

9th Periodic Report of Hungary
to the Committee on the Elimination of Discrimination
against Women

2019

I. Introduction

According to the Fundamental Law of Hungary (Hungarian Constitution), women and men are equal; Hungary shall protect gender equality between women and men by means of specific measures.

The Hungarian Government supports the strategic principle of gender equality between women and men. At the same time, as the Fundamental Law also specifies the protection of families, the issue of gender equality for women and men is substantially approached from the perspective of family, especially since the gap is not primarily coming from the biological sex of women or men, but the fact that because of raising children, women are disadvantaged on the labour market and in many other areas.

The Government is committed to enforcing women's rights, however not by emphasising the differences between men and women but by creating harmonic cooperation between them. The primary approach of the Hungarian women's policy thinking is to have a legislative framework that supports the establishment of a harmonic balance between women and men in the area of family policy, employment, social protection, decision-making, human dignity and education.

Since the previous country report (in the year of 2013.), comprehensive measures have been carried out in order to strengthen the situation of women. The Hungarian Government is committed to continuing to improve the position of women, which is also supported by a forthcoming new women's policy strategic action plan.

II. Report on the implementation of the Convention

Definition of equality and non-discrimination

8. The Committee notes that the Fundamental Law recognizes the general principle of non-discrimination and provides a legal basis for the introduction of temporary special measures. The Committee also notes the explanation of the State party during the constructive dialogue that increasing the population is the main priority of the State party's policy. The Committee is, however, concerned that taking this direction may represent a regressive approach to gender issues. The Committee is further concerned that taking this direction increases the prevalence of gender stereotypes by portraying women mainly, if not exclusively, in the role of mothers and caregivers. The Committee welcomes the mandatory application of the gender impact assessment of every legal initiative, but is concerned that the legislation adopted recently lacks a gender perspective that conforms to the Convention. The Committee also notes the widespread privatization of health, education and other social services in the State party and is concerned that this may hinder the enjoyment of rights under the Convention.

9. The Committee urges the State party to:

(a) Review its family and gender-equality policies to ensure that the former do not restrict the full enjoyment by women of their right to non-discrimination and equality;

The Hungarian Government is committed to enforcing women's rights by focusing on the creation and strengthening of the balanced cooperation between women and men. The establishment of a harmonic balance between women and men is a prioritised objective in the family, at workplace, in the social system as well as in decision-making or in education. The social equality between men and women should be treated from a family perspective, because

the primary difference is not the female or male nature, but rather the fact that they are raising a child or not. Besides that, family and women's policy cannot be separated, as according to the 2016 data 77.68% of women aged 25-59 are mothers. Family policy measures support mothers and future mothers especially in the area of employment, social protection, and it doesn't limit their equality rights. The Hungarian Government gives the freedom of choice to women in deciding about their family life and career and do not imposes traditional roles on them. Several measures, such as the Child Care Fee Extra programme (see 15. c)) especially aims to make it possible for women to return to the labour market 6 months after giving birth, which means that women can pursue a career while being mothers.

(b) Introduce into its legislation the concept of discrimination on the grounds of intersecting factors and ensure appropriate remedies for victims of such discrimination;

Article XV of the Fundamental Law provides for the prohibition of discrimination in general and for the promotion of equal opportunities. Article XV(2) of the Fundamental Law generally prohibits discrimination with a non-exhaustive list, and it expressly refers to the prohibition of negative discrimination by sex. Paragraph (3) of the same Article states that women and men shall have equal rights while paragraph (5) provides for the protection of women as regards positive differentiation. As mentioned earlier Article XV (2) of the Fundamental Law applies a non-exhaustive list with the category of other protected characteristics, allowing room to the legislator to define new characteristics for protection. In line with the Fundamental Law, these protected characteristics appear expressis verbis in paragraph 8 of Act CXXV of 2003 on Equal Treatment and the Promotion of Equal Opportunities, practically covering every possible grounds of discrimination. Section 8(a) of the Act on Equal Treatment and the Promotion of Equal Opportunities refers to sex as a protected characteristics and Section 8 (l) to motherhood or pregnancy as one, respectively. It must be pointed out that the regulation as provided for by EU Directives names a total of 6 protected characteristics which includes belonging to the female sex but does not include motherhood or pregnancy in this form. This is the case in the national law of several EU Member States, too, meaning that in general, in these Member States legal practitioners have to conclude from the fact that one's belonging to the female sex as a protected property that the next logical step is that the legislator is actually willing to protect the motherhood or pregnancy of the female complainant, as well. According to the Hungarian regulation., no such further legal theory-related deduction is needed during the application of the law by the authorities.

The cited provisions of the Fundamental Law and the Act on Equal Treatment and the Promotion of Equal Opportunities contain a comprehensive regulation covering the whole Hungarian legal system as regards the protection of the rights of disadvantaged groups. The scope of the Act on Equal Treatment and the Promotion of Equal Opportunities covers the responsibilities of the public sector and the public private-law relations. Equal treatment between women and men should be enhanced in the field of employment, social security and healthcare, accommodation, education and vocational training, and in the use and provision of goods under the Act on Equal Treatment and the Promotion of Equal Opportunities. Pursuant to Section 65 of the Act on Equal Treatment and the Promotion of Equal Opportunities, it implements the EU Directives on the establishment of the general framework of equal treatment between men and women, which in accordance with the Fundamental Law and the Act on Equal Treatment and the Promotion of Equal Opportunities, these have to be included in all sectoral laws.

Concept of multiple negative discrimination and the competence of the Equal Treatment Authority (hereinafter referred to as ‘the Authority’)

The Act on Equal Treatment and the Promotion of Equal Opportunities provides protection against discrimination with a non-exhaustive list of protected characteristics in the fields of employment, education, goods and services, social security and healthcare, and accommodation, so that the Authority is able to examine any infringement occurred on the ground of these protected characteristics. *However, the Hungarian legislation in force does not contain express provisions on multiple discrimination, or any of its actual types. But the Equal Treatment Authority is able to examine the prohibition of multiple negative discrimination and applies it in its case law according to the following.*

If the complainant refers to several protected characteristics in its application submitted to the Equal Treatment Authority, the latter shall examine whether the complainant has faced negative discrimination on any grounds covered by the Act on Equal Treatment and the Promotion of Equal Opportunities. Furthermore, the Authority shall inspect whether the concerned protected characteristics concerned are related to each other and if so, what is their relationship, and whether it is an intersectional discrimination case. This provides an opportunity for the Authority to examine cases when the discrimination against the complainant related to several protected characteristics. The case law on multiple discrimination of the Authority shows that the Authority takes into consideration the fact that the discrimination was based on more than one of the protected characteristics of the complainant when determining the sanctions.

The Authority has a wide scope for examining multiple discrimination, this was further expanded by the legislator by determining a relatively large number of protected characteristics with a non-exhaustive list in the Act on Equal Treatment and the Promotion of Equal Opportunities. For example, it has to be pointed out that Section 8 of the Act on Equal Treatment and the Promotion of Equal Opportunities defines not only the fact that one's belonging to the female sex as a protected characteristics, but motherhood and pregnancy as well. Therefore, the complainant may turn to the Authority if he/she faced discrimination on multiple grounds set out in the Act on Equal Treatment and the Promotion of Equal Opportunities.

Possible legal remedies in case of multiple negative discrimination

Based on the Act on Equal Treatment and the Promotion of Equal Opportunities, the Equal Treatment Authority monitors the implementation of the principle of equal treatment in Hungary, being competent at a national level and is helped by a nation-wide network of equal treatment consultants. The Authority conducts its investigations within the framework of public administration procedures. When it is proven that a violation of the principle of equal treatment occurred, the Authority may a) order that the state of infringement be terminated; b) forbid the continuation of the violation; c) order that its final decision on the infringement to be made public e) apply other legal consequences defined by separate legislation. Against the decision of the Equal Treatment Authority, legal remedy may be requested from the court.

According to Section 12. of the Act on Equal Treatment and the Promotion of Equal Opportunities, claims arising from the violation of the principle of equal treatment may be enforced in procedures as provided for in separate legislation, including in particular actions brought for the enforcement of personality rights labour litigations, public service-related

litigations and the procedures of consumer protection authorities, employment authorities or offence authorities dealing with administrative offences.

According to Section 27 of Act CLI of 2011 on the Constitutional Court, in accordance with Article 24 (2) d) of the Fundamental Law, complainants affected by judicial decisions contrary to the Fundamental Law may submit a constitutional complaint to the Constitutional Court if the decision made regarding the merits of the case or other decision terminating the judicial proceedings violates their rights laid down in the Fundamental Law, and the possibilities for legal remedy have already been exhausted by the petitioner or no possibility for legal remedy is available for him or her. Moreover, Section 26(2) of the Act on the Constitutional Court states that Constitutional Court proceedings may also be initiated – by exception – based on Article 24 (2) c) of the Fundamental Law, if due to the application of a legal provision contrary to the Fundamental Law, or when such legal provision becomes effective, rights were violated directly, without a judicial decision, and there is no procedure for legal remedy designed to repair the violation of rights, or the petitioner has already exhausted the possibilities for remedy.

The Equal Treatment Authority published Volume 5 of its series of publications with the title of **Equal Treatment Authority Brochures** which summarises its case-law on multiple discrimination in the case law of the Equal Treatment Authority.

(c) Systematically carry out gender impact assessments of current and proposed laws and ensure that the new legislative framework fully respects the Convention and does not bring a regression with its implementation;

The Equal Treatment Authority has an opportunity to issue its opinion in relation with draft legal acts with regard to the discrimination-related aspects of the legal acts in force in certain cases.

(d) Ensure that the policy of the privatization of health, education and other services does not deprive women of continuous access to good quality basic services in the field of economic, social and cultural rights.

The Government of Hungary provides for the protection of the above rights and equal access to services on the highest level, that is, in the Fundamental Law of Hungary.

The National Credo of the Fundamental Law of Hungary declares the fundamental principle according to which the most important framework of our co-habitation is the family and the nation and that it is our obligation to help those in need of care and the poor. According to Article XI, every Hungarian citizen has the right to cultivate himself. Hungary shall ensure this right by extending and generalising public education, providing free and compulsory primary education, free and generally available secondary education, and higher education available to every person according to his or her abilities, and by providing statutory financial support to beneficiaries of education.’ Hungary shall ensure fundamental rights to every person without any discrimination on the grounds of race, colour, sex, disability, language, religion, political or other views, national or social origin, financial, birth or other circumstances whatsoever. Women and men shall have equal rights. Hungary shall adopt special measures to promote the implementation of equal opportunity and social inclusion. Hungary shall adopt special measures to protect families, children, women, the elderly and persons living with disabilities. According to Article XVI of the Fundamental Law, every

child has the right to the protection and care necessary for his proper physical, intellectual and moral development. According to Article XX of the Fundamental Law, everyone has the right to physical and mental health the enforcement of which Hungary shall promote by an agriculture free of genetically modified organisms, by ensuring access to healthy food and drinking water, by organising safety at work and healthcare provision, by supporting sports and regular physical exercise, as well as by ensuring the protection of the environment. Physical and mental health represents a significant value both for the individual and for the whole society, being also an important resource the maintenance and development of which is a national interest. The health status of the population is important not only for the individual but it also determines the fate of a nation and its prospects for the future, together with the competitiveness of the country.

Section 8 Paragraph (2) of Act CXC of 2011 on National Public Education regulates obligatory participation in the public education system for the purposes of pre-school education according to which children shall participate in pre-school activities in not less than four hours a day as from the starting date of the pre-school year in the year in which they turn three before 31 August. Furthermore the Act on National Public Education lays down provisions on compulsory education which lasts until the end of the academic year in which the student turns sixteen. As regards primary and secondary education, public education institutions are free and accessible for everyone in Hungary. According to the Act on National Public Education, the educational and teaching institution should provide for the supervision of the children and students it is responsible for, the establishment of the healthy and safe conditions of education and the organisation of the regular health check of children and students. The Act on National Public Education also states that the child and the student has a right to being educated and taught in safety and in a healthy environment in the educational and teaching institution.

The National Assembly created Act CLXXXVII of 2011 on Vocational Training for the purposes of ensuring the acquiring of qualifications sought and recognised by the labour market and the economy by mainstreaming the principle of equal opportunities, the promotion of a flexible vocational training system which is able to satisfy the needs of the global and the national economy and promotes employability, and the mainstreaming of the right to cultivation and work as provided for in the Fundamental Law.

In accordance with the fundamental principles provided for in the Act on Vocational Training, the carry-out of vocational training tasks should be organised in accordance with the principles of efficiency, professionalism and high-level quality and the principle of accessibility with equal opportunities. The Act on Vocational Training provides education-related rights for every student without regard to the gender of the student. The Act on Vocational Training provides special protection for girls participating in formal vocational training under an apprenticeship contract during the pregnancy and following the childbirth.

Act CCIV of 2011 on National Higher Education applies positive differentiation in several provisions regarding persons on unpaid leave for childcare purposes, and those receiving infant care fee, childcare allowance, child raising support or childcare fee. For example, the equal opportunities of those belonging to this group or to other disadvantaged student groups or to the group of disabled applicants are ensured with regard to the higher education application procedure and during the determination of the number of students supported by (partial) grant by the Hungarian State.

The Government of Hungary is committed to improve the health status of its citizens, to transform the healthcare system based on public health considerations, and to maintain national risk collectivity based on solidarity. It is important to state that the actual Hungarian healthcare system is based on social security, that is, care is subject to compensation except for public healthcare and epidemiological care or most of the preventive care. Social security means common risk-bearing by the society. In this system, both the employee and the employer pays a contribution which ensures coverage for the employee and entitles him to use healthcare services. Act LXXX of 1997 on Social Security Benefits determines the scope of persons who are entitled to use healthcare services by law. Besides, an agreement may be concluded when the contracting party purchases health insurance for himself. For those in need for social reasons, entitlement to healthcare services is provided for by law and the social security compensation for healthcare services is paid by the local government. Free-of-charge accessibility of healthcare services (in hospitals, specialist practices, general practitioner's care etc.) depends on state public financing guarantees and rules based on the payment of contribution and on solidarity and are provided and ensured by the National Healthcare Fund Manager supervised and operated by the State.

Visibility of the Convention, the Optional Protocol and the Committee's general recommendations

10. While noting that the Convention, its Optional Protocol and the Committee's general recommendations have been translated into Hungarian, the Committee remains concerned about the lack of awareness among the legal profession and women themselves about the Convention. The Committee welcomes the information that the Convention forms an integral part of the domestic law of the State party and that specific training addressing such issues as domestic violence and trafficking in human beings has been provided to judges and prosecutors. The Committee is concerned, however, about the absence of information on court cases where the Convention has been directly applied or invoked and the fact that training for judges on the Convention is neither part of mandatory training, nor systematic nor comprehensive for all members of the judiciary.

11. The Committee recommends that the State party establish a sustainable strategy to disseminate the Convention and raise awareness among women, especially women in disadvantaged groups, about their rights under the Convention and the communications and inquiry procedures provided by its Optional Protocol. The Committee calls upon the State party to ensure that the Convention and the Committee's views under the Optional Protocol, as well as the Committee's general recommendations, are made an integral part of legal education and training for all judges, lawyers and prosecutors with a view to enabling them to directly apply the provisions of the Convention and interpret national legal provisions in the light of the Convention.

The National Court Office provides regular information about certain topics of international law (and EU law) with regard to the training of judges.

Legal complaint mechanisms

12. The Committee is concerned about the insufficient provision of human, financial and technical resources for the Equal Treatment Authority and the lack of effective remedies in cases of discrimination. The Committee, while noting the establishment of the Commissioner for Fundamental Rights in the State party, is concerned about the Commissioner's limited

mandate with regard to addressing complaints of all forms of discrimination against women, including against women belonging to disadvantaged groups.

13. The Committee recommends that the State party:

(a) Allocate adequate human, financial and technical resources to the Equal Treatment Authority and adopt measures to facilitate access to its complaint mechanisms by all women, particularly women of disadvantaged groups, and introduce follow-up mechanisms with regard to its decisions on specific petitions;

From 1 January 2012, the Equal Treatment Authority is an autonomous state administration body. Its public servants work exclusively for the Authority and the staff of the Official and Legal Department deal with discrimination issues, including basically the examination of individual discrimination-related complaints, throughout their working hours. According to § 34(1) of Act on Equal Treatment and the Promotion of Equal Opportunities, this Authority is a central budgetary organisation having the legal status of an organisation managing a budgetary chapter and its budget is a separate title within the budgetary heading of the National Assembly. Upon the entry into force of the referred provision, the financial independence of the Equal Treatment Authority was accomplished on 1 January 2013.

Access to the complaint management procedures of the Authority is widely ensured for women and, as well as of course, for the members of other vulnerable groups. Complaints may be submitted to the Authority in writing (via regular postal mail), electronically (via the client's gate system) and in person at the headquarters of the Equal Treatment Authority or at the consultation held by the equal treatment officer of the Authority which is accessible in every county. The Authority has been operating its county-level network of equal treatment officers since 30 June 2013. Its main purpose is that those living in the countryside be able to get information about the procedures of the Authority in person or to submit their complaints in person just like those living in Budapest. This naturally assists disadvantaged women living in the countryside to submit their complaints. Finally, we have to note that the Authority informs the client in the case of requests or complaints not belonging to the remit of the Authority about the reason it cannot deal with the complaint or request and, where possible, it also informs the client about the way he can find remedy to his complaint and about the organisation that may act.

As regards monitoring mechanisms for submission-related decisions, it is laid down that final decisions of the Authority which state the offence are enforceable. Therefore, if the provisions of these decisions are not complied with by the infringer, sanctions imposed by the Authority (e.g., the payment of a fine or obligation to implement a certain act) may be requested to be enforced. As regards monitoring mechanisms, we can also mention that the Authority regularly measures the satisfaction of its clients with the county-level officers' activities in general among those clients who resorted to the work of the county-level officer, on the one hand, and among clients in whose cases the Authority took a rejecting or a positive decision, on the other. In the latter case, the Equal Treatment Authority assesses the satisfaction of the clients with the procedure of the Authority. Data received from the measurement of client satisfaction are published by the Authority on its website. As regards monitoring mechanisms, we also have to mention that the Authority prepares statistics about procedures conducted by it. So, for example, queries may be made about the proportion of women contacting the Authority or reference to belonging to the female sex as a protected property with regard to several years. The Authority would publish the short summary of all of its decisions stating

the offence or of those concluded by an agreement on its website. Belonging to the female sex may be set as a search filter. The Authority also prepares an annual written report about its activities published on its website or sent to the National Assembly.

(b) Ensure that the mandate of the Commissioner for Fundamental Rights clearly covers the duty to promote and protect the rights of all women and protect them from all forms of discrimination including by receiving complaints and providing remedies in cases of violation.

The office of Commissioner for Fundamental Rights operates in Hungary. This office is a national human rights institution of the UN. The procedures of the Commissioner for Fundamental Rights guarantees the protection of women's rights even today, with regard to Article XV(3) of the Fundamental Law which declares the women and men shall be equal. According to Article 30(2) of the Fundamental Law, the Commissioner for Fundamental Rights shall investigate any violations related to fundamental rights that come to his or her knowledge, or have such violations investigated, and shall initiate general or specific measures to remedy them. Pursuant to Section 1 Paragraph (2) Point (d) of Act CXI of 2011 on the Commissioner for Fundamental Rights pays special attention to the protection of the rights of the most vulnerable social groups during its activity in the course of his/her activity. Furthermore, in line with Section 2 Paragraph (5) of the Act on the Commissioner for Fundamental Rights, the Commissioner for Fundamental Rights shall promote the enforcement and protection of fundamental rights. In this framework, it raises awareness and cooperates with those organisations and national institutions who pursue the promotion of the protection of fundamental rights.

In accordance with Section 18 of the Act on the Commissioner for Fundamental Rights, anyone may turn to the Commissioner for Fundamental Rights if, in his/her judgment, the activity or omission of an authority infringes a fundamental right of the person submitting the petition or presents an imminent danger thereto. Furthermore, the Ombudsman may conduct a procedure *ex officio* proceedings. In the course of his/her procedure, he/she investigates the case and applies the measure as provided for by the law. Under Section 31 Paragraph (1) and Section 32 Paragraph (1) of the Act on the Commissioner for Fundamental Rights, if the Ombudsman concludes that infringement of a fundamental rights exists, he/she may address a recommendation to the supervisory organ of the authority subject to inquiry or may initiate redress of the impropriety by the head of the authority subject to inquiry if the latter is able to terminate the infringement related to fundamental rights within its competence. Pursuant to Section 33 Paragraph (1) of the Act on the Commissioner for Fundamental Rights, the ombudsman may initiate the action of the prosecutor, as well.. Article 24(2)(e) of the Fundamental Law and Section 34 of the Act on the Commissioner for Fundamental Rights provides that the Ombudsman may turn to the Constitutional Court if he deems that the act is incompatible with the Fundamental Law. Furthermore, pursuant to Section 35 Paragraph (1) of the Act on the Commissioner for Fundamental Rights, he has to initiate a (criminal, administrative offence or disciplinary) procedure in certain determined cases. In cases provided for in Section 38 Paragraph (1) of the Act on the Commissioner for Fundamental Rights, if the Ombudsman does not agree with the position or measures taken by the supervisory organ or by the authority subject to inquiry or if the supervisory organ or the authority failed to take a measure, he may submit the case to the National Assembly and requests the examination of the case by the National Assembly.

It is a step forward and expands the range of accessibility that **a notification which is in the public interest may be submitted in the protected electronic system operated by the Commissioner for Fundamental Rights, too, as from 1 January 2014** based on Act CLXV of 2013 on Complaints and Public Interest Disclosures. A notification in the public interest calls attention to a circumstance the remedy or termination of which serves the interest of the community or the whole society.

The Office of the Commissioner for Fundamental Rights attended the working group established for the elaboration of the penal law concept of **violence against women** (see also, violence within the family or violence within a relationship) and is a standing invited member of the meetings of the thematic working groups, including the Thematic Working Group Responsible for the Rights of Women, of the Human Rights Roundtable, too.

Despite the lack of direct competence related to the prevention of violence against women, the activities related to this topic, aiming at the forming of the social attitude of the Office of the Commissioner for Fundamental Rights covers this topic, too. The Commissioner for Fundamental Rights joined the movement entitled White Ribbon which is the most known and common movement throughout the world combating for the elimination of violence against women and girls, calling attention to the seriousness and dimensions of this phenomenon.

Ombudsman's examinations relating to women

As regards the Ombudsman's practice, **the number of complaints concerning especially the rights and the situation of women is low, compared to other vulnerable social groups** (e.g., disabled, homeless, ill and old people). Focussed thematic examinations concern the situation of women in Hungary in other contexts only. Such Ombudsman's examinations researched reproduction rights and different aspects of self-determination-related rights.

National machinery for the advancement of women

14. The Committee notes with concern the absence of partnerships with the various women's non-governmental organizations (NGOs) in implementing the Convention and regrets that no information was provided on involvement of human rights and women's organizations in the preparation of the report. The Committee is concerned about the limited financial and human resources of the Department of Family Policy and the delay in the creation of the Council for Social Equality among Women and Men. The Committee notes with concern the decision of the State party to adopt a new strategy on gender equality rather than accelerate the implementation of the National Strategy for the Promotion of Gender Equality 2010–2021.

Several NGOs were involved in the preparation of the current 9th country report. Since the adoption of the current national strategy the governmental priorities have been changed, so the Hungarian Government aims to develop a new women's policy action plan, which is currently under negotiation.

15. The Committee, recalling its general recommendation No. 6 (1988) on effective national machinery and publicity and the guidance provided in the Beijing Platform for Action, in particular regarding the necessary conditions for the effective functioning of national machinery, recommends that the State party:

(a) Strengthen the cooperation with various women's NGOs in implementing and monitoring the implementation of the Convention, including by developing participatory mechanisms and holding wide consultations with women in adopting a new strategy on gender equality;

Cooperation with NGOs dealing with equality between women and men

The social dialogue and involvement of the civil society in the decision making mechanism has a highly important role in the work of the Hungarian Government. Therefore the Government has efficient cooperation with several NGOs (such as Hungarian's Women's Union, The National Association of Large Families, and Association of the Young Families) whose operation is transparent.

Conditions for the effective functioning of the national mechanism

The Ministry of State for Family and Youth Affairs was established in 2014 and a new unit was created dealing with women's policy issues.

