women.

11. **Ms. Pimentel**, while commending the Government for its efforts to reduce the use of abortion as a means of family planning, expressed concern that the family planning pamphlets cited in the responses to

the list of issues and questions (CEDAW/C/HUN/Q/6/ Add.1, response to question 25) might be used to push a conservative agenda to deny abortion altogether. She also wondered if contraceptives were affordable in Hungary.

12. **Ms. Patten**, praising the Government for its many legal and policy initiatives in the area of employment, asked whether the legislation offering incentives to employers to hire women from groups having difficulty entering the labour market had had an impact; what kind of services had been provided to such disadvantaged women under the projects financed from 2004 to 2006 by the European Social Fund; and if the EQUAL Community Initiative Programme launched in 2004 had been successful. She also wished to know how the Government was implementing the specific provisions of the Labour Code intended to encourage the widespread adoption of equitable job classification and wage-scale systems and equal opportunity programmes by both public and private employers, in order to ensure equal pay for equal work. Further information would be useful on how the Government was helping women working outside the protection of the laws in the expanding informal sector, including statistics on the number of women and the occupational sectors involved.

13. **Ms. Shin** asked whether Roma women were being reached by the Government's many women's health programmes and services. She believed the Government should come up with ways to make contraception easily affordable, so that abortion would not be used as a means of family planning, and wondered what contraceptive methods other than the pill were available in Hungary.

14. **Ms. Begum** asked whether the New Hungary Rural Development Programme, funded by the European Union (response to question 27) was comprehensively addressing the health, education and employment needs of rural women, including the most isolated Roma women; and what specifically the Government was doing to help elderly women farmers maintain their competitiveness or to train women in the new entrepreneurial skills required in modern agriculture and ensure that they received the necessary credit and facilities on a par with men.

15. **Ms. Rauh** (Hungary) said that of all the ethnic minority groups in Hungary, the Roma suffered the most from prejudice and discrimination. Since 1993,

the Government had been actively trying to promote a positive image of the Roma people. The national curriculum now included material on Roma culture; early-years education programmes celebrated cultural diversity; schools were required to provide a local curriculum, including classes on Roma culture and language, if enough parents so requested; and efforts had been made to combat negative stereotyping in the media and to raise awareness of the positive contributions of minorities to Hungarian society and culture.

16. On 25 June 2007, a landmark parliamentary decision had been taken to improve the education of all minorities, with a view to improving their social and economic situation. The measures included opening more schools, desegregating schooling, providing grants for disadvantaged children, reviewing legislation and setting up combined education and work schemes.

17. **Ms. Rapi** (Hungary) said that as part of efforts to provide sex education to young people under 14 and to reduce the use of abortion as a means of birth control, Parliament had adopted a youth health programme focusing on family planning. A national network of district nurses was responsible for providing health and sex education under the programme in educational establishments throughout the country. The number of district nurses involved, the amount of State funding allocated and the number of activities carried out had been increased in 2005, and reporting criteria had been broadened.

18. The family planning pamphlets had been designed with the best intentions of maintaining neutrality and objectivity; however it would always be possible for groups to interpret the message according to their own interests. With regard to the accessibility and availability of contraceptives, she said that contraceptive pills cost approximately US\$ 1.50 per month and that all medically accepted forms of contraception were available. The significant drop in the number of abortions performed over the previous 10 years showed that the strategy to reduce the use of abortion as a means of birth control was working.

19. Rural women did not have as good access to health care as urban women, but efforts were under way to increase the number of hospital beds, and specialized care was now provided through mobile units. Medical practitioners were also being

encouraged to take up posts in remote and rural areas through financial incentive schemes. The results of the four forthcoming studies on equal access to health care conducted under the auspices of the WHO should help decision-making in that area.

20. **Ms. Makár** (Hungary), referring to employment issues, said that, people were taking advantage of the paid maternity and paternity leave that employees were entitled to during the first three years of a child's life. The results of the ILO equal opportunities programme, which had been implemented through five partnership arrangements, were being assessed by a committee consisting of Government representatives and NGOs. The programme had included vocational and professional development training courses for unemployed and employed women. A project had also been set up to collect data on wages. The Government had been working with employers to improve the quality of their equal opportunities plans and was pursuing more effective implementation of the Labour Code to address issues such as the huge wage gaps that existed in some sectors and the application of the principle of equal pay for equal work. Comparing jobs in different sectors posed difficulties: the discrepancies seemed to depend on the size of the enterprise and whether it operated in the public or private sector.

21. The Government was also making a huge effort to formalize home-based and other informal kinds of labour and to incorporate the black market economy into the formal economy.

22. With regard to discriminatory practices in recruitment, the fact that questions on health and marital status were permitted obviously affected women's employment opportunities; questions about family life should be prohibited and questions on health should be permitted only when the job posed certain health risks.

