



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women Eighty-fourth session

Summary record of the 1942nd meeting

Held at the Palais des Nations, Geneva, on Tuesday, 7 February 2023, at 3 p.m.

Chair: Ms. Peláez Narváez

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

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

Ninth periodic report of Hungary (continued) ([CEDAW/C/HUN/9](#);
[CEDAW/C/HUN/Q/9](#); [CEDAW/C/HUN/RQ/9](#))

1. *At the invitation of the Chair, the delegation of Hungary joined the meeting.*

Articles 7–9

2. **Mr. Beneda** (Hungary) said that many ethnic Hungarians who lived in Ukraine were attempting to enter Hungary through the sub-Carpathian region in order to escape the war. The Government considered such persons to be Hungarians despite the fact that they were not nationals of Hungary. On arriving in Hungary, they were provided with an identity card that gave them certain rights but they were not automatically granted citizenship. Although the Government was committed to the principle that all persons should pursue happiness in the country where they were born, including ethnic Hungarians born outside Hungary, it was willing to help any such persons who entered Hungary to seek assistance.

3. Some of the figures on gender equality cited by the Committee differed from those held by the Government. For instance, government statistics indicated that women accounted for 20 per cent, rather than 12 per cent, of the chief executive officers of public limited companies registered in Hungary. The Government had established a management training academy and a scholarship programme in order to prepare women for leadership roles. The outcome of those initiatives was currently being assessed.

4. There were no measures or legal provisions in force that restricted women's participation in public life. The Government was committed to promoting women's advancement and participation in the labour market. The Women for Hungary Club, established by the President, was made up of women in leadership positions who considered how to eliminate barriers to women's advancement.

5. **Ms. Stott Despoja**, noting that no legal provisions hindered women's participation in political life, said that she wished to know whether any tangible positive measures were being taken to promote such participation. In that connection, she wondered whether the Government would consider establishing quotas relating to women's political representation. She would be interested to learn what was being done to tackle the negative stereotypes and rhetoric that hindered women's advancement.

6. **Ms. Manalo** said that she would be grateful for specific information on women's representation in the armed forces, the diplomatic service and the police force. In particular, she wished to know what proportion of the staff of the army, the navy and the air force were women and what positions women held within those service branches; how many women entered the diplomatic corps every year, how many diplomatic missions were headed by women, and whether women and men had an equal chance of gaining promotion within the corps; and whether women and men had equal opportunities to become senior police officers, including chiefs of police.

7. **Mr. Beneda** (Hungary) said that the Government was making efforts to improve women's work–life balance and to ensure that they could pursue careers. There were no glass ceilings for women in the civil service, the armed forces or the police. The President of Hungary and the Chief Medical Officer were currently both women. There were no plans in place to establish quotas for women's participation in public life and no laws had been drafted to increase such participation. The Government rejected the suggestion that sexist attitudes hampered women's opportunities to advance in their careers.

Articles 10–14

8. **Ms. de Silva de Alwis**, noting that freedom of study was guaranteed in article 10 (1) of the Fundamental Law, said that she wished to know how the Government reconciled that guarantee with its ban on sex education in schools and gender studies in universities. The Committee was concerned to note that a report recently issued by the State Audit Office, on

the subject of “pink education”, reinforced an artificial and dichotomous view of male and female qualities and perpetuated harmful gender stereotypes. She wondered whether the Government would consider examining the national core curriculum, which contained a component on education for family life, to determine whether it perpetuated gender discriminatory attitudes and practices. The Government might also consider analysing school textbooks to determine whether they portrayed differential roles for men and women.

9. The Committee was interested to know how lesbian, bisexual and transgender teachers and students would be affected by the legal ban on the portrayal or discussion of diverse gender or sexual identities in schools. In view of the fact that the European Court of Justice had instructed the Government of Hungary to repeal the Stop Soros Act, which made it an offence to assist refugees and asylum seekers, she asked how refugee children were assimilated into schools. Lastly, she asked whether a policy to combat sexual harassment in schools had been established and whether the Government would consider signing the Safe Schools Declaration, which had already been signed by over 100 countries.

10. **Ms. Tisheva** said that she wished to know what was being done to reduce the gap between men’s and women’s employment rates and to increase access to the labour market for Roma women, women with disabilities and other vulnerable groups. Given that the gender pay gap currently stood at around 17 per cent, the delegation might state whether a law would be adopted to ensure equal pay for work of equal value and, if so, whether mechanisms to enforce that law would be established. The Committee would be grateful to know the timeline for the implementation of any planned measures to ensure equal pay over the coming two years. It would also be interested to hear about any steps being taken to raise employers’ awareness of the principle of equal pay for work of equal value.