The Government established the Human Rights Working Group in its decision adopted in February 2012 with the main purpose of monitoring the implementation of human rights in Hungary, conducting consultations with civil society organisations, representative associations and other professional and constitutional bodies as well as of promoting professional communication on the implementation of human rights in Hungary.

The Working Group established the Human Rights Roundtable in 2012, which currently operates with 72 civil organisation members and further 40 organisations take part in the activities of the thematic working groups based on invitation. The Roundtable holds its meetings in 11 thematic working groups; each of them is intended to deal separately with legal and practical problems of and sectoral political proposals for vulnerable groups of society. Thematic Working Group Responsible for Women's Rights aims to monitor the enforcement of women's fundamental human rights in Hungary, particularly in the field of employment, education, health care and partnership. This working group invites various participants of the civil society: 26 civil society organisations are members and an additional 10 organisations participate with consultative status in the work of the Thematic Working Group.

The financial sources of family and women's policy

The **budget** of organisational units engaged in family and women's policy **between 2014 and 2018** in the Hungarian budget on the 20/16/6 Family policy programmes **chapter line** was the following:

The chapter line can be used to support the following programmes:

Sub-task nr.1.: Family policy programmes

It includes providing resource for carrying out professional programmes and actions in the fields of family issues and equality between women and men, **reinforcing the family, improving the situation of women, serving the reconciliation of family and work**, which reinforce a family-friendly public thinking, as well as support civil society organisations providing representation of interest for families and coordinating cross-border family organisations.

Sub-task nr.3.: Supporting of childcare-related professional tasks

The proposal provides coverage for performing professional development targets and methodological tasks concerning the daytime care for children for the nominated organisations.

2015.

Sub-task nr.1.: **HUF 1,008,000,000** **(USD 3,370,000)**

2016.

Sub-task nr.1.: **HUF 604,000,000** **(USD 2,000,000)**

2017.

Sub-task nr.1.: **HUF 654,000,000** **(USD 2,247,268)**

Sub-task nr.3.: **HUF 45,000,000** **(USD 154,628)**

2018.

Sub-task nr.1.: **HUF 3,546,900,000** **(USD 12,187,822)**

Sub-task nr.3.: **HUF 50,000,000** **(USD 171,809)**

Subcommittee on Women’s Dignity of the Hungarian National Assembly

In June 2015 the **Subcommittee on Women’s Dignity** was founded, which is one of the professional committees of the National Assembly. Men and women are involved in the work of the Sub-Committee to an equal degree. The utmost target of the Sub-Committee is to increase the role of women in the economy and to improve female employment, however, it is also a forum for professional and political dialogue regarding the questions related to women’s rights as well as social topics. It has sessions 2–4 times per year in topics specifically concerning the life of women.

(b) Ensure the necessary financial, technical and human resources for the Department of Family Policy of the Ministry of Human Resources to discharge its mandate and to complete the establishment of the envisaged entities for the advancement of women in particular, the Council for Social Equality among Women and Men;

(See the answer of Point 15.a) above)

(c) Take into account the present concluding observations in the formulation and adoption of the new strategy on gender equality and its action plans.

In connection with the National Strategy for the Promotion of Gender Equality 2010-2021 comprehensive measures have been taken in order to strengthen the position of women. In the formulation of the next women’s policy strategic action plan that is to be elaborated in 2020, the concluding observations will be taken into consideration.

1. Beneficial retirement conditions for elderly women

The program named Women 40 (old age pension for women with 40 years of eligibility period) is an empowerment of a group of women acknowledging their multiple burdening and

engagement. The measure also supports young mothers to re-enter the labour market as grandmothers can play a more active role in childcare. Since 2011 242,800 women had the opportunity to retire after 40 years of eligibility period (employment, child raising periods) regardless of retirement age.

2. Expanded childcare services

The large-scale extension of the number of nurseries and their capacities was carried out over the last 9 years, which enabled the employment of women having children of ages 0–2. There has been a significant development in the nursery system of Hungary both legally, financially and in the form of operational support.

The new daycare system of children introduced from 1st January 2017 is more flexible, differentiated and gives women with small children a hand with the new demand-driven forms of daycare services (nursery, mini-nursery, in-office nursery, family nursery). From 2018 on, the municipalities above 10 thousand inhabitants need to ensure the daily care of small children, where the number of children under the age of 3 is more than 40, or in case if this number is lower, but at least 5 parents with small children indicate their demand for the service.

Based on the data of the Hungarian Central Statistical Office of 2018 the capacities of day care services of children under 3 in total exceeds **47 thousand**, which means that **the nursery capacities have increased by almost 50% compared to 2010**. In 2018 nursery care was provided for **17.5% of the age group between 0–2**, which is so far the highest proportion in the history of Hungarian nurseries. This figure will keep on growing in the upcoming period, the number of nursery spaces will be increased to 70 000 by 2022. Based on the data of the service providers' registration as of January 2019 already 1971 institutions and service providers provide nursery care (**787 nurseries, 187 mini-nurseries, 9 workplace nurseries and 977 family nurseries**) with a capacity of more than **49 thousand spaces**. Compared to the data of 2017 it means 200 more nursery forms and 2,000 more spaces. Free catering is provided for 67% of children in nurseries in Hungary. As the result of developments at the end of 2018 and in 2019 an additional 5–6 thousand new nursery spaces will be presumably established.

In the 2014–2020 development period in the **operative programmes of the EU** an amount of **HUF 110 billion (USD 377,980,000)** is available for the purpose of nursery, mini-nursery, family nursery and kindergarten development.

From the central budget in 2017 **HUF 1.1 billion (USD 3,779,800)** was set for nursery development in 2017, while **HUF 10 billion (USD 34,361,900)** in 2018 and in 2019 a total of **HUF 22 billion (USD 75,600,000)** development will be realized concerning the capacity increase and renovation of nursery institutions and services.

3. Obligatory kindergarten attendance

Since 2015 it is obligatory to participate in the institutional kindergarten over the age of 3. It significantly supports to compensate early childhood disadvantages and the return of women to the labour market. (Since 2010 family allowance is paid conditionally to school attendance of the children and since 2015 to kindergarten attendance as well.)

4. Family and Career Points for the employment of women

A tender of HUF 14 billion (USD 48,107,000) was issued in June 2017 entitled “**Women in the Family and at the Workplace**” in order to improve the employment situation of women. Within the framework of this tender, projects are supported which contribute to the flexible employment of women and the reconciliation of work and private life. Local governments, NGOs, churches, and other associations could apply for this call for submissions. Raising awareness and developing opportunities facilitating women’s social and economic engagement were important tasks to be fulfilled by the applicants. **71 Family and Career Points** were established nationwide, where trainings and coaching are organized on the personal development, entrepreneurial, and self-employment skills of women. Providing services related to rural development, small-scale activities, local traditions, childcare, and other services are also important aspects of the operation of Family and Career Points. There are 4 Family and Career Points in each county situated mainly in the more disadvantaged areas where the employment of women needs improvement.

5. Women's Public Leadership Training Program

The Women's Public Leadership Training Program was launched in 2018 as a free training for such young women between 18–36 speaking Hungarian and English languages, who are ambitious to take a role in public life. The aim of the training is to provide practical leadership knowledge for the participants and to create a community, which facilitates the female executives, who were educated in Hungary to make advantage of their knowledge in the long-term in Hungary, primarily at domestic or regional institutions or companies. Furthermore, the programme highlights the importance of female executives as well as their impact on the economy, society and public life. The training includes four weekends, during which the participants take part in presentations and skill developing trainings. In addition to the above, they have to submit some tasks and study e-learning materials to help the acquisition of knowledge.

The explicit aim of the programme is to provide an opportunity beyond classroom education to **acquire practical experience** as well, therefore the participants join in a small-team project work and can meet with national and foreign professionals, executives and politicians. By inviting foreign experts the programme offers an education, which is also recognized in international relations and the meeting with national presenters facilitates **the reflecting on local public life**. 16 applicants have started the training: the average age of participants is between 28 and 29 and they applied from different areas.

6. Family-friendly obstetrics, the support of infertility treatment

The Government decided in 2017 to extend support for the in vitro fertilization (IVF), as well as to reinforce the public institution system for artificial insemination. In public and private institutions included in public financing **5 IVF cycles** are supported by public financing. According to the modification the number of financed cycles will now be counted not by patients, but by live birth events. Thanks to the above, **5 cycles can be utilized for the birth of the first child, and – if the first cycle is successful – another 4-4 cycles per child (by live birth event) can be utilized by public financing for additional children.** (*See in details 33. a*)

During the last two years several significant steps were taken in the field of infertility treatment, artificial insemination support and ensuring a positive birth experience. The “**Development of infrastructural conditions for family-friendly and family-centred**

obstetrics and the intensive care for premature infants” tender announced in 2018 played a significant role in these developments, the planned budget of which at the time of announcement was HUF 8 billion (USD 27,490,000). The key objective to be achieved with the investments was the positive birth experience, the creation and extension of family-friendly provision and to realize a mother-baby, family-friendly and family-centred obstetrics, focusing on the unity of the baby, mother and father.

As a three-priority principle a good professional programme, a complex and unified, standard obstetrics procedure-targeting development was defined, and the family-friendly feature was assessed based on a 16-element criteria system. Based on the above out of 59 healthcare institutions submitting the application the Assessment Committee found the application of 44 institutions worthy for support. Based on this the awarded resource is altogether HUF 6.3592 billion (USD 21,851,000), which fundamentally serves to cover the costs of infrastructural construction investments and equipment procurement.

Based on the decision of the Government the extent of resources has changed, and the amount was increased by an additional HUF 2 billion (USD 6,872,000), so the total available budget for 2018, 2019 and 2020 is HUF 10 billion (USD 34,361,900), out of which HUF 6.3592 billion (USD 21,851,000) has been distributed so far.

From the remaining amount the preparation of the family-friendly directive is becoming possible by the 4 basic pillars, i.e. the family, methodology, educational and infrastructural pillar according to the already started principles. With this directive additional institutions can be integrated, qualified as baby, mother and family-friendly, by this standardizing the quality standard of the service, as well as the announcement and support for all programmes, which ensure the spreading and active practice for this mindset in addition to the already ensured infrastructural background, therefore it is related to supporting pregnancy, giving birth and nursing, psychological guidance and the training of the concerned professionals, vocational workers and families. In connection with the tasks specified in Government Resolution No. 1098/2018. (III. 19.) the preparation for the regulation regarding the development of graduate and post-graduate training system based on modern theoretical and practical knowledge in connection with mother and baby-friendly obstetrics and supporting nursing is in progress, as well as the development of obstetrics and infant nutrition professional guideline based on mother and baby-friendly principles and the preparation of the required methodology.

7. Family tax benefit

An emblematic tool of Hungary's family support system is a generous family tax benefit, offered gradually to more and more citizens in recent years. The amount of the personal income tax can be reduced with HUF 10,000 (USD 34.3) in case of one child, HUF 20,000 (USD 68.7) in case of two children and HUF 33,000 (USD 113.3) in case of three or more children per month per child. From 2014 the family tax benefit may be deducted from the pension and health care contributions besides personal income tax, which means that a greater number of individuals may benefit and that citizens with a relatively low income are now in a more favourable position. (Between 2016 and 2019, the amount of tax benefit for families with two children doubled.)

The tax benefit can be divided between mothers and the fathers, but in most of the cases **(54%) the beneficiaries are women**. It also contributes to the economic independence of women, and it serves the purpose that mothers may spend the income on their children.

8. Child Care Fee Extra Programme

The Child Care Fee Extra Programme, introduced in 2014 aims to ensure that having children does not exclude individuals from the labour market and that mothers with children will not be forced to decide if they want to be at home with their children or to take up employment. As of 1 January 2016 women **may take up employment** without restrictions when the child reaches 6 months of age **without losing their eligibility for child home care allowance** and child care fee. When a sibling is born, the parents remain eligible for the previous allowances as well (**sibling child care fee**), for twins born in 2014 or later, the child home care fee period is one year longer, it expires when the child (children) reach(es) three years of age (**twin child care fee**). The Child Care Fee Extra creates the institution of the **degree holder's child care fee**, which means that students of higher education are eligible for one year of childcare benefit, which was increased to two years of childcare benefit from January 2018. In 2018 about **103,819 parents with young children were beneficiaries of these measures, among them mainly women**, out of whom 58,503 parents took up employment after their child reached 1 year of age, 44,464 parents got the allowance for more children at the same time and 852 students were beneficiaries of the degree holder's child care fee.

9. Umbilical Cord Program

On the basis of a subjective right **Birth grant** is granted to: women who give birth and who are legally staying in Hungary; adoptive parents; guardians; or the father upon the death of the mother. The birth grant corresponds to a one-off lump-sum payment of 225% of the minimum old-age pension or 300% per child in the case of twins.

The Hungarian Government will extend the Birth Grant for Hungarians living outside the borders. With the Umbilical Cord Program, the Government aims to show that each Hungarian child is a value even if he or she is born on any other part of the world, the support of families is not an expenditure but an investment. Steps are taken from January 2018 in order to make it possible for those who have children outside the administrative boundaries of Hungary to get some of the family allowances. Firstly, all Hungarian mothers will get the birth grant irrespectively of where the child was born. This applies to Hungarians in the Carpathian Basin and the Hungarian diaspora also. There is a one-off HUF 64,125 (USD 220) support that was granted to parents of approximately 9 thousand children in 2018. The support can be granted for the affected persons if the child is registered in the birth register and with regard to the situation of the Hungarians living in Slovakia, the Hungarian Certificate will be an entitlement document also.

The **Baby Bond** is also extended from January 2018. There is a possibility for children with Hungarian citizenship (or Hungarian Certificate) born abroad to launch Start accounts to which the parents or linked to specific life events the state can make a payment. Parents have the opportunity to save money for their children with state support. The Baby Bond (currently managed by the Hungarian State Treasury) means that an amount – made up by the new start allowance of HUF 42,500 (USD 146) deposited by the state for each new born baby, by an amount optionally deposited by the parents and by an amount credited annually by the state after each payment (10% of their amount, but a maximum of HUF 6,000 – USD 20) collected on the Start securities account opened at the Treasury – is deposited on a bond of a maturity of 19 years. Nearly 8 thousand parents requested the opening of Start accounts from outside the borders in 2018.

10. Family Home-Start Subsidy

Housing is promoted with a non-repayable grant (housing allowance for families), loans with subsidized interest, and state-supported housing savings programmes. As of 1st July 2015 Family Home-Start Subsidy (Hungarian abbreviation: CSOK) is offered to a wider range of beneficiaries to promote the achievement of housing-related objectives of families who bring up children in a form of a non-refundable subsidy for purchasing a residential dwelling or building or buying a family house or for enlarging the flat-area of the owned family house.

As of 1 January 2016 families who are currently raising three or more children or who undertake to raise at least three children in the future (including the children they already have) may uniformly receive a one-off in-cash support of HUF 10 million (USD 34,361) when building or buying a new estate. In addition, these families are eligible to HUF 15 million (USD 51,543) reduced residential loan with a State interest-rate subsidy. The amount of the subsidy could vary between HUF 600 thousand (USD 2,061) and 10 million (USD 34,361) according to the number of children and whether it is a new house.

From 1 December 2018 the HUF 10 million (USD 34,361) residential loan with reduced interest rate subsidy is expanded to families with two children when building or buying a new property. In case of families with three or more children the amount of the possible residential loan is increased from HUF 10 million (USD 34,361) to HUF 15 million (USD 51,543).

From July 2015 to November 2018, nearly 94,000 families benefited from the family home-start subsidy in the amount of HUF 270 billion (USD 927,771,000), so a family received of approximately HUF 2.9 million (USD 10,000) in subsidies on average.

11. Diminution of mortgage loans

Hungary was severely hit by the global economic crisis of 2008, since low-interest foreign currency loans were highly popular from 2004 on. Measures have been taken to help individuals with foreign-currency loans. Retail foreign currency lending was set to strict conditions in order to avoid debt trap. A maximum amount of credit proportional to the value of the property and a maximum amount of monthly instalment proportional to the monthly income of the borrower were determined. A moratorium on eviction was introduced in 2010, and early loan repayment was made possible in case of foreign currency mortgages in 2011. 97% of the foreign currency loans were converted to Hungarian Forints at market rates in 2015.

From 2018, when having a third or a further child, families with mortgage loans can reduce their mortgage loans (from the total amount of both their principal and interest debts) by HUF 1 million per child, from the 3rd month of the pregnancy. From 1st July 2019 this diminution is extended to families having their second child HUF 1 million (USD 3,436) and in the case of families having their third children, the amount of diminution is increased to HUF 4 million (USD 13,744) (for each additional child the Government takes over HUF 1-1 million (USD 3,436)).

12. Tax allowance for first-wed new couples

Tax allowance for first-wed new couples, a new tool to decrease the tax base, was introduced in 2015. This measure is intended to encourage young couples to marry: a newly-wed couple

is eligible for a tax allowance of HUF 5,000 (USD 17) per month provided that it is the first marriage of at least one of them. A new benefit of the allowance introduced in 2017 is that couples continue to be eligible for this allowance for a maximum period of two years. Between 2015 and 2018 a total of 150,000 couples took advantage of this reduction.

13. Diminution of student loans

From 1st January 2018 for female students having a student loan the repayment is suspended when being pregnant with the first child, from the third month of the pregnancy. This suspension is for 3 years. Being pregnant with the second child, the repayment is also suspended for 3 years from the 3rd month of pregnancy, and after the birth of the child 50% of the debt is released. After the birth of the third child, 100 % of the debt is released. Currently, there are around 116 thousand women having student loans.

14. Support for young people – compensation for language exam, reimbursement of theoretical exam required for a driving license, support of student loan

Lifelong learning: Compensation for the first successful language exam

From 1 January 2018, the Government reimburses the first successful secondary language exam for young people who have not yet reached the age of 35. This step greatly contributes to the competitiveness of young people, among them young women on the labour market.

The reimbursement of the theoretical exam required for a driving license

From 2018 the Government reimburses the theoretical exam required for a driving license for young people under the age of 20. The reimbursement can be claimed even if someone does not go to practical training immediately after the exam. State support in obtaining a driving license also contributes to making young people more likely to find a job.

Student loan and social scholarship

The Hungarian Government strives to give each kind of supports to students in higher education. In the case of ‘Student Loan 1’ the amount is raised to HUF 70,000 (USD 240) and the ‘Student Loan 2’ became interest-free. The maximum amount of Student Loan for foreign students is raised to HUF 140,000 (USD 481). In addition, the social scholarships increased by 40%.

15. Support of young married couples to have children

Every married couple where the wife’s age is between 18 and 40 will be eligible for an interest-free, general purpose loan of EUR 31,360, which can be requested at commercial banks. The amount of the monthly instalment of the loan may not exceed EUR 1567, and it is to be repaid within 20 years. If at least one child is born during the first five years, the instalment scheme will remain interest-free and repayment will be suspended for three years. After the birth of the second child, the repayment will be suspended for another 3 years, and 30% of the outstanding principal will be written off. Following the birth of the third child, the remaining debt will be entirely cancelled. (Only those children will be considered who are born or adopted after the actual application.) The loan will be guaranteed by the state.

16. Introduction of childcare fee (GYED) for grandparents

From January 1, 2020 non-retired grandparents will also be eligible for childcare fee (GYED), if both parents are (or the single parent is) employed. Childcare fee will be provided for the grandparent, not the parents. The purpose of the programme is to encourage grandparents to become more involved in the raising of grandchildren. Only one of the grandparents will be allowed to apply, but the fee can be requested after more grandchildren too.

17. Development of the early-childhood system

The early childhood development relieves the multiple burdens of mothers and strengthens the labour market situation of women.

In 2013, according to the 15/2013 (II.26.) Decree of the Minister of Human Capacities on the operation of the institutions of pedagogical assistance services the entire pedagogical system was reorganized. In each county a pedagogical assistance service institution was established which provides care for children and in each district a member institution was established. The purpose of the concept is to provide complex care in the framework of unified management with uniformed procedures and professional protocols using a unified IT monitoring system. Decree of the Minister of Human Capacities on the operation of the institutions of pedagogical assistance services defines the minimum number of specialists connected to the tasks which means a status extension compared to the previous years. Early development has become a task assigned to district institution, which means the affected people will receive appropriate care in the closest place. Thanks to the measures the number of participants has increased.

Children in the early childhood development system:

1.10.2010	1,974 children,
1.10.2016	4,542 children,
01.10.2017	5,149 children.

18. The Sure Start Children's Houses - provisional supportive measure for multiple disadvantaged children and mothers

The aims of the **Sure Start Children's Houses** are to ensure healthy development, compensation of developmental delays of disadvantaged children, including Roma children, as well as strengthening the child-raising skills of their parents. The service is used by children under kindergarten-age together with their parents.

The Sure Start Children's Houses provide support for families with children under the age of 3. These institutions ensure early education and development for children, as well as providing opportunities to acquire parental competences and giving support to parents in returning to the labour market. The programme aims to promote children's physical, intellectual, emotional and social development as well as to have a successful integration in kindergarten; it aims to support their families and helps to identify problems. The Children's House has a positive impact on school performance as well as on later career. Positive effects on social and emotional development of children and on mother-child relationship can be

clearly demonstrated. The feedbacks from the kindergarten institutions confirm that the Children's House contributes to children's kindergarten-maturity and to the establishment of cooperative parental attitude. Parents learn how to cooperate and communicate without conflicts with professionals dealing with their children.

The establishment of Children's Houses began according to the English Sure Start Program from 2003 with modelling experiment and it accelerated between 2007 and 2013 thanks to the EU period, when 115 services were established, especially in the most disadvantaged regions and in settlements inhabited by Roma people.

It was a major step forward that in the framework of EU projects Children's Houses were built in the regulation of the Act XXXI of 1997 on the Protection of Children and the Administration of Guardianship.

The Sure Start Children's House Program, as an important element of the child welfare primary care system focuses on children under 3 years of age who could not be reached by the institutional care system. This way, it is gap filler in the system of child protection. Currently there are 110 Children's Houses nationwide operating with the support of the central budget and 70 from EU support. In the houses there are around 2500 children with parents per year. It is need to be emphasized that Sure Start Children's Houses contribute to a **good mother-child relationship and they strengthen the child-raising competences of mothers.**

19. As a further measure, the **Job Protection Action Plan** will be explained later.

Temporary special measures

16. The Committee, while noting that the Fundamental Law and the Equal Treatment Act provide a legal basis for introducing temporary special measures, is concerned that some references to "positive discrimination" and quotas in the report of the State party indicate the lack of a clear understanding of article 4, paragraph 1, of the Convention, which aims at accelerating the achievement of substantive equality of women within a specific time frame, as clarified by the Committee's general recommendation No. 25 (2004) on temporary special measures.

17. The Committee recommends that the State party apply temporary special measures to:

Temporary special measures for the support of women

1. The program named **Women 40** (old age pension for women with 40 years of eligibility period) is a support of a group of women acknowledging their multiple burdening and engagement. The measure also supports young mothers to re-enter the labour market as grandmothers can play a more active role in childcare. Since 2011 242,800 women had the opportunity to retire after 40 years of eligibility period (employment, child raising periods) regardless of retirement age. It is a special measure that aims to support and strengthen women's situation. (*See in details 15. c*)

2. **Reinforcement of the social empowerment of Roma women:** support for the establishment of Roma female communities and civil organisations

Reinforcement of the active engagement of Roma women and their civil organisation is further helped by the flagship project entitled **EFOP-1.6.1-VEKOP/16 Support for Catching-up Cooperation** which ensures professional support for complex settlement programmes running in different municipalities. The presence of Roma women is a special resource for complex settlement programmes since they are present as bridges in the mutual attitude formation of different (Roma, non-Roma) social groups, and in the establishment of local communities and civil organisations aiming at the solution of common issues which may **reinforce the social engagement of Roma women** beyond the settlements, too.

The flagship programme undertook to launch 50 Roma female civil initiatives and **it is expected that 20 registered Roma female organisations are going to be established** with its help for serving a community purpose which is held important.

With the strengthening of the social activity of Roma women and their civil organisations, **not only their public empowerment grows but their positive social image is also reinforced.** At the same time, their activities have repercussions on the life of Roma families and help the opportunities of disadvantaged children and Roma girls in their further education and qualifications.

(a) Promote the equal participation of women in public and political life and decision-making by means of concrete, result-oriented measures, such as quotas and timetables;

In connection with female quotas see Point 27 b).