23. The principle of gender equality had been incorporated into the plans of the Ministry of Agriculture and Rural Development. The Ministry was currently developing a programme to address the increasing number of elderly women working in rural areas. Women NGOs were also working to ensure that gender issues were addressed in the New Hungary Development Plan.

24. **Ms. Rauh** (Hungary) said that the Government had taken several initiatives to address the urgent housing, employment and health-care problems facing

the hundreds of thousands of Roma living in rural settlements and urban ghettos. It had started adult education programmes to help Roma people catch up on the education missed during childhood and deployed social workers to foster support for the Government's integrated housing projects. The New Hungary Development Plan and the Rural Development Strategic Plan targeted the poorest subregions where most of the Roma lived.

25. **Ms. Gaspard** asked for clarification regarding how often, why and under what circumstances permission was sought for children aged 16 or 17 to marry.

26. **Ms. Dósa** said that permission to marry at the age of 16 or 17 was granted only upon the presentation of documents certifying that the candidates were physically and emotionally fit for marriage, had an adequate source of income and had attended a marriage counselling course. A hearing was held and an investigation conducted to ensure that the marriage served the interests of the minor and was being freely entered into. Pregnancy was not grounds for permission to be granted, but was taken into consideration.

27. **Ms. Neubauer** said that it seemed unlikely that Roma women and men suffered the same degree of discrimination; women usually experienced multiple forms. The list of measures planned by Parliament to deal with their situation appeared to be gender-neutral; she wondered if there were gender experts within the department dealing with Roma issues, and how gender equity would be ensured in the 10-year plan.

28. **Ms. Patten** noted that Hungarian courts had paid damages in implementation of decisions handed down by the European Court of Human Rights in Strasbourg; in fact, a separate budget line had been established for payment of that compensation. She wondered if the Government would envisage a similar approach for decisions taken under the Optional Protocol.

29. **Ms. Gaspard** drew attention to the fact that only 7 per cent of university professors were women and asked if policy measures, including special temporary measures, would be taken to recruit more women at that level. She commended the publication of the list of gender specialists and wondered if the Ministry had any role in their training. Finally, she asked for an update on the number of available places in childcare centres, which had dropped significantly in recent

years because of the number of women leaving the job market.

30. **Ms. Rauh** (Hungary) said that language on gender did not appear in the recent Parliamentary decision regarding discrimination, which was perhaps a shortcoming. The Committee's suggestions in that area would be taken into account in the forthcoming consultations under the 10-year plan to prepare a workplan for the next two years and the related budget request.

31. **Ms. Makár** (Hungary) said that while it was true that rulings of the European Court of Human Rights overrode domestic rulings, the Committee was not a court, and she did not foresee a budget allocation to pay compensation resulting from decisions under the Optional Protocol.

32. It was also true that the proportion of women in university faculties did not reflect the proportion of women students, and solutions to that problem were being studied by a foundation that promoted women in science. Currently, no affirmative action measures were planned.

33. The number of places in child care centres for children under 3 years old had dropped over the past 20 years, although all towns with a population over 10,000 were now required to provide a day-care centre for children under 3. Currently there were 47 places for every 100 children. The situation was somewhat better for children aged 3 to 6, with 120 places for every 100 children, but availability was not balanced regionally. Under the Labour Code, women's right to return to their positions after maternity leave was protected for a specified period of time.

34. **Ms. Shin**, referring to the subject of compensation, said that indeed, the Committee was not a court, yet States parties had a legal obligation to implement its decisions issued under the Optional Protocol. She would like to know how the Government intended to deal with communications under the Optional Protocol and whether judges were aware of the Convention and its place in domestic law.

35. **Ms. Makár** (Hungary) said that the Convention had been part of the legal system in Hungary for some time. When the case under discussion had taken place, however, the Optional Protocol had not yet been ratified. The rulings had already been made and the case had been closed.

36. **Ms. Patten** clarified that local remedies must be exhausted in order for the Committee to hear a communication under the Optional Protocol, which had been the case. The court of first instance had found a violation but had not awarded damages; that ruling had been upheld on appeal. When the communication had reached the Committee, a quasi-judicial body, it had made its recommendations. The domestic courts could not supersede its views, which must be given due consideration under article 7, paragraph 4 of the Optional Protocol.

37. **The Chairperson** said that the Committee appreciated all that had been achieved in Hungary since the consideration of the previous report, and looked forward to seeing further progress in the area of legislative measures and national machinery for women's equality. She hoped that cooperation with civil society would continue, and stressed the importance the Committee attached to the situation of Roma women.

38. **Ms. Rauh** (Hungary) said that the delegation would report on the constructive dialogue with the Committee to the Parliamentary Human Rights Committee and would make a special report concerning the Optional Protocol.

The meeting rose at 5 p.m.