11. With regard to the recent amendments to the Labour Code on work–life balance, it would be interesting to hear details of the Code’s new provisions on paternity pay and leave, a description of any campaigns planned to raise awareness of paternity and shared parental leave among employers and society at large, including at the local level, and an indication of the authority responsible for such campaigns.

12. Given the very low number of complaints of sexual harassment received by the Office of the Commissioner for Fundamental Rights, she wished to know whether the State party would carry out research into the reasons for underreporting, strengthen the legal and institutional framework for combating sexual harassment, including by providing greater protection against the most severe cases, and raise public awareness of the reporting and redress mechanisms available to victims.

13. **Mr. Beneda** (Hungary) said that his country was fully committed to promoting and protecting all human rights, including those of women. Six Hungarian universities offered courses on gender studies, and it was the Government’s intention to eliminate harmful gender stereotypes, not reinforce them. Its concern in relation to “pink education” and the overrepresentation of women in teaching and health care was that highly qualified women would find it harder to meet a suitable partner and start a family. It was also a fact that certain occupations were, by nature, predominantly male or female, which made it impossible to view them through a gender-neutral lens.

14. Differences of opinion between the Government and the European Union with regard to the protection of children were not necessarily relevant to the dialogue. However, it should be noted that Hungary had always taken into account the decisions of the European Court of Human Rights. A network of school security guards had been set up to prevent bullying and harassment, particularly in areas where minorities were harassed or at greater risk of harassment.

15. **A representative of Hungary** said that the Labour Code had been amended to facilitate atypical forms of employment, such as job sharing and teleworking, that would give workers more flexibility and thereby make it easier for them to achieve a work–life balance. Transposition of the provisions on flexible working conditions contained in a European Union directive would also facilitate atypical employment of workers with children. Since 1 January 2023, parents with young children had been entitled to request changes to their working hours or location and to receive a written response from their employer within 15 days. Requests could be rejected only by a reasoned decision. In the event of an unlawful

rejection or a failure to provide a response, the employer's consent would be obtained through expedited court proceedings. The Government would monitor the impact of the amendments to the Labour Code and make regulatory proposals accordingly.

16. Provided they had been working for their employer for at least one continuous year, fathers and mothers were entitled to 44 days of paid paternity or maternity leave per year until their child reached 3 years of age. Moreover, they could take up to 36 months of unpaid parental leave, which was one of the most generous allowances in Europe. Significant efforts had been made to inform parents of their rights. Since December 2002, fathers had been able to take five working days off in the first two months of their child's life, an entitlement that had been doubled through the amendments to the Labour Code. A total of 3.5 billion forints had been allocated to funding paternity leave.

17. **Mr. Beneda** (Hungary) said that, prior to the amendments to the Labour Code, fathers of twins had been entitled to seven days of paid leave rather than five. Since 2010, all parental support services other than those directly related to childbirth had been available to both mothers and fathers.

18. **A representative of Hungary** said that, since 2010, the percentage of women in employment had risen from around 50 per cent to 70 per cent, and the number of women jobseekers had fallen from 277,000 to 124,000. The Government had launched employment programmes and subsidized nursery care to help mothers to return to work. The gender pay gap had most recently been calculated at approximately 17 per cent, which was lower than in Austria and Germany. The national minimum wage was adjusted on an annual basis and was applied without discrimination between men and women.

19. **A representative of Hungary** said that a programme was being carried out in health-care and social support facilities to promote the social and labour market inclusion of Roma women. To date, 1,200 women in vulnerable situations had benefited from the programme.

20. **A representative of Hungary** said that there were 63 recognized higher education institutions in Hungary, 6 of which were run by the State. The Government funded the higher education of some 200 students on the basis of labour market needs. There were currently two master's degree programmes in gender studies. Women accounted for 54 per cent of the roughly 300,000 students in higher education, 43 per cent of lecturers and 47 per cent of students of science, technology, engineering and mathematics. A policy of positive discrimination was in place to help parents and other disadvantaged groups to enrol in higher education, including through the provision of financial support and the creation of a family-friendly environment. Women were encouraged to study traditionally male-dominated subjects, and vice versa for men.