The Government of Hungary believes that it is important to motivate and train women and to enhance their self-confidence so that they may participate in public and political life in greater numbers. This purpose is served by the Women's Public Leadership Training Program (*see point 16. a)*), as well..

The new Government formed on 18 May 2018 has a female member, Andrea Bártfai-Mager who took her position as a Minister without portfolio responsible for the management of national assets.

We can observe women in higher numbers in several areas of public life as compared to men. For example, 65% of judges are women (2013), 56% of general practitioners and general paediatricians (6,173 altogether) are women (3,497), and 56% of all medical practitioners (35,782) are women (20,245 in 2017).

Besides, another great step is the composition of the management of the Ministry of Human Capacities. **From 2018 on, half of the State Secretaries are women**, which illustrates the attitude of the Minister of Human Capacities as the Minister responsible for female policy issues towards the empowerment of women in public and political life.

Concerning the provisions of **Article 8 of the CEDAW Convention** (“to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations”), a summary is hereby presented on summarises **the proportion of women and men** in different positions of the Ministry of Foreign Affairs and Trade as of 17 December, 2018 (For further details kindly consult Annex I, “Table provided by the Ministry of Foreign Affairs and Trade to Article 8.”)

The number of female staff members is high in the Ministry of Foreign Affairs and Trade both in the central administration units of the Ministry (Capital) (61.6%) and at the diplomatic and consular missions (48.5%). The number of **women in senior positions** has increased continuously in the last ten years, in particular **as regards the Ministry's organizational structure (currently 51%)**.

In view of the (domestic and international) efforts aimed at increasing the number and percentage of the employment of female colleagues **parallel to the growth in the number of heads of missions, the number of women appointed to such positions has also increased** as compared to former data.

The selection criteria for positions, both at Missions and in the Capital, are primarily regulated according to qualifications and professional requirements. **The proportion of competent and professionally trained female staff members, including those in senior positions, is significant** in the organizational structure. Certain measures such as; semi-adjustable working time frames are also available to assist and encourage women to plan their professional carrier within the Ministry in the long run.

The **number of female international experts** delegated to international organisations by the Government of Hungary is **13**. (**The number of national experts** registered by the Ministry of Foreign Affairs and Trade is **41 altogether**.)

Women in decision-making in science

Among others, decision-making of women in scientific life is to be supported by the project entitled "EFFORTI" (Evaluation Framework for Promoting Gender Equality in R&I) for 2016-2019, supported by the Horizon 2020 programme of the European Commission in which the Hungarian Women in Science Association participates as a partner.

The central objective of the EFFORTI project is to provide indicators for measuring how the initiatives on equal opportunities influence the research&development and innovation system (with regard to equal opportunities between women and men). As the result of the project, an online toolset was elaborated for decision-makers, assessors and programme promoters in electronic format showing which indicators are able to measure which measures related to equal opportunities. The Women's Policy Unit also joined the project through participation at workshops and conferences and by testing the online toolset as well as making conclusions.

(b) Facilitate access to education and employment for women in rural areas, Roma women and women with disabilities.

"Woman is the Chance" program

The aim of the **"Woman is the Chance"** programme is the education of Roma (**primarily Roma women**) embedded in employment, and also their further employment, mainly in social, child protection and public education service provider institutions. The innovation of the program is that **there is indeed an education embedded in employment**: selection (eligibility application), employment contract and training, followed by specialized vocational training 3 months after and continuously working during the training.

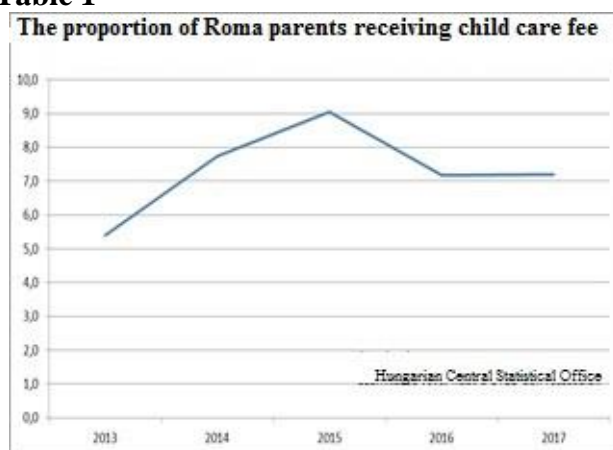
In the framework of the training and employment programme for Roma women, which ended in 2015, **1,012 Roma women acquired vocational qualification** in one of the following fields: kindergarten teacher, caregiver and educator of young children, paediatric intensive care nurse, social care provider and nurse, social work assistant.

As of 2016 the programme is continued based on EU resources. The immediate employment of the people involved makes it possible to quickly integrate them into the institution of employment, and from the first moment helps them to get familiar with the colleagues and the environment where they are going to work full-time after completing the training. The program is anticipated to realize the education of 1,100 Roma women embedded in employment, and **the 24-month supported employment is followed by 12-month mandatory further employment.**

Furthermore, target groups as determined by the Act CXXV of 2003 on Equal Treatment and the Promotion of Equal Opportunities in municipality-level local equal opportunity programmes as provided for by the mentioned Act include persons with disabilities, women and Roma/people living in extreme poverty. The local equal opportunity programme identifies problems and sets forth measures with regard to target groups by intervention areas (education, living, employment, healthcare and social issues). In the action plan of the local equal opportunity programme, local-level measures are set forth in the case of overlaps between target groups, including the case of disabled Roma women.

As regards the employment of Roma women, it can be stated that Government measures resulted in improvement. Childcare benefit is subject to social security coverage and is due if the parent was covered by social security for 365 days within two years before the birth of the child. According to the survey of the Central Statistical Office, the proportion of Roma women who were covered by social security before the birth of their child has significantly increased since 2013.

Table 1



Employment of women with disabilities

Although the Act on the Promotion of Equal Opportunities has no express provisions regarding **the requirement of reasonable accommodation**, the Equal Treatment Authority consequently applies this concept in its established practice related to negative discrimination based on disability. The Equal Treatment Authority applies the **rules requiring reasonable**

accommodation with regard to the employment of persons with disabilities as provided for by Act I of 2012 on the Labour Code, Act CXCIX of 2011 on Public Service Officers and Act CXXV of 2018 on Government Administration repealing the latter as well as the definition provided for by the CRPD (Convention on the Rights of Persons with Disabilities) based on Act XCII of 2007 on the promulgation of the CRPD (Convention on the Rights of Persons with Disabilities) and the related Optional Protocol in cases referring to the lack of reasonable accommodation during the examination of the cases.

Equal opportunity plans

The promotion of equal opportunities is not only the task of state institutions but **employers** also have an important role here. The reduction of negative discrimination necessitates special rules. In this regard, the Labour Code was supplemented according to the following: the employer may adopt an **equal opportunity plan** cooperating with the trade union represented with it or, in the absence of such, with the works council which can help the companies to recognise the importance of equal opportunities.

The equal opportunity plan, following the fundamental principles of reasonable accommodation as determined in the CRPD (Convention on the Rights of Persons with Disabilities) for disabled employees, **may cover disadvantaged employees' groups and may include** the analysis of the employment situation and especially the wages, labour conditions, professional career, training and benefits related to childcare and parenthood of **women, Roma people, employees with disabilities** etc. in particular. The plan should include measures that can contribute to the gradual increase of the proportion of persons belonging to disadvantaged groups with the employer, the alignment of their wages to those employees performing work of equal value with the employer, and equal treatment should be provided for them in every area related to employment.

National tenders

Since 2013 national tenders in connection with family and women's policy issues have been involving programs, trainings and other **supporting activities for women and specifically mentioning women with disabilities or parents with disabled children.**

Similarly, the target groups of the current European Union tenders are including women with disabilities or women with disabled children: EFOP 1.2.1-15 (Safety net for families); EFOP 1.2.6-VEKOP-17 priority application (Family-Friendly Country); EFOP 1.2.9-17 (Women in the Family and at the Workplace).

Stereotypes and discriminatory practices

18. While noting the implementation of some measures in the field of education and media to address stereotypes, the Committee is concerned about the persistence of stereotyped division of gender roles in family and society and the support of such roles throughout the States party's policies and priorities owing to the focus on population growth. The Committee notes with concern that prejudices emanating from gender and ethnicity significantly affect the enjoyment of rights under the Convention by women belonging to disadvantaged groups such as Roma women and women with disabilities.

19. The Committee calls on the State party to:

(a) Implement a comprehensive programme with measurable targets, aimed at women and men, girls and boys, to overcome stereotypical attitudes about the roles and responsibilities of women and men in the family and society, focusing particular attention on the elimination of prejudices against women from disadvantaged groups, particularly the Roma women and women with disabilities;

Representation of women and gender-related stereotypes in the media

The Department for Media Programme Monitoring and Analysing of the National Media and Communications Authority continuously examines the proportion of the representation of women and men in news and magazine programmes of media service providers. In the basic data showing merely the male/female representation no improvement or deterioration could be observed (2013: 79.1-20.9%; 2014: 78.1-21.9%; 2015: 78.2-21.8%; 2016: 78.8-21.2%; 2017: 79.2-20.8%; 2018: 78.2-21.8%).

Analyses prepared by the National Media and Communications Authority were supplemented by researches focusing on the reflections by the public on the media representation of women conducted by Psyma Hungary Market and Public Opinion Research Ltd. during the autumn of 2016. The first questionnaire survey conducted on the adult population was based on a national representative sample. The research wanted to find out what images and opinions prevail on the media representation of women. It included either the contents, that is, the thematisation of women in the news or the media personalities, that is, the opinion of the audience about female broadcasters. Furthermore, information was received about the components of female images suggested by the media and about the female patterns certain types of programmes show, including TV series preferred by the audience. Parallel to the previous survey, an examination covering four focus groups was conducted in the framework of a qualitative research in Budapest and Miskolc. Interviews specifically covered the female image as suggested by TV series. As regards the conclusions of the interviews, we can say in general that **the programmes examined included female (and male) images which better reflected the social reality**. Where time series examinations could have been conducted, **the tendency was positive**.

(b) Adopt the necessary steps to adequately include non-discrimination and gender equality in educational policies, in the national core curriculum and related documents, as well as in basic and continuing education for teachers and health-care professionals and other service providers.

Antidiscrimination in the National Core Curriculum

The **National Core Curriculum lays down the requirements for the respect of human rights as well as for the basic knowledge of equality between women and men** and that of antidiscrimination. In the history subject the social situation, the lifestyle of women and men as well as the issue of emancipation and equality are included in the curricula in the classes of 9-12. It is a crucial aim of the subject of civic education that students can understand the importance of equal opportunities, social justice as well as make them able to recognize the negative effects and social dangers of stereotypes, prejudice and discrimination.

Revision of textbooks

According to the results of an OECD survey about the progress on gender equality in education **textbooks were revised in 2013 for grade 1 to 8 to ensure that students are not exposed to stereotypes and develop awareness of gender equality.** Examples of new materials include: a revision of biology textbooks to illustrate the role of women in science by demonstrating the works of female scientists; the representation of women who were successful in their fields of work in a career section in the physics textbooks; and discussions of the gender equality issues and the historical background of the change in the traditional roles of women in history textbooks.

Antidiscrimination in the further training of healthcare employees

Conditions of performing the further training obligation of specialised healthcare staff are laid down in Decree 63/2011. (XI. 29.) Minister of National Resources on the rules of the further training of specialised healthcare staff. For accomplishing the further training period, the specialised healthcare employee shall participate in obligatory specialised theoretical further training types, optionally chosen theoretical further training types and practical further training types in the specialisation corresponding to his qualification, worth 150 scores. Both the obligatory specialised theoretical further training contents and the optionally chosen theoretical further training contents elaborated in the further training system of specialised healthcare staff include further training programmes the aim of which is antidiscrimination and the formation and reinforcement of the attitude of equality between women and men. As regards specialised further training issued in 2017, the specialised healthcare staff may choose from among the following three programmes: further training courses entitled Values and norms in care; Care ethics; Transcultural care; Tolerance towards difference, with a special regard to the characteristics of Roma culture during health visitor care aiming at achieving the above purposes.

Violence against women

20. While welcoming the announcement of the State party that it would criminalize domestic violence in the Criminal Code, the Committee remains concerned about the lack of specific provisions related to other forms of violence, such as economic and psychological violence and stalking. The Committee notes the Act LXXII of 2009 on restraining orders related to violence between relatives and is concerned that such orders are not provided on a long-term basis and do not cover relationships between unmarried partners. The Committee is also concerned about the lack of information on the number of investigations, prosecutions and convictions in cases of violence against women, as well as about inefficiencies of the redress mechanism for victims of violence. The Committee is also concerned about the insufficient number of shelters specifically dedicated to women victims of violence. The Committee is further concerned about the lack of information on different types of violence against women with disabilities, Roma women and older women, as well as the absence of specific measures to prevent violence against them. While noting the new provisions on rape in the Criminal Code, the Committee remains concerned about the use of violence, threats and coercion, which continue to be elements of the statutory definition of rape rather than the lack of voluntary consent by the victim. The Committee is further concerned that rape cases are underreported due to inadequate health care providers support to women victims of rape and provision of medical and forensic examination.

21. In accordance with its general recommendation No. 19 (1992) on violence against women and the recommendations contained in its previous concluding observations, the Committee urges the State party to:

The Government of Hungary expressly condemns any form of domestic violence or violence against women, and is committed to taking steps for the elimination of abuse. The current policy approaches the problem of violence in a more complex way than earlier. It determines a greater number of intervention areas, in this way ensuring the synergy between the various measures.

a) Adopt a law on domestic violence and criminalize different types of violence against women, including economic and psychological violence and stalking;

Key achievements in the legislative field

On 3 June 2013, the National Assembly adopted Act LXXVIII of 2013 on the Amendment of Certain Criminal Laws that introduced the new criminal offence of domestic violence to the Act C of 2012 on the Criminal Code (hereinafter: Criminal Code) and entered into force on 1 July 2013. On the one hand, the criminal offence of domestic violence renders violent behaviour, which does not reach the level of battery but seriously harms the human dignity of the victim, as well as financial jeopardising punishable by criminal law, and on the one hand, it makes it possible to punish certain criminal offences related to domestic violence, which are otherwise subject to less severe imprisonment (such as battery, defamation, or coercion), more severely. Thirdly, we can state that the Criminal Code renders acts, which can be considered as underlying acts of domestic violence, punishable by criminal law, and that it constitutes a qualified case (thus punishable even more severely) if certain criminal offences are committed against a relative, or a person under the education, supervision, care or medical treatment of the offender, or against a child or a person unable to protect himself or express his will, or against an elderly or disabled person.

The so-called “psychological violence” is also subject to punishment under the criminal offence of battery as provided by the Criminal Code. The official reasoning of the Criminal Code states that the act of commission is causing injury to bodily integrity or health of the victim. Taking into account the concept of “health” as described by the World Health Organisation and the established Hungarian case law, a mental abuse may be considered as an injury to the health of the victim. The criminal offence of domestic violence explicitly includes battery as one of the acts of commission. This means that psychological violence, also known as mental abuse, is subject to a more severe punishment as part of the criminal offence of domestic violence.

On 14 March 2014, Hungary signed the Council of Europe Convention on preventing and combating violence against women and domestic violence (known as the Istanbul Convention). The Ministry of Justice coordinates the ratification processes.

The Istanbul Convention provides for complex legislative and action obligations for the Member States, and therefore prepare for the ratification requires cooperation by the whole Government. During this, the necessary legislative tasks, other Government measures and budgetary resources need to be identified, too.

Furthermore, the European Union is just accessing to the Istanbul Convention. The European Union may access to the Istanbul Convention concerning issues within its competence to the extent the Istanbul Convention may concern standard rules or change their application. Beyond this, the Member States shall keep their competences. Since the competence of the European Union and the competences of the Member States are related to each other, the European Union should also become Party to the Istanbul Convention besides the Member States so that the European Union and its Member States may comply with their obligations imposed by the Istanbul Convention on them together, in a coherent way, supplementing each other's competencies. The two processes cannot be separated from each other. The Commission has not identified the obligations binding EU institutions and the way of their meeting yet.

Due to the amendment of the law in 2015, Act XXXI of 1997 on the Protection of Children and Guardianship Administration now includes secret shelters as a new service element.

In 2015, the Hungarian National Assembly adopted a decision on determining the national strategic objectives for effective action against domestic violence.

This new Decision of the National Assembly lays down the national strategic objectives and designates a path for every sector that is involved in combating domestic violence for the planning and implementation of the strategic documents and the related measures respectively.

(b) Amend its legislation concerning restraining orders with a view to providing adequate protection to victims in all types of cohabitation and extend the duration of restraining orders;

Act LXXII of 2009 on the restraining order to be issued in cases of domestic violence regulates the rules of the temporary preventive restraining order (max. 72 hours) to be ordered in a public administration procedure and preventive restraining order (max. 60 days) to be ordered in a non-contentious civil proceeding. Both measures may be applied in case of domestic violence in order to temporarily limit the offender's right to freely choose the place of residence, the right of supervision and the right of keeping contact with his child.

Act XC of 2017 on the Criminal Procedure Code (from now on: Criminal Procedure Code) significantly amended the previous rules on the restraining order to be issued in criminal proceedings. In accordance with the Criminal Procedure Code, a restraining order can be issued against a perpetrator who is reasonably suspected of the commission of a crime that is punishable by imprisonment or who has been indicted for the purpose of preventing him from hindering or frustrating the procedure of taking evidence or the repeating the crime against the victim. A restraining order can be issued in addition to the coercive measure of criminal supervision limiting the personal freedom of the perpetrator based on the individual purpose(s) to be achieved by the restraining order, the type of the crime in question and the personal characteristics and circumstances of the perpetrator. Before filing the indictment, the court acting in the criminal case shall decide on issuing the restraining order upon the motion of the prosecutor or the victim. Before filing the indictment, the victim may submit his motion for issuing the restraining order to the prosecutor acting in the case, and the prosecutor is obliged to forward it immediately to the court together with the files of the case.

The duration of the restraining order shall be the following:

- The restraining order issued before the filing of the indictment lasts until the court of first instance had taken its decision during the preparation of the trial but at least for four months. The restraining order may be prolonged by four months on each occasion by the court.
- After the indictment had been filed, the restraining order that was issued or maintained by the court of first instance shall last until the court of first instance delivers its final decision.
- The restraining order issued or maintained by the court of first instance after it had delivered its the final decision and the restraining order issued by the court of second instance shall last until the completion of the proceedings of second instance.
- The restraining order issued or maintained by the court of second instance after it had delivered its final decision and the restraining order issued by the court of third instance shall last until the completion of the proceedings of third instance.

The justification of the restraining order shall be supervised every six months from the time it was issued or maintained after the indictment had been filed.

It is important to stress that out that if the restraining order was issued during the criminal proceedings, the court should always require the perpetrator to refrain from contacting the person concerned by the restraining order and to keep distant from this person. For an effective restraining order, the court may impose further obligatory behavioural rules for the perpetrator, such as to leave and stay away from a specific house, or to remain distant from the residence, workplace or places and institutions regularly attended by the person concerned by the restraining order.

With a view of the number and seriousness of breaches of the prescribed behavioural rules, a fine may be imposed against the perpetrator, the perpetrator may be taken into custody, stricter behavioural rules may be imposed, more severe coercive measures may be ordered or further guarantees promoting the effective implementation of the coercive measure may be required.

For the increased protection of the victim, the law orders to communicate every decision that had been taken regarding the restraining order, such as the decision on issuing or terminating the restraining order, to the victim.

(c) Provide mandatory training to the legal profession on the strict application of legal provisions dealing with violence against women and train police officers on standardized procedures to deal with women victims of violence;

When dealing with notifications related to violence within the family, the police should act in accordance with **Act XXXIV of 1994 on the Police, Act LXXII of 2009 on Injunction to be Applied due to Violence Between Relatives, and Instruction 2/2018. (I. 25.) of the Hungarian National Police issued for the purposes of implementing police tasks related to the management of violence between relatives.** The aim of the Act on Injunction to be applied due to violence between relatives is to handle the phenomenon of violence within the family before a more serious situation would emerge, often with consequences that are hard to remedy.

District policemen have daily contact with guardianship offices, family assistance services and child welfare services on their territories. By regular exchange of information and, where necessary, participation at the discussions of cases, they help each other's work and contribute

to mapping the jeopardised families. **In the briefings of the police staff, the following were highlighted: the prohibition of discrimination, the significance of police actions free from prejudice,** and the importance of objectivity required in all cases of taking measures. For the purposes of the efficient application of knowledge, mediation techniques and procedures obtained in the preceding years in the practice, it is inevitable to refresh and, eventually, update such knowledge and to know more recent and modern development and have it known. With regard to this, **Instruction 2/2018. (I. 25.) of the Hungarian National Police** lists **the basic education of the official staff once a year or according to the needs** among the tasks of the territorial and local organisations. Accordingly, training courses are regular and cover the whole personal staff of the service divisions concerned.

Following the issue of **Instruction 2/2018. (I. 25.) of the Hungarian National Police**, **240 mentors** participated at the training on topics serving the safety of the victims 26 April 2018. Among others, **the best practice of temporary preventive injunction** as elaborated by the Police Headquarters of Borsod-Abaúj-Zemplén County was presented. Participants were informed about the role of the police in child-friendly justice, the recognition of harming, the consequences of its absence, treatment with the injured and interrogation techniques. County (capital) police headquarters continuously train the staff concerned and the new entrants following the issue of Instruction 2/2018. (I. 25.) Hungarian National Police. So far, **4,605 persons have been trained** altogether.

The Faculty of Policing of the National University of Public Service deals with the Hungarian and international recommendations relating to **treatment of female victims** at its policing and criminal bachelor-level programmes. Such topics are processed within the framework of the following study courses:

- criminology (victimology),
- criminal psychology (psychology),
- asylum,
- policing communications,
- policing pedagogy.

It is mainly policing communications and policing pedagogy where recommendations related to the treatment of female victims, recognition and treatment of the symptoms and traumas of violence, and communication strategies applied in official procedures concerning injured women are acquired, during which **police officer candidate students are trained** in situational practices and with the help of victim protection experts. Furthermore, the Behavioural and Methodological Department of the Faculty participates in the **implementation of a methodology project** assisting the victims of gender-based insults in cooperation with the National Police Headquarters (Criminal Directorate-General, Criminal Department, Crime Prevention Unit).

(d) Provide adequate assistance and protection to women victims of violence and their children by increasing the number and capacity of State-supported shelters, specifically those dedicated to women victims of violence, and adequate geographical distribution, as well as by strengthening cooperation with and funding to NGOs providing shelter, assistance, support and rehabilitation to victims;

A form of child protection basic care to be provided for the victims of violence against women and their children based on Act XXXI of 1997 on the Protection of Children and Guardianship Administration is the Temporary Home for Families (as a crisis centre or secret

shelter). In this framework, joint care for adults and children is ensured subject to conditions provided for by law. Temporary Home for Families is operated by those local governments (or district local governments in Budapest) in the territory of which more than 30,000 permanent residents live according to the legislative provisions in force. Operation is possible by partnerships, too.

Development of the benefit scheme since 2014

The stabilization and organizational change of the benefit scheme

There was a new professional protocol elaborated for the work of crisis centres in 2014 with the support of the Ministry of Human Capacities. The professional protocols for Secret Shelters and Halfway Houses were elaborated in 2015.

From 2016 the central budget provided 50% more support for all Crisis Centres and the support of the Secret Shelter was increased by 100%. Crisis Centres (as well as the Secret Shelter) are built upon the system of Temporary Home for Families. Crisis management appears as an additional service, which is reflected in the financing. Crisis Centres and the Secret Shelter function on one hand from the normative funding of Temporary Home for Families and on the other hand they get task-based financing, which is HUF 6 million (USD 20,617) in case of Crisis Centres and HUF 16 million (USD 55,000) in case of Secret Shelters.

At the end of 2016 a domestic tender of HUF 126 million (USD 433,000), which made it possible to purchase a rescue car and other assets and IT tools.

In 2017 Crisis Centres and Secret Shelters could apply for the amount of HUF 1-1 million (USD 3,436) for the development of their security system as well as for purchasing tangible assets.

Prevention

Crisis Management Ambulances for the victims of domestic violence

The supporting of victims has the priority ambition to give aid in the shortest notice so that problems may be arranged before violent actions get worse. In this way, the forced leaving of the home may be avoided, and a chance is left to resolve the domestic conflicts. This purpose is served by the Crisis Management Ambulances that function on a regional level. The ambulances were established from development and budgetary resources in 2018.

Crisis intervention

The National Crisis Management and Information Telephone Service (OKIT) is available 24/7 from all of Hungary, calls are free of charge at all providers. The hotline service gives information to victims of domestic violence, and helps the abused to find a safe shelter (from the abuser/ponce/exploiter) in an acute crisis situation. The professional staff of the National Crisis Management and Information Telephone Service was supplemented by an attorney in 2018.

The National Crisis Management and Information Telephone Service received a total of 9,391 calls in 2018, out of which they coordinated the placement of 1,363 persons in Crisis Centre or secret shelter (455 women, 901 children, 7 men). The increased numbers of last year do not mean that the situation is worse or that there is more violence, but that latency is getting lower, which is really promising.

In Hungary there are so-called Crisis Centre providing accommodation and complex services to those victims of domestic violence who have been forced to leave their home – either alone or with their children – on grounds of abuse.

The Crisis Centre provide the following:

- sheltered accommodation and full physical attendance, if necessary;
- expert help (lawyer, psychological assistant, social worker);
- assistance through social work.

Key services of the Crisis Centre:

- search for a safe home,
- assistance in resolving lifestyle problems,
- search for and administration of income sources,
- the mapping of external family relations,
- the strengthening of parental role,
- psychological counselling,
- mediation of health care services,
- provision of community programmes,
- legal counselling and consultation on child care.

The Crisis Centre liaise with OKIT, as well as with the competent family support and child welfare service in the location and in the region based on the victim's place of residence. They also keep in touch with the police, the Temporary Home for Families, the local healthcare system, the local educational institutions and, if necessary, with the custodian office and other authorities.

Based on the Act XXXI of 1997 on Child Protection and Guardianship Management Crisis Centres can be operated by Temporary Home for Families, and they typically have a capacity of 6 spaces. The caring time is 4 weeks, which can be extended by one more time in justified cases and maximum by further 4 weeks.

Currently from a budgetary resource 15 Crisis Centre are operating in Hungary. From a development resource the construction of another 5 Crisis Centre commenced in 2018.

The **Secret Shelters** are accommodating the severe victims of domestic violence being in life danger. The provided services are equal to the services of the Crisis Centres, however, protection in case of the Secret Shelters is even more accentuated.

From a budgetary resource currently one such institution exists (with 29 spaces), and the opening of another 7 shelters are facilitated from development resources, the construction of which has started in 2018 and their handover is continuously ongoing. Based on legal provision secret shelters can be operated by the Temporary Home for Families and they have a maximum capacity of 18 spaces. The time of care is 6 months.

The victims of human trafficking (prostitution and work-related exploitation) are supported by the Temporary Accommodations. The **Temporary Accommodations** were created based on the image of the benefit scheme helping the victims of domestic violence, and there are 2 such institutions with state support with 12 spaces each. In 2019 the Government assigned a new resource to open a third Temporary Accommodation and to purchase and operate a rescue car.

Social integration

Halfway Houses are available to support the social reintegration of the victims of domestic violence and human trafficking, which provide long-term housing (up to 5 years) and professional (mainly legal and psychological) assistance to their tenants. The victims leaving the crisis management system spend, on average, 2 years in Halfway Houses. After that, they typically rent a flat or move to social housing units, i.e. they leave the social welfare system. Halfway Houses are properties with 4 spaces in the proximity of Crisis Centre /Secret Shelters or Temporary Accommodations, suitable for creating an independent living. So far 6 Crisis Centres were operating a Halfway House service. In 2018 and in the first quarter of 2019 an additional **19 Halfway Houses** will start operating from development resources. (15 Halfway Houses provide an opportunity to restart for the victims of domestic violence and 4 for the victims of human trafficking.) According to the rule, one Crisis Centre /Secret Shelter/Temporary Accommodation can operate up to 2 Halfway Houses from budgetary or EFOP (Human Resources Development Operative Programme construction) support. In 2013 the National Crisis Management and Information Telephone Service, 14 Crisis Centres, 4 Halfway Houses, one Secret Shelter and one Temporary Accommodation (with 8 spaces) created the benefit scheme. The realized development is significant.

(e) Encourage women to report acts of domestic and sexual violence, by de-stigmatizing victims and raising awareness of the criminal nature of such acts;

‘DADA’ (Soming-Alcohol-Drugs-AIDS) and ‘ELLEN-SZER’ (Remedy) trainers and school crime prevention advisers teach skills and signalling techniques related to the topic but also pay special attention to the students concerned. The population is widely informed through the media and within the framework of personal discussions at public forums and events. The sending of information e-mails is an efficient way of information; every county may send current news and information in these. Each territorial police organisation has several activities focussing on awareness-raising related to this topic.

Prevention

The prevention programme that started in 2012 has continued between 2013 and 2015 with the support of the Ministry of Human Capacities, addressing the 14–18 age group. The aim of the programme is to prevent victimization. The initiative had an outreach to around 3,600 students between 2012 and 2015. 2016 was a landmark in the programme: it evolved into a national programme through the utilization of development resources. Currently 17 civil organizations are involved in its management.

Based on the experiences of professionals the youngsters' knowledge about domestic violence and abuse is rather superficial and thus tends to be insufficient, which further aggravates their exposure and vulnerability. It further complicates the solution of the situation, that the problem is considered as a taboo, the youngsters (and adults) do not dare to talk about it; in many cases they can not even identify that they, themselves are victims, or do not know

whom to ask for help or where to turn with trust; this is what the programme is supposed to help for.

Awareness-raising

The campaign under the slogan "Notice it!" was organized five times between 2014 and 2017, relying on the Ministry of Human Capacities support. It wishes to stress the unacceptability of domestic violence and underlines the importance of the timely notification of the problem.

The campaign also has a website, with separate pages for adults, children and youngsters. It gives a description about the various forms of domestic violence, the signs of violence and specifies the sources of help, along with the supporters' availabilities.

The campaign was revived in 2018, and it received a new slogan ("Love doesn't hurt!")¹ and a new image.

The key elements of the campaigns are: television and radio spots, billboards, city lights, paid newspaper ads, Facebook campaign, press releases and local PR actions.

Upon the Ministry of Human Capacities' request, the Media and Infocommunications Commissioner of the National Media and Infocommunications Authority made a recommendation in 2015, in which it invited the media representatives to indicate the phone number of the of the National Crisis Management and Information Telephone Service on their interfaces by the media contents related to human trafficking and domestic violence based contents on their interfaces, with the underlying reason to make help available to everyone. The National Crisis Management and Information Telephone Service can be called 24/7 at free of charge.

The Act of Denunciation as well as the Pending Criminal Proceedings are needed in case of instant financial assistance, proof of victim status, and state compensation out of the granted supports according to the Act CXXXV of 2005 on Crime Victim Support and State Compensation. In order to make it easier to enforce interest the victim support service helps victims (such as abused women) according to their needs to be able to enforce their rights and give a hand in requiring healthcare, health insurance and social benefits or other state support. There is a possibility also that the associates of the victim support service give support in handing in denunciation, getting in contact with the associates of partner institutions so that the victim can get appropriate support in time at the right place. Given the nature of the crime, in such cases the staff of the victim support service will pay particular attention during the conversation with the person contacting them.

Measures from development resources

When planning the development projects in the framework of combatting violence against women, the department was paying attention to the Istanbul Convention. Combatting domestic violence appears in two priority projects and two projects from development resources in a tender construction.

¹ www.aszeretnemart.hu

The **'Safe Shelter'** (EFOP-1.2.5-16) tender with an amount of HUF 1.64 billion (USD 5,635,000) targeted the complex development of the scheme for the victims of violence and human trafficking, beside introducing a new service element (Crisis Management Ambulance) which was missing from the national scheme. (The results of the development were detailed when describing the benefit scheme).

In the framework of The **'Safety Net for Families'** (EFOP-1.2.1-15) tender it was possible to accomplish prevention programmes. The tender made it possible to continue the pilot programme mentioned before. Currently, 17 organizations are involved in the work of prevention.

The **'Development of Crisis Management Services'** (EFOP-1.2.4-VEKOP-16) priority project is implemented from an amount of HUF 1.16 billion (USD 4,000,000) resource; the project includes the development of the National Crisis Management and Information Telephone Service. The development has multiple activities, the database system of the National Crisis Management and Information Telephone Service is getting renewed, and the possibility of online advice service is established as a new service element. The project also ensures the human resource needed for the multiple tasks.

The education of the members of the child protection alarm system will be realized with the involvement of 5,000 persons in the framework of the priority project.

The professional staff of the National Crisis Management and Information Telephone Service was supplemented by an attorney and the development of the training material and the training of educators was accomplished. The frame of the training is an online material which is complemented by local training with the focus on awareness-raising.

The priority **project of 'Family Friendly Country'** (EFOP-1.2.6-VEKOP-17) **is connected to combatting domestic violence in three aspects.** It supports a national representative survey, which measures the concernedness in domestic violence, the general knowledge and attitude related to the topic and it describes the complexity of domestic violence. The project ensures the accomplishment of a complex, awareness-raising campaign and the preparation of information materials that can be distributed on a broad scale and can be updated continuously. The preparation of research plans has been completed in 2018 and the campaign will be built upon the results of the 2019-survey.

The Government has set an amount of HUF 3 billion (USD 10,309,000) from development resources to combat domestic violence and human trafficking and in the next phase an amount of HUF 7 billion (USD 24,050,000) is set.

(f) Collect statistical data on all forms of violence against women disaggregated by sex and age and on the relationship between the victims and the perpetrators in cases of domestic and sexual violence against women;

Criminal data disaggregated by sex and age are available in criminal statistics regarding perpetrators and victims as well. However, disaggregation by relationship between the victims and the perpetrators is **provided only regarding the victims** It is not possible to query criminal offences related to domestic violence with regard to the perpetrators.

The Central Statistical Office started to prepare a Gender Based Violence Pilot Survey coordinated by Eurostat to be implemented in 2019 the experiences of which shall govern the implementation of the **major survey in 2020**.

The survey shall be implemented according to an internationally harmonised methodology, using a pre-determined questionnaire. Respondents shall be chosen by random sampling from among the population aged 18 or more (around **1,500 persons**). The population included in the sample shall be contacted by skilled, sensitivity-trained interviewers having special skills who convince request them to cooperate in the survey. The questionnaire is long and due to the topic includes sensitive questions due to the topic. The aim of the pilot survey is to test the questionnaire and the data collection methods. The fieldwork of the pilot survey is about to be concluded soon sampling, translation of the questionnaire, finalisation of documents, organisation and education of interviewers have already been completed. The pilot survey is conducted during in April **of 2019**.

(g) Amend its Criminal Code to ensure that rape is defined on the basis of the lack of voluntary consent of the victim;

Maybe one of the most critical measures of the Criminal Code that was inspired by CEDAW recommendations is the regulation of sexual acts committed without consent as a separate criminal offence. The criminal offence of sexual coercion (section 196 of the Criminal Code) ensures an earlier protection by criminal law compared to the criminal offence of sexual violence since it renders punishable a sexual act committed by “simple” threat, also known as sexual extortion, instead of a sexual act committed by violence or qualified threat (meaning a direct threat against life or bodily integrity), which is prescribed by the criminal offence of sexual violence. Coercing someone to engage in or endure a sexual act includes every kind of behaviour that causes the victim not to give voluntary and free consent to the sexual act, thus he or she is pressured in some way. It is punishable more severely if sexual coercion is committed against a person under the age of eighteen years (from 2 to 8 years of imprisonment) or the age of fourteen years (from 5 to 10 years of imprisonment).

(h) Ensure appropriate and easily accessible health-care services for women victims of rape combined with immediate medical and forensic examination to collect the evidence needed for prosecution of perpetrators;

In Hungary, female victims of rape have access to proper and easily accessible healthcare services. The healthcare background necessary for the primary care of the victims and the collection of the evidence required for accusation **is available every day, 24 hours a day in the framework of the emergency patient care system (basic care duty, ambulance, hospital emergency units)**.

(i) Ratify as soon as possible the Council of Europe Convention on preventing and combating violence against women and domestic violence.

On 14 March 2014, **Hungary signed** the Council of Europe Convention on preventing and combating violence against women and domestic violence (known as the Istanbul Convention).

The Istanbul Convention provides for complex legislative and action obligations for the Member States and therefore preparation for the ratification requires cooperation by the whole

Government. During this, the necessary legislative tasks, other Government measures and budgetary resources need to be identified, too.

Furthermore, the European Union's access to the Istanbul Convention is ongoing. The European Union may access to the Istanbul Convention with regard to issues within its competence to the extent the Istanbul Convention may concern common rules or change their application. Beyond this, the Member States shall keep their own competences. Since the competence of the European Union and the competences of the Member States are related to each other, the European Union should also become party to the Istanbul Convention besides the Member States so that the European Union and its Member States may comply with their obligations imposed by the Istanbul Convention on them together, in a coherent way, supplementing each other's competences. The two processes cannot be separated from each other. The Commission has not identified the obligations binding EU institutions and the way of meeting these obligations yet.

Trafficking and exploitation of prostitution

22. While noting the more comprehensive definition of trafficking in human beings in the Criminal Code and the adoption of a national mechanism for identification of victims, the Committee remains concerned about the insufficient number of shelters for women who are victims of trafficking and their limited access to justice and to adequate remedies, including compensation. The Committee observes with concern the information on stigmatization of the children victims of sexual exploitation. The Committee is also concerned about discrimination against women sex workers and the lack of State party's action aimed at ensuring safe working conditions and exit programmes for those wishing to leave this activity.

23. The Committee recommends that the State party:

(a) Consider including in its new strategy against trafficking in human beings for the period 2013–2016 measures to address the root causes of trafficking in women and girls;

The point entitled “B. **Efficient prevention and awareness-forming and awareness-raising**” of the national strategy for 2013 to 2016 includes activities requiring research related to human trafficking for the purposes of enhancing social awareness. Now the next **strategy** against the trafficking in human beings **is being prepared** during which special attention is paid to knowing the reasons of victimisation better.

(b) Increase the number of State-run temporary shelters for women victims of trafficking and enhance the responsiveness of territorial centres to their needs;

The **Opportunity for Families Foundation** operates two **protected shelters** for **12 victims each** with state support in Hungary in 2018. Apart from the two protected shelters, exit half-way houses were established in 2018 where the victims may stay further for **five years**. (See Section 21(d).) The Ministry of Justice **opened Victim Support Centres in three venues** in 2018 the purpose of which is that the victims of crimes may receive the necessary care and support at a single place in a concentrated way. Further centres are expected to be opened according to the plans in the future.

(c) Provide adequate assistance and protection to all women victims of trafficking in human beings, including by ensuring legal aid for victims and their reintegration into the society;

The Police participated in the 5.4.4. “*Information and awareness-raising campaign against human trafficking*” as supported by the **Internal Security Fund** of the **International Organisation for Migration (IOM)** where programme elements included the screening of the *movie entitled “Viktoria: A Tale of Grace and Greed”* and the following discussion. Furthermore, staff of the International Organisation for Migration delivered school lectures and prevention courses in the most relevant institutions where they promoted the website and other information material of the “*Don’t Let It*” awareness-raising campaign related to human trafficking. School lessons expressly focussed on the phenomena of sexual and labour-related exploitation. The target group included secondary school age group and almost **2,250 pupils** could have been reached during the external courses. In the project, the National Police Headquarters, the Budapest Police Headquarters, the Baranya, Borsod-Abaúj-Zemplén, Heves, Nógrád and Szabolcs-Szatmár-Bereg County Police Headquarters participated.

The aim of the project No. 5.3.4. entitled “**Organisation of victim protection training courses related to combating human trafficking**” of the 2014-2016 working programme of the Internal Security Fund was to effectively identify and manage victims. The National Police Headquarters involved experts affected by the detection of human trafficking crimes, investigation and the protection and support of the victims of human trafficking (policemen, specialised labour administrators, victim assistants, healthcare visitors, probation supervisors, educators of children’s homes, providers of legal assistance) in the training, that is, **625 persons** on the whole.

(d) Ensure that children in prostitution are not treated as offenders but as victims;

In the case of young people under 18, voluntary consent to prostitution is always questionable since the young generally conduct this activity under financial pressure or coercion by the procurer. For the purposes of solving the problem, the National Police Headquarters **suggested to implement a complex programme** as detailed in the following.

Upon the starting of the protection of children under 18 engaged in prostitution or upon the starting of their temporary education, the provisions of **Act XXXI of 1997 on the Protection of Children and Guardianship Administration** should be complied with. For the protection of the children, it should always be checked whether a crime is committed in relation with the prostitution activity (promotion of prostitution, exploitation of children’s prostitution, jeopardising of a minor). This should be assessed by the experts at case discussions in the case of each child and this would lead to decisions on further necessary tasks (criminal proceedings, protection, leaving of the family, referral to a special institute etc.).

The **National Police Headquarters** issued **Action Plans** for the purposes of preventing children’s prostitution. In this framework it prepared educational material and organised training for the policing and criminal staff for the uniform implementation of the Instruction of the National Police Headquarters on the implementation of police tasks related to the handling of prostitution-related breaches of law and human trafficking. According to the contents of the Action Plans, territorial police organisations should initiate the conclusion of cooperation agreements with child protection institutions and revise the local programmes elaborated and operated by them, with introducing the necessary amendments.

(e) Adopt measures aimed at preventing discrimination against sex workers and ensure that legislation on their right to safe working conditions is guaranteed at national and local levels.

In Hungary, prostitution has been legal since 1999 and the Criminal Code in force does not impose sanctions in this regard. If a person working in prostitution becomes subject to an offence procedure for illegal prostitution and it can be proven that the person is the victim of human trafficking, the procedure may be suspended or the penalty formerly imposed relieved under the Act on offences.

(f) Ratify the Council of Europe Convention on Action against Trafficking in Human Beings (2005).

Hungary ratified the Council of Europe Convention on Action Against Trafficking in Human Beings by **Act XVIII of 2013**.

Participation in political and public life

24. While noting the increasing participation of women in the judiciary and the foreign service, the Committee is concerned about the underrepresentation of women in senior positions in the Government and Parliament. It notes with concern that the proposed Quota Act was rejected by Parliament and no other measures have been undertaken to address the situation. The Committee expresses concern at statements made by male politicians in public debates in Parliament that discriminate against women and reinforce gender stereotypes.

25. The Committee recommends that the State party:

(a) Introduce temporary special measures, such as gender quotas for candidates for elections nominated by political parties and a gender parity system for political appointments, with a view to ensuring the equal representation of women and men in elected and appointed political bodies, including in decision-making positions; and

(b) Apply gender impact assessments to its electoral legislation, including laws concerning political parties and their financing, with a view to making electoral legislation and related laws more conducive to equality of women in political life.

According to the Article XV of the Fundamental Law, the Hungarian constitutional framework enables that positive differentiated measures being applied in order to enhance equal opportunities. Under paragraphs (4) and (5) of Article XV of the Fundamental Law, Hungary shall help to achieve equality of opportunity and social inclusion and protect families, children, women, the elderly and those living with disabilities by means of separate measures. Therefore, Article XV of the Fundamental Law and, accordingly, Section 11 of Act CXXV of 2003 on Equal Treatment and the Promotion of Equal Opportunities, allow for the application of measures that foster equal opportunities between women and men, such as, female quotas. There are, however, various ways of enhancing equal opportunity between women and men, of which the quota system is just one method, therefore equal opportunities for the targeted groups (women) can be promoted in several other ways and using various methods.

The Government of Hungary still believes that it is of great importance that women should be able to receive senior or leadership positions with fair chances and opportunities as well as that they should be able to participate public life, including legislation. There are several European countries where different systems are in place to promote this either on a voluntary or, on a legal basis. The majority of the European states, including the Government of Hungary believes that more time is needed to see whether such measures are able to achieve the expected results and will increase the participation of women in economic and political decision-making.

The Government of Hungary does not think that the quota system can be an effective solution since it is against the principle of equal opportunities if women are preferred to men. Furthermore, choosing politicians according to their sex and not to their suitability for the positions several suitable candidates may be left ignored in this way. Moreover, in countries where the quota system was introduced, it did not meet the expectations.

Education

26. While noting women's high level of education, the Committee remains concerned that women and girls continue to choose traditionally female-dominated fields of education, such as social sciences and humanities, and that they are underrepresented in technical and vocational training. The Committee also notes that women are overrepresented as teachers but it regrets that no data are provided on women holding decision-making positions in schools and faculties. While noting the Strategic Plan of the Decade of Roma Inclusion Programme, the Committee is concerned about the lack of information on the situation of Roma girls in the education system. The Committee is further concerned that educational programmes aimed at strengthening family life skills reinforce traditional gender stereotypes.

Prevention of school-leaving of Roma girls (*See in details in point 36.*)

In the academic year of 2015/2016 the **Prevention of school-leaving of Roma girls** (EFOP-1.4.4-16 - Human Resources Development Operative Programme construction) “**BARI SHEJ – BIG GIRL – FĂTĂ MĂRÉ**” programme was launched and continued from 2017 aiming to decrease early school-leaving, to strengthen capacities and tools of institutions developing key competences, namely to make vocational training more effective. The target group of the tender are disadvantaged students and Roma students. During the above mentioned two academic years the programme was carried out from domestic financing with a total amount of **HUF 285 million (USD 980,000)**, thanks to which at least **750 girls** were reached in the most underprivileged settlements. From the 2017/2018 academic year it continues with a longer, 24-month duration **and a budget of HUF 2 billion (USD 6,870,000)** and at least **1,800 young girls struggling with disadvantages** are improved.

See detailed report about Education for Family Life in 27. d).

27. The Committee recommends that the State party:

(a) Intensify its efforts aimed at diversifying academic and vocational choices for women and men and take further measures to encourage women and men to choose non-traditional fields of education and careers;

Public education

The aim of the educational sector is to reinforce career guidance in the system of public education institutions, with a special regard to the promotion of choosing careers related to mathematics, science, IT and technical studies and to the development of the related competences. This would support a conscious career building during the adulthood and the foundation of a successful participation in the labour market in the future, including the acquisition of the necessary skills.

In the system of public education, there is a free career guidance system helping further training and career choice which is accessible for each pupil. Career guidance activities appear on two levels:

- on the level of educational and teaching institutions (basically by direct activities, embedded into school processes), and
- on the level of specialised pedagogical institutions as further training and career choice advising (contact tasks including status survey, career suitability diagnostics and motivation mapping, and coordinating tasks).

The implementation of career guidance-related tasks is supported by the following constructions belonging to the Human Resource Development Operational Programme:

- The project EFOP-3.2.5-17 is implemented by 41 school operators supported by **HUF 3.66 billion (USD 12,576,000)**. In this framework, **general career guidance activities and awareness-raising** are conducted in the school, either during or outside the school lessons throughout the academic year.
- The project EFOP-3.2.13-17 implemented by the Educational Office supported by **HUF 1 billion** mainly aims at **professional and methodological support** provided for the reinforcement of career guidance in public education institutions, **and the promotion of the choice of mathematical, scientific, IT and technical studies**.
- In the project EFOP-3.4.4-16, higher education institutions conduct specific activities corresponding to their profiles from the 6th to the 12th classes by supplementary services and skill development and communication programmes **that help the access to higher education**. The project is implemented by 23 higher education institutions supported by **HUF 7.8 billion (USD 26,800,000)**.

In the interest of making the career guidance work in public education more efficient, the management of education puts special emphasis on career guidance activities conducted within the formal and informal framework. The realisation of this purpose is served, among others, by **the working day without teaching which should be used only for career guidance purposes** and which has been included in the Decree of the Minister of Human Capacities on the order of the academic years for two years now.

Compulsory elements of the programme:

- Introduction of at least one female role model in an interactive, awareness-raising, interesting way by showing a good example from each scientific areas where women are underrepresented;
- Career guidance primarily for girls according to the programme designed for them;
- The support of talented girls with individual development plans;
- Organized visits to different places relating to at least two scientific areas where women are underrepresented;
- Popularize positive role models through media;

- Trainings and workshops that facilitate the advancement of young female talents on scientific areas and the acceptance of women's involvement and their equal treatment with men.

The supported programmes and projects are carried out between 1st July 2018 and 30th June 2019.