21. There were several master's programmes teaching family skills, and the core curriculum for vocational education provided opportunities to reflect on gender topics in modules on ethics. Violence in higher education institutions was strictly prohibited. Teaching staff found guilty of sexual harassment had their employment terminated.

22. **A representative of Hungary** said that the national curriculum, which had been phased in from 2013, and then assessed and renewed starting from 2020, was based on full respect for human rights and diversity. Harmful stereotypes could be eliminated only through education. Following the assessment of the curriculum, the content of textbooks had been reformulated to remove any sexist or otherwise discriminatory language or images.

23. **Ms. de Silva de Alwis**, referring to the Government's stance on "pink education", said that educational choices should not be driven by the goal of marriage eligibility, for either women or men.

24. **Ms. Gbedemah**, noting that certain professions had once been dominated by one or other sex but were no longer, and that gender roles were social constructs that could evolve over time, said that the State party might wish to consider using temporary special measures to achieve gender parity.

25. **Ms. Manalo** said that she would appreciate information on the extent to which lesbian, bisexual and transgender women and intersex persons were able to benefit from the State party's education system.

26. **The Chair** said that replies to the follow-up questions could be submitted in writing.
27. **Ms. Bonifaz Alfonzo** said that, while abortion was legal in Hungary, the Committee was concerned that it was not freely available, was expensive and was only performed surgically. Anti-abortion propaganda was encouraged and women choosing abortion were stigmatized. She wished to know what action would be taken to ensure that civil society organizations offering those women information and guidance could work without pressure or harassment. Furthermore, she wondered what was the objective of the 2022 amendment to the Act on the Protection of Fetal Life, requiring women to provide evidence from a doctor of fetal vital functions before undergoing an abortion, and how the State party was safeguarding women's sexual and reproductive rights, including the right to freely available and safe abortion and to decide without undue pressure or interference.
28. She would like to know whether contraception, which was only accessible with a prescription, would be made freely available and whether steps had been taken to prevent alleged cases in which women with disabilities had been forced to take contraception without their consent, which could constitute obstetric violence. Moreover, the absence of an HIV/AIDS policy since 2010 was detrimental to women and to lesbian, bisexual and transgender women and intersex persons in particular. It would be useful to know whether such a policy would be reinstated in the near future.
29. **Mr. Beneda** (Hungary) said that, in the Government's view, abortion did not fall under the umbrella of reproductive rights and should not be considered part of family planning and contraception. It could only be performed by doctors and was offered under the public health-care system. The Act on the Protection of Fetal Life had successfully been in place for approximately 30 years and the new amendment would simply ensure that the perspective of the fetus was considered before an abortion. There had been a steady decline in the number of abortions performed in Hungary, but the figures were still too high and education needed to be improved in order to reduce them further, particularly among more disadvantaged groups in society.
30. It was unclear to him why stigmatization had been mentioned in relation to abortion, as a stringent legal framework and a strictly regulated information technology system had been put in place to ensure that women could undergo the procedure in complete confidentiality. The choice to have an abortion had a major negative impact on women's mental and physical health, and any support provided by non-governmental organizations should help them make an informed decision in such a crisis.
31. With regard to HIV/AIDS, the statistics showed that Hungary was in a good position and the incidence of the disease was low compared to other sexually transmitted diseases. A system was in place to finance health-care services for HIV/AIDS patients. Additional measures would be implemented only in the event of a dramatic rise in the number of those with the disease.
32. **A representative of Hungary** said that persons working in social care institutions received training in matters such as conflict management in the context of sexual harassment and how to support people living with disabilities. Children and adults with disabilities in those institutions were also taught how to express consent.
33. **Ms. Bonifaz Alfonzo**, noting the State party's stance on abortion, said that it was imperative for Hungary to uphold and guarantee women's right to decide and to do so without undue interference.
34. **The Chair** said that Hungary was one of the few countries in the European Union with legislation providing for the forced sterilization of people with disabilities. She wished to know whether plans to end that harmful practice were envisaged.
35. **Mr. Beneda** (Hungary) said that the country had strict legal frameworks in place to enable women to make informed decisions about abortion and to determine who was competent to make decisions concerning sterilization. Neither framework would be amended in the near future.
36. **Ms. Mikko** said that, while the promotion of traditional family values through the Family Protection Action Plan had led to seemingly positive developments, such as the

introduction of joint housing loans for couples, the State party might comment on claims that, rather than strengthening women's independence, such measures would restrict their ability to extract themselves from toxic domestic situations.