The **Association of Hungarian Women in Science** has joined the international **Girls' Day** initiative and launched its Hungarian version in 2012. It is an interactive open day exclusively for high school girls with several venues. On Girls' Day technology companies, research- and educational institutes open their doors to high school girls in order to raise their interests in science, technology, engineering and mathematics. It is also a good opportunity to get first-hand experience about the fact that girls are also welcome to these jobs and also about the companies which are considered wrongly as male territories. **10 000 girls have participated** the Girls' Day events so far and had the opportunity to gain personal experience about science and technology jobs. The number of **hosting organisation increased from 22 to 80 in 7 years**, while achieved a tenfold increase in the number of participating girls during this time.

The **SMARTIZ Programme** of the **Association of Hungarian Women in Science** has started in 2018 with the objective of increasing the number of underprivileged girls enrolling into coding schools or higher education STEM and IT programs in order to increase their employability. The program seeks high school girls who could be interested in such education and professions but due to their social, economic and very often family background they lack access to proper education and support that often results in dropping out without pursuing a high school diploma. Girls are selected through an interview process and then provided an innovative outside the classroom math and digital skills education and a supporting mentoring program. The participating girls felt a better engagement to education, their school performance improved. **The Ministry of State for Family and Youth Affairs has nominated the SMARTIZ Programme** of the Association of Hungarian Women in Science **for the UNESCO Prize for Girls' and Women's Education in 2019.**

The National Assembly **created Act CLXXXVII of 2011 on Vocational Training** for the purposes of **ensuring the acquiring of qualifications** sought and recognised by the labour market and the economy **by mainstreaming the principle of equal opportunities**, the promotion of a flexible vocational training system which is able to satisfy the needs of the global and the national economy and promotes employability, and the mainstreaming of the right to cultivation and work as provided for in the Fundamental Law.

In accordance with the fundamental principles provided for in the Act on Vocational training, the carry-out of vocational training tasks should be organised in accordance with the principles of efficiency, professionalism and high-level quality and the principle of accessibility with equal opportunities. **The Act on Vocational Training provides education-related rights for every student without regard to the sex of the student.** The Act on Vocational Training provides special protection for girls participating in formal vocational training under an apprenticeship contract during the pregnancy and following the childbirth.

The Government Decree 252/2016. (VIII. 24.) on the Szabóky Adolf Vocational Training Grant also **provides a grant to every pupil who participates in a full-time state-supported school-based vocational training course** which prepares them for a qualification affected by skills shortages **without regard to the sex of the pupil.** When determining skills

shortages, it was also taken into consideration that as many women as possible should get opportunities to acquire qualifications affected by skills shortages so that they could benefit from the grant.

In the case of EU-supported projects, a uniform guidance for the mainstreaming of equal opportunities-related aspects was prepared for the calls. Requirements related to equal opportunities and the equality between women and men are detailed in the document entitled General Guidance to the Calls². **During the measures serving the development of the specialised training system and adult training, the training of those with low qualifications and public employees and the support of workplace training, expectations laid down in the General Guidance were mainstreamed for ensuring the equal opportunities of women.**

Provisions supporting women in higher education

There are several provisions laid down by Act CCIV of 2011 on National Higher Education, which present **the support of women who are on unpaid leave to care for their children, receiving infant care allowance, child-care allowance, child-raising support or child-care fee.** For example, equal opportunity is being ensured by the Government of Hungary for applicants belonging to the categories listed above and to other disadvantaged groups – such as people with disabilities – throughout the application procedure in higher education and during the course of determining the number of students whose degrees shall be (fully or partly) financed by the state. [Section 41(1) of the Act on National Higher Education].

Students engaged in studies financed (fully or partly) by the Hungarian State shall comply with several obligations in return, for example, within twenty years following the acquisition of the degree the student shall enter into employment in Hungary which shall be maintained for a period equal as that of the course of studies (fully or partly) financed by the state. However, the time during which maternity benefit, childcare allowance and childcare fee is being received constitutes a part of this period of employment in the country. The given obligation or part of it shall be considered to have been fulfilled, if the student is unable to meet the requirements without any fault on his part, due to change of ability to work – e.g. childbirth, bringing up two or more children or any other, unexpected events. [Points A, B, L, O of Section 48 of the Act on National Higher Education]

A parent insured is entitled to receive a childcare fee, if he/she was covered by health insurance for at least 365 days preceding the birth of the child. An exception may be the case of parents being students at an institution of higher education, they are entitled to the so called ‘degree holder’s child care fee’ (See 15. c))

The analysis of the situation of women’s participation in higher education, carried out in the framework of the so called **“Gear Shifting in Higher Education – a Medium Term Policy Strategy 2016”** (hereinafter referred to as the **strategy**) adopted by the Government of Hungary by Government Resolution 1785/2016. (XII. 16.) concluded that women’s equal access to higher education is ensured: the rate of female student in academic year 2013/2014 was 54.8%.

² Contact: <https://www.palyazat.gov.hu/doc/4404>

Based on the data, the statistical rate of female students is permanently above 50%. **Out of 283,350 students 152,640 are women.** ³ Regarding the sex of people holding a higher-education degree women are even more overrepresented: In 2014 **62% of the students who had earned a degree were female**, which suggests that women complete their academic studies at a higher rate. Nevertheless, the gender differences characterising the different areas of education – just like in the majority of the member states of the EU – show wider disparities: as for the fields of **IT and technical studies**, they are largely dominated by male students, while in other fields – such as **teacher training and arts** – the over-representation of female students is outstanding. In order to motivate women to engage in studies related to and orient them towards the fields of STEM (science, technology, engineering, and mathematics), the strategy and the **Action Plan for 2016-2020** thereof, adopted by *Government Resolution 1359 of 2017 (VI. 12.)* designed the following objectives and measures to fulfil such objectives aimed at reducing the imbalances between women and men:

Objective 2.1.2: An educational system creating opportunities, presenting social advancement and offering broad access: one of the key areas of this objective concerns women (female pupils and students). The measures related to this objective are:

The development and extension of the scope of special student services:

- The launch of programmes offering career guidance and skills development for pupils from the 6th grade onwards, with special focus devoted to the preparation of girls for STEM (science, technology, engineering, and mathematics) majors.
- Investments aimed at promoting distance learning opportunities for female students and providing child-friendly facilities at educational sites (baby changing and nursing room, kids' corners, child care), and the implementation of gap-filling projects in the area of student services at the campus.

EFOP-1.2.3-16: Institutional developments in the field of higher education with the objective to simultaneously improve the quality and accessibility of higher education (HUF 0.43 billion – USD 1,478,000)

EFOP-3.2.4-16: The implementation of skills-development and communication programmes promoting access to higher education, and the promotion of STEM (science, technology, engineering, and mathematics) majors in higher education (HUF 0.96 billion – USD 3,300,000).

Objective 2.2.6 Increasing the number of female university teachers and researchers in the areas characterised by the under-representation of women and in leadership positions.

In operations providing for a rising generation of researchers, special attention must be paid to gender equality to reduce the career disadvantages of female researchers that can be observed from the postdoctoral stage onwards.

Developmental projects implementing this measure:

³

https://www.oktatas.hu/felsooktatas/kozerdeku_adatok/felsooktatasi_adatok_kozzetetele/felsooktatasi_statistikak

EFOP-4.2.1-16 Infrastructural development in higher education (HUF 0.71 billion – USD 2,440,000)

EFOP 3.4.3-16 Institutional developments in the field of higher education with the objective to simultaneously improve the quality and accessibility of higher education (HUF 0.42 billion- USD 1,443,000)

The objective is to launch projects of infrastructural and organisational development required to promote part-time employment, and to provide for the projects of infrastructural and organisational development needed for the creation and expansion of child-friendly workplaces. (Investments facilitating the participation of university teachers by promoting the engagement of women in part-time employment or teleworking and by providing for child-friendly facilities at educational sites (baby changing and nursing room, kids' corners, child care), and investments that may be considered to be gap-filling regarding the areas of teacher services at the site (campus), in order to provide for an increase regarding the next generation of female teachers and researchers.)

EFOP-4.2.1-16 Infrastructural development in higher education (HUF 3.07 billion – USD 1,055,000)

EFOP 3.4.3-16 Institutional developments in the field of higher education with the objective to simultaneously improve the quality and accessibility of higher education (HUF 0.42 billion –USD 1,443,000)

Objective 6.2. b Ensuring a sufficient number of applicants to STEM courses with the aim of training an appropriate number of graduates meeting the demand for professionals in the economy and in the academic field.

In order to increase the willingness of students to apply to STEM courses, activities promoting sciences and disseminating information are to be performed. Career guidance programmes are being set up with the aim of presenting and promoting professions concerning science, engineering and information technology, and research careers for and among high-school students.

In relation to the point outlined above, students who have not been eager so far to participate in STEM courses are being encouraged to apply to courses of such areas of education. To this end, skills-development, communication and guidance programmes are set up even for children at the age of 10-12 and above.

The rate of participation of women in IT and technical education remains well-below the rate of men (it is only 14% and 24% for female students respectively). In order to involve talented women in these two areas more, it is a reasonable step to support their participation in these fields.

EFOP-3.2.4-16: The implementation of skills-development and communication programmes promoting access to higher education, and the promotion of STEM majors in higher education.(HUF 1.28 billion- USD 4,398,000)

In addition, family education should be mentioned (see Point 27.d).

(b) Adopt a system to collect disaggregated relevant statistical data regarding the situation of Roma girls in the education system that allows the State party to measure the results of its programmes and resource allocation;

Prevention of school leaving of Roma girls (See Point 26 and 36.)
(EFOP-1.4.4-17 Bari Shej – Big girl – Fata Máré)

In the academic year of 2015/2016 the **Prevention of school leaving of Roma girls (EFOP-1.4.4-16) “BARI SHEJ – BIG GIRL – FÁTĀ MÁRÉ”** programme was launched, 26 organisations started working, then continued by 21 organisations in the academic year of 2016/2017. During the above mentioned two academic years the programme was carried out from domestic financing with a total amount of **HUF 285 million (USD 979,000)**, thanks to which at least **750 girls** were reached in the most underprivileged settlements. From the 2017/2018 academic year it continues with a longer, 24-month duration **and a budget of HUF 2 billion (USD 6,872,000)**. In the framework of the EFOP-1.4.4-17 (Human Resource Development Operative Program construction) 89 winning organisations can realize their activities and at least **1,800 young girls struggling with disadvantages** are improved.

(c) Eliminate segregation of Roma girls in the educational system and provide them with equal access to quality education at all levels;

Act CXC of 2011 on National Public Education and **Act CXXV of 2005 on Equal Treatment and Promotion of Equal Opportunities (Act on Equal Treatment)** expressly prohibit segregation; any discriminatory actions taken by schools or their operators are to be considered unlawful. Education is lawful only if it satisfies all the requirements of education based on religious faith and all the requirements of nationality education at the same time, and therefore, students may participate in that – based on their free and uninfluenced choice – on the basis of their religion and nationality. **The nationality education policy also contains extra requirements to ensure the equivalence in the quality of nationality education provided to Roma pupils** (Decree 17 of 2013. (III. 1.) of the Minister of Human Capacities).

Pursuant to the current provision aimed at the prevention of segregation within schools, if there are more classes operating within the same grade in a certain primary school, the ratio of disadvantaged pupils to the total number of students within the classes (ratio within the class) of a certain grade may not exceed 0.25% (in case of fractions, the number of students shall be rounded up). **Therefore, following enrolment, the balanced distribution of disadvantaged pupils is also to be considered when putting the classes together.** According to a statement issued by the Hungarian Academy of Science, **the rate of segregation affecting multiply disadvantaged pupils within their schools is low, and the value of the gap-based-index, which was 4.69 in 2011, decreased to 4.21 by 2015.**

With a view to consolidating academic success, kindergarten attendance for children over 3 years of age has become obligatory as of September 2015. In Hungary, 91% of Roma children attend kindergarten and this ratio is close to that of the non-Roma children, and the highest in the region. **An early signalling pedagogical support scheme aimed at preventing dropouts was introduced in November 2016**, in order to draw attention to those situations and areas in need of development that could contribute to the prevention of dropouts both regarding the student-teacher, and the institutional development and management levels. **The rate of children at risk of dropping out of school showed a decrease** in the second year of the

implementation of the scheme already. With the introduction of the signalling scheme, the support of children at risk of dropping out has been given more attention in the institutions than before, and the institutions themselves are looking for various means of and potentials for support enabling them to perform better in this field.

Roma women/girls are considered a multiply disadvantaged group even within the Roma population. The rate of those with no more than primary school qualification is two and a half times higher among them than among their non-Roma counterparts. Consequently, their chances on the labour market are often devastating. The programme launched in their interest is open to those 10-18-year-old Roma girls in the case of whom risks or symptoms of dropping out could be identified. Mainly Roma women are to be involved in the programme as mentors. Their task is to provide personal support in order to mobilise individual, family and local community resources in the interest of increasing the chances of children who are exposed to early school-leaving.

(d) Ensure that educational programmes on family life skills adequately address the principle of non-discrimination and substantive equality of women and men and the prevailing stereotypes against women.

Education for Family Life

Family has an outstanding importance in shaping the moral senses, loving relationships, self-knowledge and physical and mental health of children and adolescents. The changes of the nearer and wider environment, restructuring in the value system and difficulties in the functioning of some families made it necessary to integrate the education for family life into public education. The preparation for family life helps children and adolescents to form responsible relationships and it transfers knowledge on how to manage conflicts arising in their family lives. **Schools should address the questions of sexual culture as well. The National Core Curricula** specifies twelve development areas, one of which is education for family life, which appears in nearly all subjects. Out of them it should be highlighted **the subject of ethics taught in grades 5–8** in all public educational institutions, the content of which (e.g. sexuality, love, marriage, family, home creation, prejudice, trust and empathy) provide a wide range of opportunities **to address the question of equality between men and women** in the classes. The National Core Curriculum also provides an opportunity for the public educational institutions to transfer this knowledge to the students in grades 1–12 **as a separate subject (education for family life).**

Since 2012 Károli Gáspár University of the Reformed Church Faculty of Humanities and Social Sciences has introduced a 40-hours accredited course with the title of Education for Family Life based on the National Core Curriculum.

The 8 modules of the training:

1. Social relations, communication and conflict management module
2. Self-knowledge and emotional intelligence module
3. Character and values module
4. Family function module
5. Sexuality module
6. Dangers and deviances module
7. Theoretical and methodological module

In Debrecen University, as a 4-semester subject, a course was launched in September 2017 on the topic of family life education, which prepares teachers for specialist examination.

Employment

28. The Committee is concerned about the lack of a gender perspective in its legislation and policies related to the labour market. It notes with concern that the participation of women in the labour market remains low and that only a few steps have been taken to entitle women to reconcile work and family life. On the contrary, dismissal protection for mothers of small children seems to have been reduced. The Committee also notes the increased gender pay gap although the new Labour Code includes numerous criteria to effectively guarantee equal remuneration for work of equal value. The Committee notes with concern that Roma women and migrant women are almost excluded from the labour market. It is also concerned about the absence of guidelines for public and private employers in order to ensure that women with disabilities have adequate access to employment, including through the necessary reasonable accommodation.

29. The Committee recommends that the State party:

(a) Further intensify necessary measures and introduce temporary special measures, with time-bound targets and indicators, to ensure the substantive equality of women with men in the labour market, promote the employment of women, eliminate occupational segregation and close the gender wage gap;

Point 29 of the recommendation emphasises the importance of introducing governmental measures aimed at fostering the compatibility of work and family life. There is a clear trend to be observed, namely, that in places where the rate of employment is high among women, women could take a step forward in achieving reconciliation between family and working life. Therefore, **the Hungarian Government promotes the employment of women raising children.** However, it is important to point out that family and career shall not be elements excluding, but rather elements supporting each other in people's lives.

The development of the position of women on the labour market

One of the most important results of the Hungarian economy being permanently put on a growth path is the considerable improvement achieved regarding the employment position of women. During the period between 2013 and 2018 the **number of women (aged 15-64) participating in the labour market increased by more than 100,000.** The activity rate of women between the ages of 15-64 increased by 6.6 percentage points, while the rate of employment improved even at a faster pace and increased by 9.7 percentage points. The level of employment, which is 65.5% in Hungary, is just a few tenths of a percentage point below the average of the European Union. As for the employment of women, Hungary ranks second among the countries of the Visegrád group, following the Czech Republic (67.5%) and preceding Poland (61.4%) and Slovakia (60.5%).

According to annual data, **the number of women employed increased by 215,000** between 2013 and 2017. This number increased at a rate of nearly 20% in the agricultural sector, 16.5% in the industrial sector and more than 10% in the services sector. Among the various industries, **it was the manufacturing industry where most of the jobs have been created**

and now the industry employs 50,000 more women than 5 years ago. 80% of all the women employed work in the services sector, while the rate of female employees working in the industrial sector is nearly 20%. Less than 3% of them work in the agricultural sector. Within the services sector the proportion of women is the highest in the fields of health and social care (82.4%) and education (76.8%), while the rate of women employed by the manufacturing industry is the highest in the textile industry (81.3%).

It is a great achievement, that the employment rate of women between the ages of 25 and 49 and raising children has been increased by a great extent. The employment rate of women aged between 25 and 49 and raising children under the age of 3 increased from **11.9% to 15.3%**, while that of women raising children under the age 6 increased from **36,7% to 43%** within the same age group, during the period between 2013 and 2018. The activity rate of women is constantly getting closer to the average of the 28 Member States, with it being 65.4% in Hungary in the third quarter of 2018.

Apart from the improvements seen concerning employment figures, the rate of female unemployment has also followed the general trend, meaning, that it has significantly decreased. According to recent data available, **the unemployment rate of women has decreased to 4.1%**, while during a similar period in 2013 the same figure was at about 10%, as measured by the Central Statistical Office.

Measures of the Hungarian Government

Up till 2016 **public employment** programmes contributed to job creation by an increasing degree in the country's most underprivileged regions, which promoted the employment of a considerable number of underprivileged employees and their return to the labour market over the recent period. **The measure plays an imperative role in reducing poverty as well.** Over the last two years it has provided public employment opportunities to more women than men. The result of the increasing labour demand of the private sector is that a growing number of people can transfer from public employment to the private sector, which is supported by the government with a settlement allowance. The amount of the allowance doubled from November 2018.

The employment rate of women participating in public employment programmes increased from 38% to 56% between 2013 and 2018. In addition, the programme is increasingly focusing on **promoting the employment of underprivileged women.** While in 2013 almost 26 thousand uneducated (with max. 8 elementary grades) women were integrated in public employment per month, during the first 10 months of 2018 their number **grew to 45 thousand.** Despite of not knowing the ethnicity of individuals integrated in public employment, the conclusion can be drawn that such employment **is primarily supporting the Roma population.** The number of women participated in public employment programmes is the highest in those two counties, where the Roma population is most over-represented in the area. **The number of women involved in the programmes between 2013 and 2018 nearly doubled** in Szabolcs-Szatmár-Bereg County and increased by 73% in Borsod-Abaúj-Zemplén County.

In the framework of the **Job Protection Action Plan** programme, which was launched in 2013, contribution allowance is available to employers who hire - among other vulnerable employees such as workers under 25 and/or youngsters starting their career, employees above 55, or permanent job-seekers - mothers with young children. The sum may be claimed back

from the social contribution tax and the vocational training levy payable after the gross salary, and shall be automatically available **in the first 3 years of employment, or for an extended period of 5 years in case of parents with three or more children. This measure supports the employment of mothers with small children, female career starters and permanent job seekers from the employer's side.** The number of women raising small children and receiving employment benefit thanks to the Job Protection Action Plan increased by 30% between 2013 and 2018. In the first three quarters of 2018 the companies could utilize the tax benefit after an **average of 31 thousand women.**

In the period from January 2013 and December 2018 employment support for an average 769 thousand employees per month was granted in the amount of an average HUF 9.8 billion (USD 33,675,000) on a monthly basis.

From January 1st 2019 the benefit system of the Job Protection Action Plan has considerably changed, the employer is still eligible to get a contribution discount after employees entering the labour market, which is still available for people returning from the child-nursing period, permanent job seekers, career starters, as well as previously inactive persons. According to the new rules the maximum limit of benefits has positively changed, based on which instead of the previous HUF 100,000 (USD 344) benefits can be taken based on the prevailing minimum wage (gross HUF 149,000 – USD 512 in 2019).

The **Child Care Fee Extra** program, which was introduced in 2014, aims to ensure that having children does not automatically mean that parents are excluded from the labour market and that mothers are forced to decide whether they want to stay at home with their children or return to the job market. Since 1 January 2016, **mothers can return to the labour market once their child is six months of age, while continuing to receive child home care allowance and the child care fee.** The easy reconciliation of work and family obligations and the availability of **adequate accommodation and daycare for children** in all settlements are of key importance for families. In January 2017, the **daycare system for children was transformed** with the purpose of creating a flexible system, which, in addition to creating the proper institutional frameworks, can provide daycare and day-to-day supervision in the forms of family childcare in private homes or at workplaces, in harmony with the local and individual needs and parents' work schedules. (*See Point 15. c.*)

The expansion of the part-time employment opportunities is also highly important in the field of women's policy. Act on the Labour Code introduced **flexible and atypical forms of employment**, however the employment culture still need change in Hungary. Legislative conditions were established from the governmental side, however the cooperating willingness of employers as partners is needed, it is crucial to recognize that the promotion of atypical forms of employment would help in having motivated female workforce. If a mother with small children requires to be employed part-time, the employer is obliged to ensure it until the child reaches the age of 3, or the age of 5 in case of large families.

The **„Women 40+” program** was launched in 2013 in order to support job seeking women, who have lower employment chances especially due to their age. The further purpose of the programme was to ensure the missing period of retirement for women. Thanks to the support 13,000 women over 55 years of age could find a job. The program was relaunched in 2016, with employment support for further 700 women. In the framework of the program, 100% of the total amount of wage and social contribution tax was payed to employers in case of employing women from the target group. The duration of the support is maximum 8 years, at

the same time, employment cannot be longer than the number of months missing from the 40 years entitlement period employers are obliged to employ women from the target for the minimum of the half of the support period, which is an average of 4 months.

Road to the Labour Market programme

The aim of the “Road to the Labour Market” programme (GINOP 5.1.1. and VEKOP 8.1.1.) is to improve the employability of job seekers over 25 and inactive persons, **to support their employment on the open labour market**, as well as their transfer from public to private sector. Among others, persons returning to the labour market after childcare period or care for dependant constitute a priority target group within the programme. The **National Employment Service**, which is facilitating this programme, is supporting the employment of job seekers by providing trainings, wage or salary subsidies, **supporting entrepreneurship**, and also by personalized labour market services. The programme was launched at the end of 2015, and **HUF 231.8 billion (USD 796,509,000) is available nationwide for the financing** (HUF 214 billion – USD 735,345,000 in the less developed regions and HUF 17.8 billion – USD 61,164,000 in the Central-Hungarian region). According to the plans the executing governmental agencies and regional offices under the project will provide **support to more than 188 thousand job seekers till the end of 2021**. Since the start of the programme till the end of November 2018 nationwide over 134 thousand persons’ labour market situation was improved by some tool, out of which **more than 4,600 people returned to the labour market after childcare or care for dependant**.

Tackling the pay gap between men and women

A long term objective set by the Government of Hungary is to catch up with the developed Western European countries in terms of wages. Nevertheless, significant achievements have been already made regarding wage convergence in the past 5 years. In addition to the rate of employment, the purchasing power of wages is also constantly improving. In the first 9 months of 2018 real wages were increased by 9%, gradually increasing the level of household incomes, and hence, further improving the financial situation of Hungarian families. The level of real wages has been increased by 40% – also taking the family allowances provided into account – since the change of government in 2010, and at the same time, thanks to the government's family support policy, the rate of increase in real wages has almost reached 70% in families with 3 or more children.

The Government of Hungary is committed to make employees receive the same wage for the same job, regardless of their gender. Act CXXV of 2005 on Equal Treatment and Promotion of Equal Opportunities prohibits all types of discrimination, with special focus given to discrimination practices related to employment. The role of the Equal Treatment Authority is to investigate complaints filed concerning cases involving alleged discrimination and to mainstream the principles of equal treatment. The Authority acts on behalf of victims of discrimination.

It is a large step that the **pay gap between women and men has decreased in Hungary**. The wages of women catching up with that of men also have a positive impact on the families, but it improves the living conditions of single women especially. According to data published by Eurostat, the gender pay gap in Hungary was 17.6 % on average in 2010, while in 2016 it was **14.0%**, which means a decrease of 20.45%. The rate of the pay gap was 14% in the business and economic sector, 22% in the manufacturing industry, 15.8% in the field of electricity, gas,

stream and air conditioning supply, 34.2 % regarding financial and insurance activities and 20.6% concerning information and communication activities. In summary, we can conclude, that the rate of these differences is lower than the one that can be seen in other Member States. As the OECD report titled *Pursuit of Gender Pay Gap* suggests, women in the highest positions receive wages similar to that of their male counterparts occupying similar positions. Therefore, we can conclude, that the negative difference characterising women's wages is becoming smaller in Hungary.

This is largely due to the fact, that over the past few years, **significant wage increases** have taken place in the fields of public education, health and social care, which are all areas representing high rates of female employment. Public administration is also to be listed among such sectors, because female employees outnumber male employees in the field too. In 2016 the Government improved the salaries of people working in district offices and in 2017 increased the salaries of those employed by county government offices. The wage increases implemented in the health and social care sector were above the average both in 2016 and 2017.

(b) Establish mechanisms to conduct job evaluations in accordance with International Labour Organization standards both in the public and private sectors, adopt measures to redress discrimination against women at work and provide measures for promoting the reconciliation of work and family life;

The spreading of flexible employment in convergence regions (GINOP 5.3.1.; 5.3.2)

The aim of the measure **is to spread flexible employment and to facilitate the reconciliation of work-life balance. In the first application round (GINOP 5.3.1. budget: HUF 2 billion – USD 6,872,000)** 11 service provider consortium were selected, who audited small and medium-size enterprises (which have employees with small children) based on a jointly prepared, unified methodology in a coordinated way in order to review what kinds of actions are possible and necessary in order to introduce flexible employment forms and work organization solutions. **Altogether 832 small and medium-size enterprises were audited, concerning over 35 thousand employees.** In the second round of the application (GINOP 5.3.2) **from the HUF 6.56 billion (USD 22,541,000) budget 543 small and medium-size enterprises with reorganizational/development plan** received support in the amount of minimum HUF 3.1 – 15 million (USD 10,652- 51,542) to carry out their plans. In the framework of this programme activities such as the restructuring of the work organization, the introduction of flexible employment forms and work organizational methods, and the re-integration of people returning from childcare leave.

Support for the return of parents with small children to the labour market (GINOP 5.3.11)

The aim of the measure carried out from **HUF 9.8 billion (USD 33,645,000)** is to provide support for the return of parents with small children to the labour market. In the framework of the programme **parents with small children from less developed regions, who are returning to work could receive a subsidy of maximum HUF 40 thousand (USD 137) per month** to place their children in family or workplace nurseries during working hours, in case there is no nursery at their place of residence, or the number of applicants exceed the available capacities. The subsidy can be applied for children older than 20 weeks and younger than 3 years of age.

Provisions supporting women in the public sector

Act CXXV of 2018 on Governmental Administration supports female employees in a number of ways.

The protection against dismissal applies to pregnant women, women on maternity leave, women incapable of work due to taking care of their sick child/children and women receiving treatment related to a human reproduction procedure.

Nursing mothers shall be **exempted from work duties** for one hour twice daily, or two hours twice daily in the case of twins during the first six months of breastfeeding, and thereafter for one hour daily, or two hours daily in the case of twins until the end of the ninth month. Women shall be also exempted from work duties for the duration of mandatory medical examinations or for the duration of a treatment in a healthcare institution related to a human reproduction procedure.

As for leave of absence, time spent at work shall include the first six months of leave of absence without pay for caring for a child and the duration of leave of absence without pay – not exceeding 30 days – for providing care for a relative. **The extra days off granted for people with children** are also beneficial for mothers and fathers. Parents are entitled to take off 4 extra days in the case of one child, 8 days in the case of 2 children and 14 days altogether in the case of more than 2 children, regarding children below the age of 16.

Government officials also receive support for training courses, language training courses and specialist training courses during maternity leave and during absence without pay for caring for a child.

The **involvement of fathers in childcare** seeks to promote equal opportunities for men and women to an even greater extent. Fathers can apply for 8 extra days off (10 days in the case of twins) following the birth of their child/children.

As for the provisions regarding **working from home**, governmental employees with children at or under the age of 10 may work from home on more favourable terms.

(c) Further develop, in consultation with women with disabilities and their organizations, comprehensive criteria to provide reasonable accommodation in the workplace;

See Point 27.b)

(d) Establish mechanisms to ensure increased and effective access of Roma women and migrant women to the labour market, including through application of temporary special measures;

Woman is the Chance Programme (See 17.b)

(e) Undertake comprehensive strategies including programmes, in partnership with the business sector, to combat gender stereotypes and promote women's access to non-traditional jobs.

See 27. a)

Health

30. The Committee notes the State party's statement that the new article in the Fundamental Law protecting life from the moment of conception will not be used to restrict the present legislation and the access of women to abortion. The Committee is concerned about campaigns, including a recent poster campaign, supported by the State party that stigmatize abortion and seek to negatively influence the public view on abortion and contraception; the limited access to emergency contraceptives; the subjection of women who want surgical abortion to biased mandatory counselling and a three-day medically unnecessary waiting period; and at the increasing resort to conscientious objection by health professionals in the absence of an adequate regulatory framework. The Committee is also concerned at the limited access to modern, efficient methods of contraception, and the lack of choice for women on whether to give birth at home or in the hospital, due to various obstacles, including the non-recognition of midwives as independent professionals.

31. The Committee urges the State party to:

(a) Cease all negative interference with women's sexual and reproductive rights, including by ending campaigns that stigmatize abortion and seek to negatively influence the public view on abortion and contraception;

No campaigns aimed at the stigmatisation of abortion or with an attempt to influence public opinion against birth control and abortion is being run in Hungary.

Pursuant to Article II of the Fundamental Law of Hungary, human dignity shall be inviolable. Every human being shall have the right to life and human dignity; the life of the foetus shall be protected from the moment of conception.

Based on Act LXXIX of 1992 on the Protection of Foetal Life, a pregnancy may be terminated if it is endangered or in a severe crisis situation – under the conditions specified by law. By definition, a crisis can be considered severe if it causes bodily or mental impairment or a socially intolerable situation. Hungary makes considerable efforts to reduce the number of abortions; Family Protection Services provide guidance, offer assistance in resolving crisis situations and organise the dissemination of information on family planning outside of education institutions in Hungary.

(b) Provide adequate access to family planning services and affordable contraceptives, including emergency contraception, to all women including women with disabilities, Roma women, women living with HIV/AIDS and migrant and refugee women, i.e., by covering the costs of range of modern contraceptives under the public health insurance and eliminating the prescription requirement for emergency contraception;

Emergency contraception

In November 2014 the European Medicines Agency published a recommendation on its website, according to which the *ellaOne* emergency contraceptive should be made available without prescription in all of the Member States. The recommendation has been approved by

the European Commission. Pursuant to the decision of the European Commission, in principle, this emergency contraceptive pill has become a freely tradable product in the European Union since the beginning of January 2015. **Although such decisions apply to all of the Member States, Community legislation makes it possible for Member States to adopt prohibitive or restrictive regulations concerning “the distribution, transportation or use of birth-control or abortive medicines.” In Hungary these contraceptive pills, which prevent pregnancy if taken within 72 hours following the intercourse still remained prescription-only products.**

Birth-control pills and other contraceptive methods in Hungary

According to Act LXXXIII of 1997 on the Services of the Compulsory Health Insurance System, insured persons are entitled to receive price support in the case of medicines or medical aids prescribed for medical purposes. The social insurance support scheme may only include medicines aimed at the prevention or treatment of illnesses. Hormonal contraceptives do not meet this criterion. Their availability is subject to medical prescription and their prices are not being regulated – they can be freely determined by the producers and distributors (uncontrolled price). These products are not likely to be affected by problems regarding their supply. Other hormone-free contraceptive devices are freely available without any medical prescriptions (condoms, vaginal pessaries, cervical caps, vaginal sponges, IUDs, coils, contraceptives to be applied locally). Therapeutic appliances made available to persons experiencing temporary or permanent health impairment, or persons with disabilities are also subject to price support in the framework of the national insurance scheme. Contraceptive devices are considered to be medical devices, therefore, no support may be granted for their purchase. They are freely available without any medical prescriptions and their prices are not subject to regulation.

(c) Ensure access to safe abortion without subjecting women to mandatory counselling and a medically unnecessary waiting period as recommended by the World Health Organization;

Access to safe abortion

Unless justified by health reasons, an abortion may be performed at the written request of the pregnant woman. The pregnant woman shall present her request for a pregnancy termination to the staff member of the Family Protection Service in person and shall submit the certificate of an obstetrician-gynaecologist diagnosing the pregnancy.

In accordance with Act LXXIX of 1992 on the Protection of Foetal Life, the system of **Family Protection Services** started its operation on 1st January 1993 with the aim of reducing the number of abortions and facilitating the broad dissemination of information regarding family planning. The objective of the Act was to reduce number of abortions by providing education and by requiring women to consult Family Protection Services instead of the so called Abortion Committees, associated with bad feelings previously.

The provisions for the operation of Family Protection Services are outlined by Decree 32 of 1992 (XII. 23.) Minister of Welfare on implementing Act LXXIX of 1992 on the Protection of Foetal Life (XII. 23.) The country makes considerable efforts to reduce the number of abortions; Family Protection Services provide guidance, offer assistance in resolving crisis

situations and organise the dissemination of information on family planning outside of education institutions in Hungary.

Consultation with Family Protection Services is voluntary, except for the case when the termination of a pregnancy is being requested due to severe crisis situations, including cases where the pregnancy is the result of a crime. In order to ensure the protection of the family and the foetus, the Government has made it compulsory for women to participate in the counselling sessions offered by Family Protection Services in such situations. When the termination of the pregnancy is not requested due to medical reasons – the health conditions of the pregnant woman or severe damage to the foetus –, it is not compulsory for the pregnant woman to consult Family Protection Services.

The amendment of Act LXXIX of 1992 on the Protection of Foetal Life, introduced in 2000 and influenced by Decision 48 of 1998 of the Constitutional Court stipulates two counselling sessions to be held. As a result of Decision 48 of 1998 (XI. 23.) of the Constitutional Court, from 1 July 2000 an increased emphasis has been laid on foetal protection in the course of the counselling sessions offered by Family Protection Services. Based on that, the health visitor employed by the given Family Protection Service acts as an advocate for the foetus during the counselling sessions, and she shall inform the pregnant woman or the couple about the possibilities of keeping the pregnancy and raising the child, providing them with new perspectives on the issue. However, besides adopting an approach favouring foetal protection, she shall remain open to the feelings of the pregnant woman, respecting her freedom of thought and self-determination, without placing her under any pressure.

At the first counselling session (“Session A”) the pregnant woman and her partner shall be informed about the possibility of keeping the pregnancy:

- a) About the possibilities of financial aid and assistance in kind from public and private sources if they decide to keep the child;
- b) About the existence and activities of organizations and institutions that may provide moral and financial support if they decide to keep the child;
- c) About the possibilities and conditions of adoption;
- d) About the forms of support coming from the state, local government or society suitable to resolve the crisis situation, and offers her assistance in utilizing those.

At the same time, the pregnant women shall be informed about the possibility to place the child in an incubator located at a public health institution with the intent of consenting to the child’s adoption;

- e) About conception, foetal development, the dangers of pregnancy termination and its effect on any later pregnancy;
- f) Should the pregnant woman maintain her intention to terminate the pregnancy, she is required to visit the Family Protection Service again on the 3rd day at the earliest following the first counselling session. If the request to terminate the pregnancy is still maintained, a written request for the termination of the pregnancy is to be submitted to the Family Protection Service on the 3rd day following the second visit at the earliest. Of course, the woman is free to change her mind afterwards as well – right up till the abortion – and keep her child.

At the second counselling session (“Session B”) the health visitor of the Family Protection Service shall inform the pregnant woman about the following:

- a) the legal conditions governing pregnancy termination;

- b) the circumstances and the method of pregnancy termination;
- c) the health institutions that perform pregnancy terminations;
- d) the determination of the fee involved and the entitlement to social assistance
- e) the assistance provided by Family Protection Services after the termination of the pregnancy, and offering advice on contraceptive methods suited to the applicant's personal circumstances at the same time.

The participation in the counselling sessions is free of charge and voluntary, therefore, women may consult any of the Family Protection Services regardless of their place of residence. In order to avoid waiting time and to provide sufficient time for counselling, Family Protection Services operate on an appointment system. Appointments may be made in person or by telephone.

(d) Establish an adequate regulatory framework and a mechanism for monitoring of the practice of conscientious objection by health professionals and ensure that conscientious objection is accompanied by information to women about existing alternatives and that it remains a personal decision rather than an institutionalized practice;

In accordance with Section 131(5)(a) of Act CLIV of 1997 on Health, a physician may refuse to treat a patient, if the said treatment is in conflict with the physician's moral outlook, conscience, or religious convictions. As set forth by Section 131(5) of the same Act, the physician may only refuse care due to the reasons outlined by Section 131(5)(a), if the said refusal will not damage the patient's health, and if he/she refers the patient to another physician, or recommends that the patient see another physician in his/her own interests. **Pursuant to these provisions, should the physician refuse to terminate the pregnancy due to it being in conflict with his/her conscience, he/she is required by law to refer the patient to another physician. Women receive information about alternative options earlier on, during their compulsory visits to the Family Protection Services.**

(e) Ensure women's choice to give birth at home or in the hospital by recognizing trained midwives as independent professionals and by elaborating a legal framework and guidelines on security of home deliveries, and providing training of obstetricians.

The past few years saw remarkable improvement and transformation in the condition of maternity wards in Hungary regarding infrastructure and personnel, offering a number of alternative methods to women in labour. Nonetheless, many pregnant women refuse the idea of giving birth in a medical environment. They have expected the governing bodies of the Hungarian healthcare system to enable them to make a free decision about where to give birth and to implement regulations required for that. Therefore, **in the course of 2011, new legislation offering women the opportunity to give birth at home was adopted, both concerning the conditions of access and aspects of financing.**

The rules for giving birth at home are laid down by Government Decree **35 of 2011 (III.21.)** on the rules, conditions and grounds for refusal of giving birth outside a medical institution (hereinafter referred to as Decree). Giving birth outside a medical institution is a type of care, a healthcare service in the framework of which the pregnant woman is provided with obstetric and newborn care pre-selected by her earlier on, in a pre-planned manner and in line with the provisions regarding in-patient care as set forth by the Healthcare Act. The Decree determines the set of people who should attend the delivery (an obstetrician-gynaecologist or an appropriately qualified midwife). Moreover, it also defines the concept of the so called

“background hospital”, which is a hospital to which the mother and the child might be transported within 20 minutes from the location of the delivery, the conditions thereof, the health conditions allowing the woman to receive such services and the grounds for their refusal, indications for hospital admission, the requirements of equipment and hygiene and the documentation required. In the framework of such services, the pregnant woman shall also choose a healthcare provider and appoint a responsible person. Up till the 36th week of the pregnancy, she may decide whether or not to give birth outside of a healthcare institution. In the case of circumstances outlined by the Appendix, delivery may only and exclusively take place within a healthcare institution. Basic conditions for giving birth outside of a standard institution include: a term pregnancy without any complications, the baby being in the vertex position between the 37th and 42th week of pregnancy and the mother aged between 18 and 40 at the time of the conception.

Decree No. **18 of 2016 (VIII. 5) of the Minister of Human Capacities** on the educational and outcome requirements of higher vocational programmes, bachelor and master programmes and on the amendment of Decree No. 8 of 2013 (I. 30.) of the Ministry of the Human Capacities on the common requirements for teacher training and the educational and outcome requirements for teacher training programmes.

Students may earn a **BSc in Midwifery** in the framework of the **Nursing and Patient Care Bachelor's Programme** within the field of Medical and Health Science. During the training the students will be prepared to **assume responsibility for their independent activities within and outside the public health-care system (private service providers, birthing centres, giving birth at home)**. The training of midwives in Hungary is in line with the training conditions set forth by Directive 2005/36/EC of the European Parliament and of the Council.

In addition to that, among the obligatory training courses organised for the various groups of professionals, as specified by Decree No. 63 of 2011 (XI.29.) of the Minister of National Resources, the rules of professional training courses for health care providers, the training course “**Modern Health Services within Obstetrical and Gynaecological Care**” has been made available to the members of the group of obstetrical professionals, including topics like the **changes in the Hungarian legal environment of home birth, and the ethical issues of giving birth at home**.

Family-friendly obstetrics

The “**Development of infrastructural conditions for family-friendly and family-centred obstetrics and the intensive care for premature infants**” tender announced in 2018 played a significant role as well. The key objective to be achieved with the investments was the positive birth experience, the creation and extension of family-friendly provision and to realize a mother-baby, family-friendly and family-centred obstetrics, focusing on the unity of the baby, mother and father.

See the details in the Point 15. c)

32. The Committee also notes with concern the limited access to and inadequate quality of sexual and reproductive health services for women with disabilities, women with low income, Roma women, women living in rural areas and women living with HIV/AIDS, including in view of their privatization. The Committee remains concerned that women with disabilities face sterilization without their free and informed consent, and are excluded from

gynaecological and breast-screening tests. The Committee is further concerned at the absence or insufficient quality of education on sexual and reproductive health and rights in regular school curricula.

33. The Committee urges the State party to:

(a) Improve the quality of and increase women's access to sexual and reproductive health services, in particular for women with disabilities, women with low income, Roma women and women living in rural areas, and ensure that women living with HIV/AIDS or suffering from sexually transmitted diseases have access to health services;

Improving the quality of and increase women's access to sexual and reproductive health services

The Government decided in 2017 to extend support for the in vitro fertilization (IVF), as well as to reinforce the public institution system for artificial insemination.

For the sake of raising the number of new-born children the establishment of the maximum number of publicly financed cycles **not by mothers, but by children** has become necessary. In public and private institutions included in public financing **5 IVF cycles** are supported by public financing. According to the modification the number of financed cycles will now be counted not by patients, but by live birth events. Thanks to the above, **5 cycles can be utilized for the birth of the first child, and – if the first cycle is successful – another 4-4 cycles per child (by live birth event) can be utilized by public financing for additional children.** As an impact of the modification **the current number of interventions will presumably double in 2–3 years.** The medication applied during IVF can be prescribed by institutions with public financing capacity by **90 % subsidy** instead of 70 %, and by institutions not having public financing capacity by **55 % subsidy** instead of 25%. The Government of Hungary also provided support for the **procurement of medical equipment and instruments** required to perform the IVF service.

Improving women's access to cervical cancer screening

Health visitors contribute to the health preservation of women, mothers and the entire family by providing equal access to hands-on population service and performing health development tasks. They create trustful relationships with the families, which is the basis of successful cooperation and integration. By reaching out personally to the population and gaining their trust, and by “home-delivery” of the screening, the role of health visitors is vital in organized screening, and it serves the fulfilment of a justifiable individual and social need.

In order to make it easier for women (especially in rural areas) to access cervical cancer screening, it has been decided in 2013 that the screening will be added to the job description of district health visitors who are qualified to provide preventive care to the female population. **The relevant knowledge and skill necessary to provide cervical cancer screening have been included in the health visitors' curriculum.**

The Government provides vaccines against cervical cancer free of charge for girls aged at least 12 in the 7th grade of primary school.

(b) Eliminate forced sterilization of women with disabilities by training health professionals, raising their awareness toward their own prejudices, and repeal or amend Act CLIV of 1997 which enables doctors to perform forced sterilizations on very wide grounds, contrary to international health standards on free and informed consent of persons with disabilities;

According to Section 187(1) of Act CLIV of 1997 on Health, surgical sterilisation which prevents the ability to procreate or to conceive may be carried out at the written request of the person concerned. Pursuant to Section 187 (1)(a), persons with full disposing capacity above the age of 18 and persons with limited disposing capacity in any respect above the age 18 may also undergo surgical sterilisation on their request for purposes of family planning, provided, that the person concerned is above the age of 40 or has three birth children of his/her own. As set forth by Section 187 (6), a request for surgical sterilisation shall be submitted in the form of an official document or a fully conclusive private document. Having regard to the above, it can be concluded, that Hungary does not have to face issues concerning the **compulsory sterilisation of women with disabilities, as – pursuant to the Act on Health – surgical sterilisation may only be performed upon the personal and written consent of the person concerned, so no compulsory sterilisation may be performed in any of the healthcare institutions.**

(c) Ensure adequate and continuous age and gender-sensitive education on sexual and reproductive health and rights in primary and secondary schools by properly trained teachers.

As set out by the National Core Curriculum of Hungary, the culture of sexuality is a topic that should be dealt with in all of the primary and high schools. Within the topic of Humans and Human Health, children can acquire basic knowledge about reproduction and ontogeny in each Hungarian school. In the framework of this project, they also learn about – among others – the main stages of human ontogeny, differences between the sexes, secondary sex characteristics, conception and family planning. In the course of getting familiar with the lifestyle elements required for maintaining health, special emphasis is placed on the basic health rules of sexuality and information concerning mental health and harmonious sexual life. Apart from dealing with the subjects of the curriculum in the strict sense, schools also offer awareness-raising programmes to young people in order to help them establish responsible relationships.

In grades 7-12 the topics listed under subject area titled “Human and Nature” also touch on issues like understanding personal responsibility with regard to sexual life, the presentation of the arguments for complying with the basic rules related to ethics and health, responsible family planning and the health-conscious way of life of pregnant women. As regards the topic of sexuality, the subject area of Humans and Human Health elaborates on reproduction and ontogeny. It discusses the main stages of human ontogeny, differences between the sexes and secondary sexual characteristics. Further topics include the elements of a healthy lifestyle, such as nutrition, exercise, hygiene, responsible sexual life, mental health, avoiding addiction.

In grades 7-8 the subject of biology provides students with an insight into the basic rules of sexual health, the issue of contraception and the basic knowledge on medical treatments. Other important topics concerning sexuality, such as the importance of screening, self-examination and vaccination, are also to be mentioned here.

In accordance with the National Core Curriculum of Hungary, in grades 9-12 students get familiar with topics such as the structure and function of sexual organs and the basic rules of sexual health. They also learn about in utero development, birth, the connection between emotional and intellectual development and the physical and mental characteristics of the process of becoming an adult.

Apart from these, we also have to mention the subject area of Chemistry here, which touches upon sexuality as well in grades 9-12, discussing topics such as the notion of pheromones as chemical means of communication, the chemical principles behind the action of contraceptives and teratogenic chemicals.

Health education and health promotion are subjects which manifest themselves in the curriculum of both secondary vocational healthcare trainings and their add-on vocational trainings. However, in training programmes for Practising nurses and Practising infant and child nurses these concepts do not merely appear in the form of certain topics, but students can learn about sexual and reproductive health within the framework of the individual modules of “Health education and promotion activities” and “Health promotion”. During the period of the training, schools require their students to pass an exam upon the completion of the modules in order to test their knowledge regarding the professional content of the modules, which also form an integral part of standardised oral and written tests at professional exams. The various modules of healthcare qualifications are specified by Decree No. 27 of 2016 (IX. 16.) of the Minister of Human Capacities on professional and examination requirements for professional qualifications in the field of human capacities, whereas their content is set out by Government Decree No. 217 of 2012 (VIII. 9.) on the competences required for state-accredited vocational qualifications.

Health promotion and sexual education by health visitors in schools

Health visitor service is a part of the basic healthcare provision in Hungary. The health visitors with higher educational degrees provide support and development for the health condition of individuals, families and communities, health preservation, illness prevention, promote health recover, prevent the deterioration of health, and also provide mental and social support for the patients. They collaborate in the health preservation of women, mothers, infants, children, adolescents and the family, as well as in performing public healthcare, epidemiology and health development (educational) tasks. **Health visitors who deal with children aged 6-18 hold classes in the topics of health promotion and sexual education in primary and secondary schools.**

Economic and social benefits

34. The Committee notes with concern that women and households headed by women are disproportionately affected by poverty and that women’s pensions and social benefits are, on average, lower than those received by men. It also notes with concern the absence of statistical data on the situation of women in the informal economy and the barriers to women’s entrepreneurship.

35. The Committee recommends that the State party:

(a) Strengthen the use of temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee’s General Recommendation No. 25 (2004), to improve the economic status of women affected by poverty;

See Point 15.c) and 17.