37. Furthermore, she wished to hear more about the economic empowerment of women and the steps taken by the Government to increase the number of female entrepreneurs. Noting that the gender pay gap in Hungary was higher than the European Union average, she wondered whether an action plan had been implemented to fulfil Directive (EU) 2022/2381 of the European Parliament and of the Council stipulating, *inter alia*, that 40 per cent of non-executive directors on company boards should be members of the underrepresented sex.

38. **Ms. Reddock** said that it was necessary to identify and address the specific disadvantages affecting rural women, women refugees and migrants, women with disabilities, older women, homeless women, Roma women and lesbian, bisexual and transgender women and intersex persons.

39. Almost 2.5 million refugees, mainly Ukrainian women and children, had crossed into Hungary. It was her understanding that Hungarian legislation authorized the automatic removal from Hungary of refugees and migrants and that those present in the country who wished to seek asylum were required to leave to a designated third country. Should that information be correct, she wondered whether the State party would be willing to amend the legislation to safeguard the right to asylum and prohibit *refoulement* and whether, in the light of the Committee's general recommendations Nos. 28 (2010), 32 (2014) and 35 (2017), it would ensure that individuals wishing to seek asylum in Hungary, including survivors of sexual and gender-based violence or trafficking, were provided with effective access to the territory and to a fair and efficient asylum procedure.

40. Recalling the Committee's concluding observations on the combined seventh and eighth periodic reports of Hungary (CEDAW/C/HUN/CO/7-8), she asked whether the State party had established a comprehensive national plan of action to address the continuing stigmatization and prejudice faced by Roma women. In the education sphere, she wondered whether the State party would be willing to desegregate its school system and fully integrate Roma girls. While the Committee welcomed the inclusion in the annex to the State party report of sex-disaggregated data on Roma women, data covering the intersecting forms of discrimination experienced by disadvantaged women and girls should be also collected.

41. The human rights of lesbian, bisexual and transgender women and intersex persons had reportedly deteriorated to a significant degree in the previous decade. Furthermore, the assumption of the duties of the Equal Treatment Authority by the Office of the Commissioner for Fundamental Rights had reduced opportunities for protection and redress; indeed, a report by the Office of the Commissioner had signalled that no complaints had been received. She asked whether the State party intended to adopt a comprehensive plan to tackle discrimination based on sexual orientation and gender identity in all spheres of life. Would victim support and legal aid services be improved, in order to address the specific needs of victims of hate crime, including Roma women and lesbian, bisexual and transgender women and intersex persons?

42. **Mr. Beneda** (Hungary) said that education and access to the labour market were the best ways to improve the situation of Roma women and girls. Some success had been achieved: programmes such as "Woman is the chance" aimed to increase their integration into society, and the number of Roma students in vocational education and training was at a record high. One programme had been implemented to enable Roma teachers to work in primary schools in rural or disadvantaged areas and mentor their students with a view to preventing school dropout; another provided opportunities for unemployed persons, most of whom were members of the Roma community, to work temporarily in public sector jobs. Nonetheless, further action needed to be taken and work to improve such programmes was ongoing.

43. Regarding the rights of lesbian, bisexual and transgender women and intersex persons, the Government did not accept discrimination in any sphere of life. Victims of hate crimes or violence motivated by sexual orientation or ethnicity were not subjected to any form of discrimination in police investigations or judicial proceedings. The Government did not support positive discrimination measures in the area of victim support.

44. **A representative of Hungary** said that since 2014 the Government, with funding from the European Union, had rolled out various programmes and initiatives to support women wishing to become entrepreneurs. Several were administered by the Foundation for Small Enterprise Economic Development, including the “Dobbantó” Female Entrepreneurial Programme; online workshops on the Business Model Canvas; “Quick IT” workshops focusing on digitalization; the National Mentor Programme; the Online Entrepreneurial Forum; and an award for successful women’s enterprises. In the sphere of higher education, Hungary had participated in the StartUp Academy – a European project that included conferences and workshops to help young persons become entrepreneurs.

45. **A representative of Hungary** said that the Government also promoted women’s leadership through an ambitious programme of career guidance in secondary education. Female leaders and managers were presented as role models, while girls and women were encouraged to pursue careers in science, technology, engineering and mathematics.