(b) Conduct research and collect disaggregated data to assess the economic situation of women with a view to adopting efficient public policies and programmes to improve their economic situation;

The Central Statistical Office regularly collects data on – among others – the issues affecting the social position of women and presents the findings in an annual publication titled Men and Women in Hungary. (*See point 37(c)*)

(c) Review its pension and social benefits schemes in order to ensure equal access to women and men and extend their coverage to women working in the informal economy;

At the end of 2000, the Hungarian National Assembly adopted the amendment of Act LXXX of 1997 on Social Security Pension Benefits, which introduced a new form of early retirement for women. According to that, women who have fulfilled at least 40 years of eligibility period (calculated on the basis of specific rules) become eligible for a pension, regardless of their age. The introduction of this scheme – among the fulfilment of other objectives – was an important tool for compensating elderly women for the disadvantages they had experienced during their careers. Raising children often brings a woman’s career to a halt, and as result, the conditions of their eligibility also deteriorate. Statistical data provide overwhelming evidence for the significance of these trends. Among the persons retired at the retirement age or above it (ignoring the often gender-specific rules of early retirement), the average service period of men always lasts 4-6 years longer than that of women. Within the same group, the average amount of new pension benefits is definitely higher in the case of men. This new scheme has helped to alleviate such disadvantages, enabling women to retire on more favourable terms regarding age. The scheme has remained unchanged since 2011, serving as the only form of early old-age pension.

The need for this form of retirement is well illustrated by its fast growing popularity, as shown by the data presented in Tables 2 and 3 below.

Table 2

<i>Women 40</i>	
<i>Year</i>	<i>Number of women</i>
2011.	54 627
2012.	26 558
2013.	24 036
2014.	27 454
2015.	28 543
2016.	28 132
2017.	28 496
2018.	24 975
2011-2018.	242 821

Table 3**Data of women being retired after 40 years entitlement period (2011-2018)**

	2011	2012	2013	2014	2015	2016	2017	2018 ^{*)}
Expenses (million HUF)	26 267	105 138	135 757	164 038	182 742	205 316	225 584	235 040
Number of women (thousand)	16,5	76,6	96,2	115,0	126,5	140,4	150,2	148,8
Average amount (HUF/month)	92 963	107 807	113 525	115 093	120 378	121 887	125 160	131 638

^{*)} Preliminary data

(d) Further strengthen its efforts to promote women's entrepreneurship through special programmes, training, loans and counselling and adopt indicators to measure the progress in the implementation of such programmes and measures.

The **Road to the Labour Market** programme seeks – among others – to support women's entrepreneurship.. (For details see point 29(a))

Female entrepreneurs occupy a leading role in the economic upturn of the capital; the conference titled **Innovative Female Entrepreneurs and Female Leaders in Budapest**, held in March 2017, focused on the young, innovative, self-employed female entrepreneurs under 40 of Budapest.

Budapest Enterprise Agency has been qualified as a European Business and Innovation Centre based on its activities and programmes concerning business innovation and start-ups, hence strengthening the capital's position within the ecosystem of European innovations and start-ups.

The aim of GINOP (Economic Development Operational Programme) programmes financed in the framework of priority 5 **supporting entrepreneurship is to prepare young people between the ages of 18–30, who plan to launch new individual, or micro-enterprises** and have an entrepreneurial mindset, and also registered job seekers over 30 to start their own business, as well as to provide financial aid for the initial business expenses.

Women could also apply in case of all tenders, the already closed GINOP 5.2.3 project has contributed to the establishment of numerous enterprises by women. The programmes primarily provide education in order to acquire the competencies and fundamental skills required to launch an enterprise, then the participants, who successfully complete the training and have an approved business plan can apply for capital subsidy.

GINOP 5.2.2, which was launched in 2014 targeted young people under 25 in less developed regions, who did not work or study, and a lower proportion of registered job seekers between 25–30. Participants could apply for **capital subsidy of HUF maximum 3 million (USD 10,300), for which they had to provide 10% self-portion.**

The above programmes **were realized from European Union resources of HUF 4.5 billion (USD 15,463,000) on a national level,** and the preparation programme in the Central-Hungarian region was financed by a HUF 380 million domestic resource in the framework of the “Young people, be entrepreneurs in Hungary” programme.

Due to the GINOP 5.1.9, which was launched in 2017 as well as GINOP 5.1.10 and 5.2.7 projects in 2018, **the target group was extended** (in addition to young people below 30, job seekers over 30 can also apply), **the available amount and the rewardable subsidy is higher** (HUF 4.5 million – USD 15,463), **and the conditions have become more beneficial.** Valuation has become faster, while settlement easier, and the sustainability of companies is ensured by free counselling and mentoring in the start-up phase. The entire budget for the programmes is **HUF 46 billion (USD 158,065,000),** out of which **HUF 6 billion (USD 20,617,000) supports the education of participants.** HUF 40 billion (USD 137,448,000) is available to support the initial expenses of enterprises, out of which the enterprises founded by young people are supported by HUF 26.65 billion (USD 91,575,000), and the enterprises established by people over 30 are subsidized by HUF 13.35 billion (USD 45,873,000).

The Hungarian business enterprise environment is suitable for women. The research of the World Bank Group stated that according to the points of Women, Business and the Law index in 2019 our country is in the leading group with 93.75 points (out of 100), preceding the USA (83.75 points), China (76.25 points), as well as Russia (73.13 points). Ensuring a suitable business enterprise environment for the female enterprises and also the improvement of opportunities for women in this area is still a priority target.

Disadvantaged groups of women

36. The Committee is deeply concerned that women belonging to ethnic minorities, such as Roma women and women with disabilities, are subjected to multiple discrimination and exclusion, in the absence of a comprehensive plan of action aimed at protecting their rights and improving their living conditions. It notes with concern that Roma women are disproportionately affected by poverty and a low standard of living and that they have limited access to health services, education and employment, especially in rural areas. The Committee is also concerned about the lack of disaggregated data on the situation of Roma women, women with disabilities, older women and refugee women. It also notes with concern that asylum-seeking and migrant women in reception centres receive inadequate assistance and are often confined to such centres for prolonged periods.

EFOP-1.4.4-16 BARI SHEJ – NAGYLÁNY - FÁTĀ MÁRÉ

In order to reduce the rate of Roma girls who leave school without having completed a course of study and improve their chances of pursuing continued education, **a new program entitled “Bari Shej”** was launched in October 2015, the target group of which is **girls aged 10–18** who attend primary or secondary school and face the risk of dropping out. Until 2016, funding for the program was part of the national budget, and in 2017 another program was started using EU funds. This program reached out to as many as 1,800 students that year alone.

In the academic year of 2015/2016 the **Prevention of school leaving of Roma girls (EFOP-1.4.4-16) “BARI SHEJ – BIG GIRL – FÁTĀ MÁRÉ”** programme was launched, 26 organisations started working, then continued by 21 organisations in the academic year of 2016/2017. During the above mentioned two academic years the programme was carried out from domestic financing with a total amount of **HUF 285 million (USD 979,000)**, thanks to which at least **750 girls** were reached in the most underprivileged settlements. From the 2017/2018 academic year it continues with a longer, 24-month duration **and a budget of HUF 2 billion (USD 6,872,000)**. In the framework of the EFOP-1.4.4-17 (Human Resource Development Operative Program construction) 89 winning organisations can realize their activities and at least **1,800 young girls struggling with disadvantages** are improved.

The accomplishments of the projects are carried out according to the following principles, goals:

- Forming of a pedagogic practice with a personal focus and handling individual development systematically and operating a support system that aims to maintain individual development.
- Putting career-building in the focus with using career counselling and occupational guidance.
- Establishing student groups for students vulnerable for early school leaving, creating a competence-based programme and effective development of basic skills and relevant key competences.
- Organizing a high-quality teamwork in order to achieve the development and the equal opportunities of disadvantaged pupils on the basis of the principle: ‘Each student is talented’.
- Cooperation between the different sectors (that of healthcare, social, youth, education) as well as forming partnerships in order to ensure the equal opportunities of disadvantaged students.
- Introduction of the pedagogic methodology of digital community workshop in the beneficiary institutions in order to increase effectiveness of early career guidance, career correction, talent-identification, talent management, as well as to ensure the competitive professional knowledge, develop entrepreneurial competences and decrease early school-leaving.
- The calls of the mentioned constructions name as optional activity the activities primarily for the support of Roma girls aiming to prevent early school-leaving as well as Roma mentorship activities. In case of those institutions, where the rate of Roma students is high among early school-leavers, the activities for Roma students among them Roma mentorship activities are compulsory to carry out.

Furtherly, it is worth mentioning that between 2015-2019 the education of 85.000 persons among low-skilled workers and those in public employment is carried out in the framework of the priority project. Out of the persons of the target group the favouring of Roma persons is needed by ensuring the equality between women and men.

37. The Committee urges the State party to:

(a) Include specific components in public policies and budgets to address the needs of women belonging to minorities, including Roma women and women with disabilities, in order to eliminate all forms of discrimination against them;

See the Points 17. a)b), 29. a) and 36.

(b) Ensure that migrant and asylum-seeking women receive adequate assistance and are not subjected to prolonged administrative detention, and that they benefit from integration policies as well as family reunification measures;

Legislation and practices concerning the areas of migration and asylum, and – horizontally – the legal provisions and practices provided for by sectoral policies all ensure, that migrant and asylum seeking women receive appropriate help and they can benefit from the advantages offered by the measures promoting integration and family reunification. **With reference to integration, in the past few years there have been a number of measures specifically designed to promote the integration of women.**

(c) Collect disaggregated data on the situation of women facing multiple forms of discrimination, in particular older women, women with disabilities, women belonging to minorities, including Roma women.

During the reporting period, the Central Statistical Office introduced important measures for the development of its data collection methods in order to meet the principles set forth by Sections 21 and 37(c) of the CEDAW recommendation published in 2013.

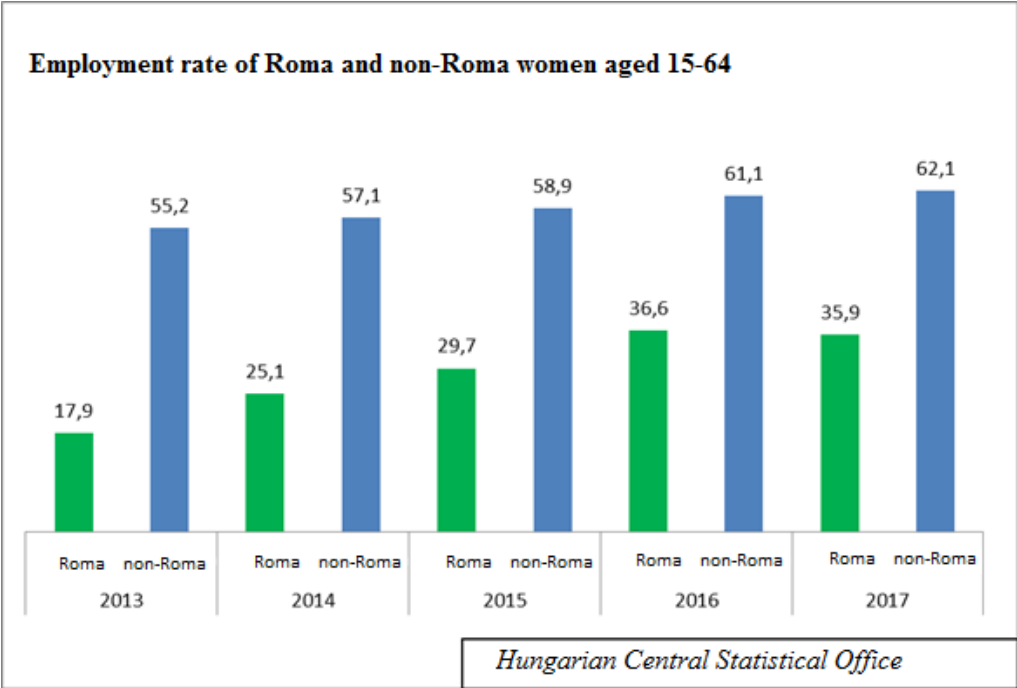
Since the beginning, gender disaggregated data collection has always been included among the basic variables of the data collection processes of the Central Statistical Office. Therefore, there is information provided regarding the demographic characteristics, economic activity, consumption, income, health conditions, education and time use of the whole population on a regular basis. In its annual publication (Men and Women in Hungary), the Office presents its findings concerning gender-sensitive issues in the form of gender-disaggregated data and indicators. The latest issue: Men and Women in Hungary, 2016⁴

Questions concerning ethnicity have been also included among the questions of regular population surveys in order to obtain reliable statistical data on **ethnic groups** during the periods between the population censuses carried out every 10 years. In 2013 the biggest regular, interview-based population survey, the so called Labour Force Survey, was extended to include questions concerning ethnicity as well. Since 2014 questions regarding ethnicity have also formed an integral part of the “Household Budget and Living Conditions” survey. In 2006, among others, ethnicity disaggregated data were included in the multi-year Adult Education and Health Surveys too, as part of a significant microcensus programme involving 10% of the whole population.

⁴ http://www.ksh.hu/apps/shop.kiadvany?p_kiadvany_id=1001137&p_temakor_kod=KSH&p_lang=HU

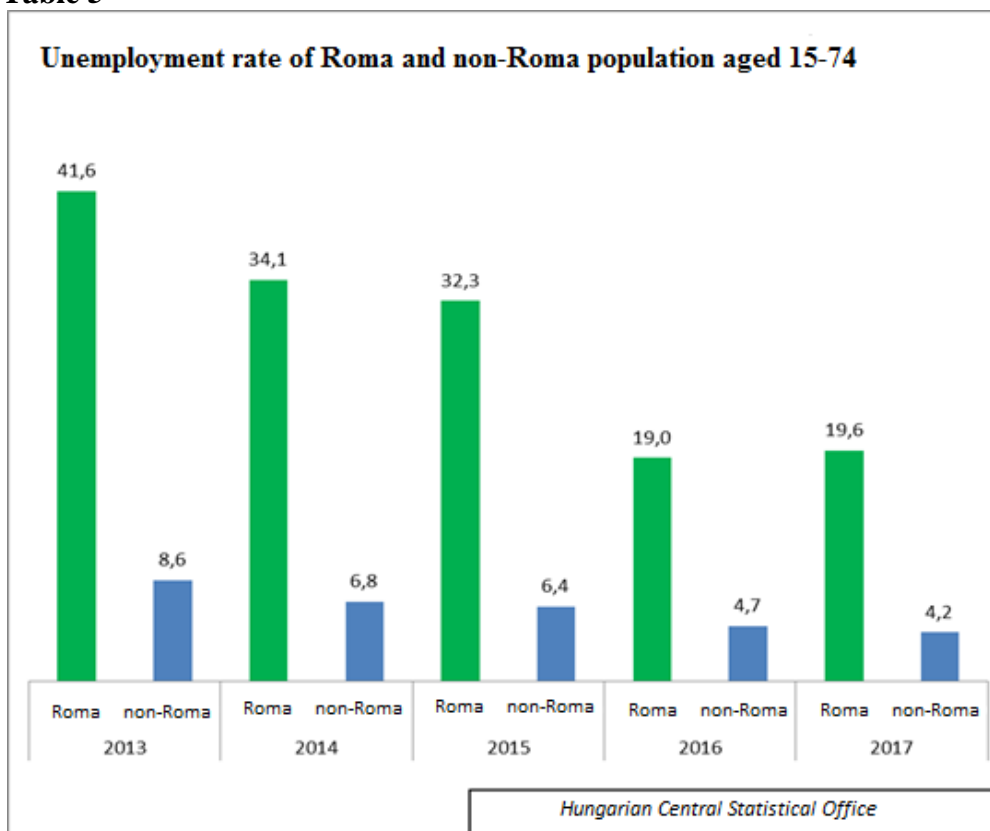
In the 2016 microcensus 624,000 people claimed to belong to one of the ethnic groups in Hungary. Roma people continued to constitute the largest ethnic minority group in the country with 310,000 members (out of whom 153,000 were women), followed by the German community with 179,000 people (90,000 women). The population of Romanian, Slovak and Croatian ethnic groups was approx. 20-40,000 (with 12,000-19,000 women), while the members of the Serbian, Ukrainian and Polish communities were made up of approx. 10,000 people (out of which 5,000-6,000 were women).

Table 4



The Central Statistical Office has provided data on the employment of both the Roma and the non-Roma population as of 2013. As illustrated by the chart, **female employment among Roma women rose by almost 20 percentage points between 2013 and 2016**. Although this improvement outweighed the figure concerning non-Roma women, the rate gap between Roma and non-Roma women was 37.3% in 2013, whereas this difference shrank to 26.2% by 2017.

Table 5



As regards unemployment, a decrease can be observed both concerning Roma and non-Roma women. The unemployment rate among Roma women decreased by half between 2013 (41.6%) and 2017 (19.6%).

The differences between the employment rates of men and women are considerably bigger in the case of people claiming to be of Roma origin in the Labour Force Survey, than those characterising the majority of the population. The employment of Roma women is hindered not only by traditions, but by the number of children which is usually higher in Roma than in non-Roma families. In 2017 54.6% of the Roma men aged between 15 and 64 were employed, still, this number was only 35.9% in the case of women, which means an increase of almost 10 percentage points in the case of the latter as compared to 2014. The unemployment rate among the Roma population, which is still considerably higher than the rate characterising the non-Roma population, decreased from 30.1% to 18.5% between 2014 and 2017. Thanks to the public employment scheme, which has played an important role concerning the employment of Roma people, the rate of long-term unemployed Roma people was lower than that of long-term unemployed non-Roma people in 2017. **As the result of the improvement of the employment rate and the decrease in the unemployment rate, in the period between 2014 and 2017 the share of people aged 18-59 and living in households without employed persons reduced to about 20% among Roma people.**

The regular monitoring of the living standards characterising Hungarian households is conducted within the framework of the of Statistics on Income and Living Conditions (EU-SILC) survey. 19.6% of the whole population, almost 1,887,000 people were at the risk poverty or social exclusion in 2017. The people concerned included one fifth of all women and a bit less, 18.9% of men. Young people, single-parent households, large families,

unemployed people, people living in disadvantaged regions and the Roma population were among the groups most at risk. **In 2017, the role of the improving trends of the country (as compared to previous years) could be also observed concerning the improvement of the living standards of Roma people. Nevertheless, the rate of people at the risk of poverty or social exclusion was still 67.8% (and 69.3% among women).**

Marriage and family relations

38. The Committee notes that the definition of family in the Act CCXI of 2011 on the protection of families is very narrow, as it only includes relationships based on a marriage, which is contrary to the views expressed by the Constitutional Court. The Committee is concerned that children under 16 years can get married upon obtaining authorization from the Court of Guardians.

39. The Committee recommends that the State party:

(a) Amend its law in line with the Constitutional Court's view that the definition of family is too narrow and ensure that further amendments of the relevant laws will be in conformity with this as well as the Committee's general recommendation No. 21 (1994) on equality in marriage and family relations;

As for family ties, Article L of the Fundamental Law of Hungary emphasizes the concept of marriage and the relationship between parents and children. Such a definition is in conformity with the case law of the Hungarian Constitutional Court and it was outlined at the start of the Constitutional Court's operation already which stated that *"marriage and family constitute the most essential and most natural form of community for the citizens of a society."* [Decision No.4 of 1990 (III. 4.) of the Constitutional Court]

The concerned provisions of the Fundamental Law of Hungary declare, that family ties shall be based on marriage and the relationship between parents and children. However, this provision may not be considered as the definition of the concept of the family, as it only sets out the basis of family relationships, making it obvious, that **such a rule may not exclude the legal protection of family relationships in a broader sense.**

In its Decision of No. 43 of 2012 (XII. 20) the Constitutional Court stated, that Article L of the Fundamental Law acknowledges the distinction among the various forms of permanent emotional and economic communities not in a way which would restrict or prohibit certain forms of cohabitation with the aim of preferring a specific form, but in a way which, besides complying with the obligation of providing equal protection, recognises the set of instruments offered by the state to provide benefits in the framework of family support institutions in accordance with the provisions of the Fundamental Law of Hungary. As set forth by the Court: *"The constitutional protection of families shall not only apply to families based on the institution of marriage, but to family life in the sociological sense of the word (...) and therefore, the fundamental protection of families by the Fundamental Law shall also include the permanent partnerships of those couples who have children together."*

In the same Decision the Constitutional Court set forth that *"It does not follow from Article L of the Fundamental Law of Hungary (...) that the obligation of objective institutional protection of the state would not equally apply to, for example, those partnership relations where the couples raise and take care of each other's children, those opposite-sex couples*

who do not have any children or are not able to have any children because of other circumstances (e.g. senior or infertile couples living in cohabitation), widows, persons taking care of their siblings or the children of their siblings (or the children of other relatives) grandparents raising their grandchildren, persons taking care of older, indirect relatives and to the many other forms of permanent emotional and economic cohabitations within the sociological definition of family which has common objectives, based on mutual care and meeting the definition of family in the sociological, more dynamic sense of the word, irrespective of their title defined by law. The legislator shall not (even implicitly) reduce the level of legal protection (institutional protection) defined in other norms of other branches of law by offering a general, or in this specific case, rather narrow definition of family, as also set forth by Fundamental Law of Hungary.”

This interpretation provides for the protection of families in compliance with the spirit of the Fundamental Law as well as with international legal obligations and other rights (e.g. the right to respect of private life).

Family law is discussed by Act V of 2013 on the Civil Code (hereinafter referred to as the Civil Code) in its Fourth Book. The Civil Code *does not even provide a definition for family*. The Book of Family Law contains four principles, out of which one concerns the protection of the institution of marriage and the family. This kind of protection applies to the relationships governed by the Civil Code’s Book of Family Law, as the scope of the Civil Code’s the Book of Family Law *does not only concern relationships based on marriage, consanguinity or adoption*, but the **so called de facto family relationships as well**. The protection of family relationships means that Family Law protects family as a network of relationships. Pursuant to that, the Civil Code’s Book of Family Law **includes provisions** not only **applying to** marriage, descent, adoption and parental custody as family relationships, but to **so called de facto family relationships** as well, such as the relationship between a child and the persons de facto caring for him/her (step parents and foster parents) or civil partnership.

(b) Raise the legal age of marriage for women and men to 18 years and institute measures to prevent early marriages.

The regulation of marriageable age – the age when one may enter into a marriage with the consent of a public authority or without requiring such a consent – was subject to several changes during the period between the enactment of Act IV of 1952 on Marriage, Family and Custody and that of Act IV of 1986 on the Amendment thereof, with the legal regulation also involving differences concerning sex. However, since 1 July 1987, the same age limit has been applied in the case of both men and women under the provisions of Family Law. The Civil Code that entered into force on 15 March 2014, replacing the provisions outlined by the act on marriage, family and custody, did not significantly alter these regulations either. The legal age for marriage is **set at 18 by Section 4:9 of the Civil Code, irrespective of the sex of the person concerned**, also adding, that above the age of 16, minors may also enter into a marriage with the prior consent of the Guardianship Authority. In accordance with the Civil Code, the Guardianship Authority shall interview the parent or guardian before deciding on the granting or refusal of the authorization. The conditions pursuant to which the Guardianship Authority may authorize a minor to enter into a marriage are set forth by Sections 34-36 of Government Decree 149 of 1997 (IV.10) on Guardianship Authorities, Child Protection and Custody Procedure. In accordance with these rules, the request for authorisation is to include a certification from the **General Practitioner** of the person concerned, confirming that the minor’s physical and mental development is at a stage which

qualifies him/her to enter into a marriage. The couple to get married shall also attach their income certificates to the request, or present a statement, from which it might be concluded that the **subsistence and accommodation** of the parties to the marriage above the age of 16 and their existing **children** or children to be born prior to them reaching the age of 18 **will be provided for after the conclusion of the marriage**. Furthermore, if necessary, they shall also attach a **certificate proving that they have attended the counselling sessions of the Family Protection Service**. The Guardianship Authority may only grant prior authorization for the marriage, if all the conditions set out above are met, the conclusion of the marriage is in the minor's interest and if the request for authorisation has been submitted by the child at his or her free will and without undue influence by others.

Apart from the conditions set out above, Section 4:9 (1) of the Civil Code also lays it down, that the marriage of a minor shall be considered void if entered into without the prior consent of the Guardianship Authority. Moreover, pursuant to Section 22 of Act I of 2010 on Civil Registration Procedures, the Registrar shall refuse to register the marriage in the absence of the Guardianship Authority's authorization for the marriage or if the validity of the prior authorisation granted earlier on has expired.

In view of the above we might conclude, that in Hungary, as a basic rule, only persons above the age of 18 are allowed to enter into a marriage. Persons **above the age of 16 but below the age of 18 may only enter into a marriage** in exceptional cases with the consent of the Guardianship Authority, provided that all the conditions laid down by applicable legislation are met and **upon the Guardianship Authority's interview with the minor's legal representative**. Hungarian law shall also observe the local needs and social traditions when defining the legal age for marriage, and the age of 16 has been defined as the legal age for marriage in exceptional cases and subject to the consent of the Guardianship Authority in view of this principle.

Based on statistical data gathered in 2014 by the Central Statistical Office in the framework of the National Statistical Data Collection Programme, in 2017 the first instance Guardianship Authority received 511 requests from minors asking for their consent to a marriage, out of which consent was granted in 446 cases, and 50 of them were refused.

Amendment to article 20, paragraph 1, of the Convention

40. The Committee encourages the State party to ratify the Optional Protocol to the Convention and to accept, without delay, the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee.

Beijing Declaration and Platform for Action

41. The Committee calls upon the State party to utilize the Beijing Declaration and Platform for Action, in its efforts to implement the provisions of the Convention.

Dissemination and implementation

42. The Committee recalls the obligation of the State party to systematically and continuously implement the provisions of the Convention on the Elimination of All Forms of Discrimination against Women. It urges the State party to give priority attention to the implementation of the present concluding observations and

recommendations between now and the submission of the next periodic report. The Committee therefore requests the timely dissemination of the concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional, local), in particular to the Government, the ministries, the Parliament/National Assembly and to the judiciary, to enable their full implementation. It encourages the State party to collaborate with all stakeholders concerned, such as employers' associations, trade unions, human rights and women's organizations, universities and research institutions, media, etc. It further recommends that its concluding observations be disseminated in an appropriate form at the local community level, to enable their implementation. In addition, the Committee requests the State party to continue to disseminate the Convention, its Optional Protocol and jurisprudence, and the Committee's general recommendations to all stakeholders.

Ratification of other treaties

43. The Committee notes that the adherence of the State party to the nine major international human rights instruments* would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to consider ratifying the treaties to which it is not yet a party, i.e., the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance.

Hungary ensures the protection of the human rights and fundamental freedoms of women in compliance with the provisions set forth by international conventions signed and ratified by the country and its domestic law. Hungarian legal practices and legislation satisfy the criteria laid down by the proposals, and do not require any amendments.

Having regard to the existing commitments, Hungary **has not acceded to the above mentioned international conventions that have been left unratified by most of the UN countries.**

Follow-up to concluding observations

44. The Committee requests the State party to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 21 (a), (b) and (g); 31 (b), (c) and 33 (b) above.

As requested, detailed information was submitted concerning the steps aimed at the implementation of the recommendations specified by Section 21(a), (b) and (g), Section 31 (b) and (c) and Section 33 (b) in 2015.

Annex to the Report

Table provided by the Ministry of Foreign Affairs and Trade to Article 8 (see Point 17(a)).

Concerning the provisions set out by Article 8 of the Convention, the Table below indicates the percentage of female and male employees with regard to various positions (Ministers, State Secretaries, Deputy State Secretaries, Heads of Department, Deputy Heads of Department, Heads of Unit, non-leading positions and Heads of Missions) at the central administration units of the Ministry of Foreign Affairs and Trade (Capital); at the diplomatic and consular missions; national experts delegated to international organisations, relative to the total number of personnel of the Ministry of Foreign Affairs and Trade, and disaggregated by gender.

Table 1

	Capital		Diplomatic and Consular Missions	
	Women	Men	Women	Men
Minister	0.0%	100.0%		
State Secretary	0.0%	100.0%		
Deputy State Secretary	18.2%	81.8%		
Head of Department	48.4%	51.6%		
Deputy Head of Department	42.6%	57.4%		
Head of Unit	64.7%	35.3%		
Head of a Mission			13.2%	86.8%
Non-senior officials	64.3%	35.7%	48.0%	52.0%

Table 2

National experts	
Women	35.7%
Men	64.3%

Table 3

Central Unit	Women	Percentage (%)	Men	Total
Deputy State Secretary	2		9	
Head of Department	31		33	
Deputy Head of Department	24		32	
Head of Unit	46		26	
Senior positions	103	51%	100	203
Total number of employees	539	61.6 %	336	875
Missions				
Head of Mission	17		105	122
Diplomatic, consular and administrative personnel	575	48.5 %	609	1184

**Diplomatic and administrative roles*

Presentation of the legal framework with reference to Articles 11 and 29 of the CEDAW Convention

Hungary shall ensure **fundamental rights** to every person without any discrimination on the grounds of race, colour, sex, disability, language, religion, political or other views, national or social origin, financial, birth or other circumstances whatsoever. This provision is laid down by the **Fundamental Law of Hungary**.

Act on the Labour Code (hereinafter referred to as the Labour Code) also sets forth provisions concerning this issue in the context of employment. Section 12(3) of the Labour Code on the **principle of equal treatment** specifies the generally applicable provision, that in connection with employment relationships and with **the remuneration of work** in particular, the principle of equal treatment shall be observed, meaning that the principle of “equal pay for equal work” shall be applied.

The Labour Code also provides a definition for **wage**, under which wage shall mean any remuneration provided directly or indirectly in cash or in kind, based on the employment relationship. Furthermore, it determines the features that shall be taken into account when determining the equal value of work, namely, the nature of the work performed, its quality and quantity, the working conditions, the required vocational training, physical or intellectual efforts expended, experience, responsibilities and labour market conditions. [Section 12 (2) and (3) of the Labour Code].

Act CXXV of 2003 on Equal Treatment and the Promotion of Equal Opportunities provides detailed information regarding the principles set forth by the Labour Code, when identifying some of the priority areas affected by the violation of the principle of equal treatment and – within that – cases of such violations revealed in relation to employment. [Section 5(d) of the Act on Equal Treatment and the Promotion of Equal Opportunities]. The Act stipulates the cases, which shall be considered as forms of **indirect or direct negative discrimination in the field of employment** [Section 8(r) of the Act on Equal Treatment and the Promotion of Equal Opportunities.], moreover, it lists cases which shall be considered as a particular violation of the principle of equal treatment, when the employer inflicts direct or indirect negative discrimination upon an employee, [Section 21(a)-(i) of the Act on Equal Treatment and the Promotion of Equal Opportunities] and cases, when the principle of equal treatment is not violated by the employer [Section 22 of the Act on Equal Treatment and the Promotion of Equal Opportunities].

Furthermore, **it is considered to be a violation of the principle of equal treatment** if the employer inflicts direct or indirect negative discrimination upon an employee regarding

- access to work, especially in public job advertisements, hiring, and regarding the conditions of employment;
- provisions related to procedures facilitating the establishment of an employment relationship;
- the establishment and termination of employment relationships;
- any training before or during the work;
- the determination and provision of working conditions;

- the establishment and provision of benefits due on the basis of the employment relationship, especially concerning the establishment and provision of wages;
- membership or participation in employees' organisations;
- the promotion system;
- the enforcement of a liability for damages or of a disciplinary liability; and
- the reconciliation of the person's obligations as a parent and as an employee and the request for and use of parental leave promoting an increase in the amount of time that could be spent on childcare [Section 21(1) of the Act on Equal Treatment and the Promotion of Equal Opportunities].

The **Equal Treatment Authority** is the body responsible for monitoring the implementation of the principle of equal treatment. Within its scope of responsibilities set forth by this Act, the Authority may not be subject to any instructions. **Upon request** and in cases set out by this Act the Authority carries out an investigation **ex officio** in order to determine whether the principle of equal treatment has been violated. Apart from that and upon request, the Authority shall also investigate whether the equal opportunities plan has been accepted by the employers obliged to do so, and based on the results of the investigation, it makes a decision. Pursuant to its right to enforce a claim of public interest, the Equal Treatment Authority may initiate a lawsuit with a view to protecting the rights of persons and groups whose rights have been violated, it reviews and shares its comments on the drafts of legal acts, other legal instruments of state governance and reports concerning equal treatment and makes proposals concerning governmental decisions and legislation pertaining to equal treatment [Section 14(1) of the Act on Equal Treatment and the Promotion of Equal Opportunities].

The Fundamental Law of Hungary dedicates a separate article for setting it forth that our legal system shall adopt individual measures to ensure the **protection of young people and parents** at work (Article XVIII (2) of the Fundamental Law of Hungary).

Therefore, Hungarian labour law takes into account the needs of certain **vulnerable groups** stemming from their special situation, and defines alternative provisions for them compared to the general regulations, which is justified by **the increased demand for protection of the groups concerned**. Accordingly, specific provisions are defined within the group of employed women concerning **pregnant women, women who have recently given birth or are raising children**.

The labour regulations on employed women are contained in the Labour Code on the one hand, and in the legal provisions relating to workplace health and safety, and occupational safety on the other hand. The appropriate provisions aimed at assisting employees with family obligations in fulfilling their tasks related to having and raising children and enabling them to comply with the obligations related to childcare are set forth by the Labour Code.

The Labour Code involves **atypical forms of employment** (e.g. call for work, job sharing, employee sharing) aimed at facilitating the reconciliation of family obligations and work.

Pursuant to Section 51(1) and (3) of the Labour Code, employers shall employ their employees in accordance with the rules and regulations pertaining to contracts of employment and employment regulations, and, unless otherwise agreed by the parties, provide necessary working conditions. Workers shall be employed for work of such nature only **which is not considered harmful with a view to their physical condition or development**.

In November 2017 Hungary amended the provisions of the Labour Code concerning the transfer of employees to other positions or their discharge, in order to protect pregnant women, women who have recently given birth and nursing mothers. In order to be able to avoid the exposition of pregnant employees and employees raising young children to risks at work, the amended legal act prescribes that the employer must **rearrange** first of all the affected employees' **working conditions and/or work schedule**, and only if there are objective obstacles to this is the employer obliged **to offer the employee a position suiting** her state of health [Section 51(3) and Section 60(51) of the Labour Code]. The amended provisions entered into force on 1 January 2018.

Pursuant to the provisions of the Labour Code, employers shall be entitled to temporarily reassign their employees to **jobs** and workplaces **other than** what is contained in the employment contracts or to another employer. However, the employee **may not be transferred to work at another location** without the employee's consent in the following cases: from the time her pregnancy is diagnosed until her child reaches three years of age; until the child reaches sixteen years of age, if a single parent, or if providing long-term care for a close relative in person [Section 53(1) of the Labour Code].

Employees with family obligations are granted protection concerning **termination by notice** as well, under the following terms: The employer may not terminate the employment by notice **during pregnancy, parental leave, a leave of absence taken without pay for caring for a child and in the case of women, while receiving treatment related to a human reproduction procedure** for up to six months from the beginning of such treatment. In the case of pregnancy and treatments related to a human reproduction procedure, the provision above shall apply only if the worker has informed the employer thereof before the notice was given. The employer may withdraw the termination in writing within 15 days upon the receipt of such information following notice of termination.

In the case of withdrawal and in respect of the entitlement arising following the reinstatement of the employment relationship and linked to the length of employment, the period between the termination and reinstatement of the employment relationship shall be regarded as time spent in employment. The employee's outstanding wages and other emoluments shall be paid as well as the damages in excess of these. The employee's absentee pay shall also be taken into consideration as part of the outstanding wages. [Section 65 (3) and (6) of the Labour Code].

The Labour Code also sets forth more favourable provisions concerning termination, when it derogates from the rule of the notice period beginning on the day following the date of the notice of termination at the earliest. Where employment is terminated by the employer, the notice period shall begin at the earliest **on the day after the last day of the absence from work without pay** for the purpose of caring for a sick child or providing home care for a close relative [Section 68 (1) and (2) of the Labour Code].

According to the Labour Code, in terms of entitlement for **severance pay**, any period of at least 30 consecutive days for which the employee did not receive any wages shall not be taken into consideration, with the exception of maternity leave and any leave of absence without pay for nursing or caring for a child [Section 77 (2) of the Labour Code].

The rules concerning the organisation of working time also place employees with family obligations in a privileged position. With regard to **rest periods and working time**, the law

provides that from the time the employee's pregnancy is diagnosed until her child reaches 3 years of age (in the case of single parents, until their child reaches 3 years of age) **an irregular work schedule may be used only upon the employee's consent, weekly rest days may not be allocated irregularly and overtime work, stand-by duty or night work cannot be ordered.** An employee caring for his/her child as a single parent may be required to work overtime or in stand-by duty only with his/her consent as from the time his/her child reaches three years of age up to the time when the child reaches four years of age. [Section 113 (1)-(5) of the Labour Code].

The law provides that employers are obliged to amend the employment contract based on the employee's proposition to **part-time work** covering half of the daily working time until the child reaches the age of three (or, in the case of employees with 3 or more children, until the child reaches the age of five). [Section 61 (3) of the Labour Code]

In respect of working **time reduction** offered to **mothers nursing their children**, the Labour Code provides that such employees are **exempt from the fulfilment of their availability and working obligations** for one hour twice daily, or two hours twice daily in the case of twins, during the first six months of nursing, and thereafter for one hour daily, or two hours daily in the case of twins, until the end of the ninth month. [Section 55 (1) of the Labour Code].

The Labour Code lays down special provisions for employees with family obligations with regard to **leave of absence** as well. Mothers shall be entitled to **a maternity leave of 24 consecutive weeks**, out of which they shall use at least 2 weeks, and which should be allocated so as to commence at least four weeks prior to the expected time of birth. Maternity leave as determined by law shall also be provided to a woman who has been given custody of a child for the purpose of adoption [Section 127 (3) of the Labour Code]

Employees shall be entitled to an **extra vacation** of 2 working days for one child, 4 working days for two children and a total of 7 working days for more than two children, concerning **children under 16 years of age**. [Section 118 (1) of the Labour Code]

Employees shall also be entitled to **unpaid leave** for the purpose of taking care of their child, until the child reaches the age of three. The duration of such a leave shall be no less than six weeks following the date of birth. [Section 128 (1) and (2) of the Labour Code].

Apart from that. employees may take unpaid leave for **providing care for their child in person** until the child reaches the age of ten, during the period of receiving childcare allowance [Section 130 of the Labour Code].

Pursuant to Act XCIII of 1993 on Labour Safety, employees in vulnerable groups must be protected in accordance with specific other legislation against the dangers which specifically affect them [Section 50/A of the Labour Safety Act]. For the purposes of this law, a "vulnerable group" shall refer to employees with special physical or mental characteristics who are thereby exposed to increased risks and dangers which specifically affect them at work, and who themselves represent an extra risk factor in their employment (e.g. young people, **pregnant women or women who have recently given birth, women providing mother's milk and nursing mothers**, elderly people, workers with any degree of incapacity) [Section 8/A of the Labour Safety Act].

Convention No. 45 adopted by the 19th session of the General Conference of the International Labour Organisation, according to which the Members States that have ratified the documents are obliged to prohibit the employment of women for underground work in any mine, was transposed into Hungary's legislation in force by Act I of 1939. However, during the European Union's legal harmonisation process, there was a need for arranging Hungarian occupational health rules according to up-to-date criteria; such rules included, in particular, **restricting the employment of women and men in underground mines for health reasons**, which was accomplished by adopting Decree No. 33 of 1998 (VI. 24.) of the Minister of Welfare on the medical examination of and report on occupational, professional and personal hygienic aptitude.

With regard to the position of the General Court of the European Union, according to which the rules of Convention No. 45 of the International Labour Organisation on the employment of women for underground work were contrary to the Community's rules on equal opportunities and equal treatment, Hungary – similarly to all other EU Member States – had to denounce the Convention. As our occupational health legislation in force provides appropriate protection in case the Convention is repealed, following the above judgement of the European Court of Justice Hungary denounced the Convention on 30 May 2008.

The legal act in force **does not prohibit underground work in mines performed by women, while at the same time it provides for appropriate protective measures with regard to the group of persons involved in such activity. Annex 8 to Decree 33 of 1998 (VI. 24.) NM of the Ministry of Welfare** sets out due restrictions concerning the underground work of men and women for medical purposes and the medical examination of/report on occupational, professional and personal hygienic aptitude.

Hungary's employment legislation in force sets out appropriate protective rules to protect **employees exposed to lead, benzene, ionizing radiation, high temperatures, vibrations or antivirals. Annexes 8 and 9 to Decree 33 of 1998 (VI. 24.) of the Ministry of Welfare** – which Hungary has already described in detail in its previous national report – set out due employment restrictions for medical purposes and the medical examination of/report on occupational, professional and personal hygienic aptitude concerning the persons affected.

Annex of the Central Statistical Office

During the reporting period, the Central Statistical Office introduced important measures for the development of its data collection methods in order to meet the principles set forth by Sections 21 and 37(c) of the CEDAW recommendation published in 2013, which are listed under points 21(f) and 37(c) of this report.

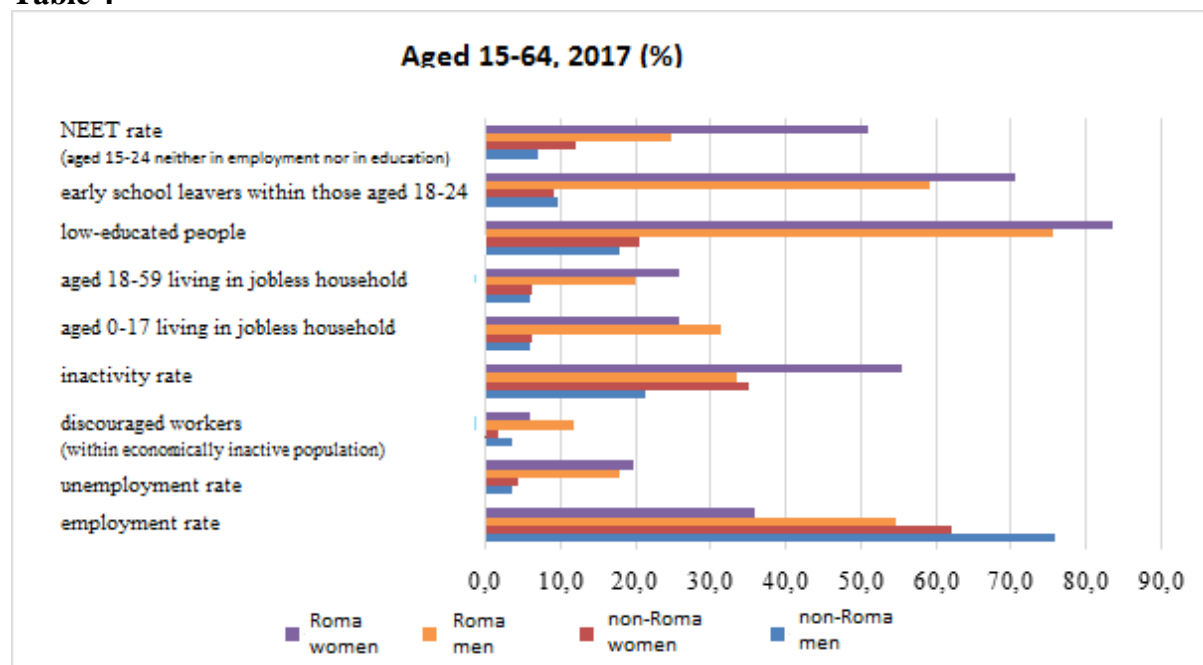
In the 2016 microcensus **624,000** people claimed to belong to **one of the ethnic groups in Hungary. Roma people** continued to constitute the largest ethnic minority group in the country with **310,000 members** (out of which 153,000 were women), followed by the **German** community with **179,000** people (90,000 women). The population of **Romanian, Slovak and Croatian ethnic groups was approx. 20-40,000** (with 12,000-19,000 women), while the members of the **Serbian, Ukrainian and Polish communities** were made up of approx. 10,000 people (out of which 5,000-6,000 were women).

The presence of the Roma population – four fifths of whom have no more than primary school qualification, while the ratio of the same is one fifth among non-Roma people – on the

labour market is characterised by lower rates and less favourable jobs. Apart from the low levels of qualifications, **the geographical distribution** of the community and the **lower rates of female employment** also contribute to the low unemployment rates of the Roma. The majority of the Roma live in settlements situated in regions characterised by disadvantageous labour market positions and/or unfavourable transport conditions, which do not only offer few local employment opportunities, but fail to offer appropriate jobs within a commuting distance as well. Moreover, the employment of Roma women is hindered not only by traditions, but by **the number of children which is usually higher** in Roma than in non-Roma families. The differences between the employment rates of men and women are considerably bigger in the case of people claiming to be of Roma origin in the Labour Force Survey, than those characterising the majority of the population, and no positive changes have taken place in this sense yet. In 2017 **54.6% of the Roma men** aged between 15 and 64 were employed, still, this number was only **35.9%** among women, nevertheless, the latter means an **increase of almost 10 percentage points compared to the data of 2014**. The unemployment rate among the Roma population, which is still considerably higher than the rate characterising the non-Roma, decreased to 18.5% from 30.1% between 2014 and 2017. Thanks to the public employment scheme, which has played an important role concerning the employment of Roma people, the rate of long-term unemployed Roma people was lower than that of long-term unemployed non-Roma people in 2017. As the result of the improvement of the employment rate and the decrease in the unemployment rate, in the period between 2014 and 2017 the share of people aged 18-59 and **living in households without employed persons** reduced to about **20%** among Roma people.

Main employment indicators of Roma and non-Roma population aged 15-64, gender disaggregated

Table 4



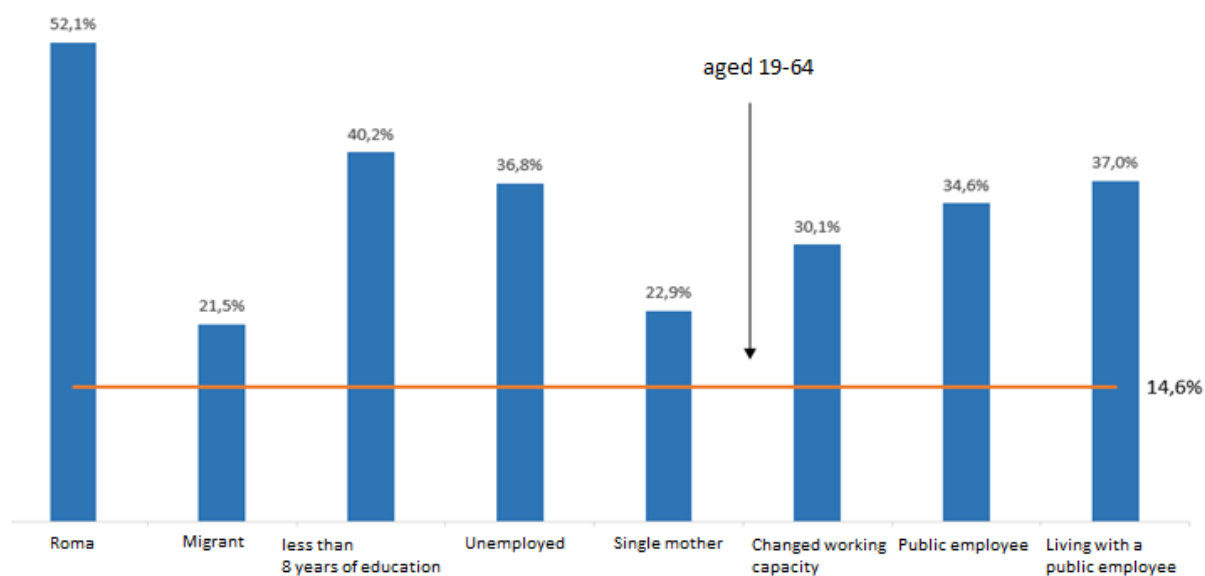
Source: Labour Force Survey

The regular monitoring of the living standards characterising Hungarian households is conducted within the framework of the Household Budget and Living Conditions survey. 19.6% of the whole population, almost **1,887,000 people were at the risk poverty or social exclusion in 2017**. The people concerned included one fifth of all women and a bit less, 18.7

% of men. Young people, single-parent households, large families, unemployed people, people living in disadvantaged regions and the Roma population were among the groups most at risk. In 2017 the role of the improving trends of the country (as compared to previous years) could be also observed concerning the improvement of the living standards of Roma people. Nevertheless, **the rate of people at the risk of poverty or social exclusion was still 67.8% (and 69.3% among women).**

Table 5

Rate of people aged between 19-64 having experienced negative discrimination, in groups mostly affected by negative discrimination



Source: Employment survey, 2015. I. quarter (Disadvantaged groups on the labour market)