46. **A representative of Hungary** said that in 2019 the police had adopted an internal protocol for dealing with hate crimes. The protocol covered all hate crimes and focused on the circumstances of the criminal act, including the location and whether or not the victim belonged or was perceived to belong to a minority group. All county police headquarters had designated a person responsible for identifying hate crimes, which would contribute to improving police officers’ understanding of the problem.

47. **Mr. Beneda** (Hungary) said that tasks formerly assigned to the Equal Treatment Authority were now performed by its successor, the Office of the Commissioner for Fundamental Rights. The Commissioner was nominated by the President and elected by a two-thirds majority of the Parliament.

Articles 15 and 16

48. **Ms. Akizuki** said that the Committee noted that section 4:9 of the Civil Code set the legal marriage age at 18 years but allowed minors over the age of 16 to enter into a marriage with the prior consent of the Guardianship Authority; it also noted that, according to the report, such consent was granted in most cases. She therefore wondered whether the State party intended to heed the call, made in joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019), for States parties to explicitly prohibit child marriage by law and adequately sanction or criminalize the practice. If the State party did not plan to explicitly prohibit child marriage, she would welcome an explanation of why that was so.

49. The Committee noted that the laws of the State party protected the institution of marriage as the voluntary union of a man and a woman. In that regard, it was concerned at reports that the Government’s position was that “gender ideology” undermined “traditional family values” and encouraged homosexuality – a view that had resulted in policies that weakened the rights of lesbian, bisexual and transgender women and girls. She wished to know how the State party ensured that such women could realize their equal right freely to choose a spouse and to enter into marriage, in accordance with article 16 (1) (b) of the Convention. It would also be useful to know what actions the State party was taking to ensure that its policies, including the Family Protection Action Plan, did not discriminate on the basis of sexual orientation, gender identity or marital status and did not compel women to stay with abusive partners so as to avoid losing certain benefits.

50. The Committee recognized that registered partnerships entitled same-sex couples to most of the rights and duties that came with marriage, with the exception of adoption rights. As the lack of recognition of same-sex parents reportedly created legal and practical problems for adopted children living with same-sex parents and affected lesbian and bisexual women disproportionately, she wondered what steps the Government would take to remove discriminatory differences between registered partnership and marriage, to provide legal recognition to same-sex parents, and to remove discriminatory legislative restrictions and administrative barriers concerning adoption by unmarried persons.

51. **Mr. Beneda** (Hungary) said that the legal provision permitting the marriage of minors at the age of 16 and 17 years was in keeping with an approach of respect for the cultural

traditions of ethnic minorities. As a general trend, fewer and fewer persons below the age of 18 years were entering into marriage, partly owing to the Government's efforts in the spheres of education and social inclusion. It was hoped that those efforts would bring about a cultural shift, allowing for the eventual repeal of the provision in question.

52. As the Committee had noted, registered partnerships were similar to marriage in many ways. The Fundamental Law was clear that marriage consisted in the voluntary union of a woman and a man and that the basis of family ties were marriage and the relationship between parents and children. All international studies clearly showed that it was in the child's best interest to grow up in a family based on the marriage of a man and a woman. Nevertheless, many legal tools and instruments were available for unmarried couples, including in the area of adoption.

53. The Government had striven to identify any potential negative consequences of its policies, including the possibility that women who received certain benefits might be trapped in abusive relationships. It had taken a number of steps to assist women who found themselves in such situations, such as providing them with psychological support and ensuring that they would not have to shoulder an excessive financial burden.

54. In conclusion, he said that the dialogue with the Committee had been a fruitful and a useful one. His Government, while not agreeing with the Committee on all issues, had demonstrated its sincere commitment to improving the situation of women; it recognized the crucial role that they played in the country's growth and the importance of advancing their rights. The Government also wished to emphasize its support for all refugees, especially women, who arrived in Hungary having been forced to leave their own countries as a result of armed conflict, notably in Ukraine. Similarly, the Government recognized the need to address the consequences of tragic events such as the major earthquake that had struck Türkiye only the previous day, which were often greater for women and children than for men. Hungary had deployed rescue teams to assist in the relief effort in Türkiye, just as it did whenever a natural disaster occurred anywhere in the world.

55. **The Chair** said that the Committee was grateful to the delegation for the constructive dialogue, which had provided further insight into the situation of women in Hungary. She invited the State party to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the Committee's meeting time and encouraged it to take all necessary measures to give effect to the recommendations that the Committee would make in its concluding observations.

The meeting rose at 4.55 p.m.