



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

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## Committee on the Elimination of Discrimination against Women

Fifty-fourth session

11 February – 1 March 2013

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

#### Hungary

The pre-session working group considered the combined seventh and eighth periodic report of Hungary (CEDAW/C/HUN/7-8).

#### General

1. The report contains limited data disaggregated by sex in all areas covered by the Convention. Please provide information on the status of data collection and analysis in the country in general, and indicate to what extent data collection takes place on a disaggregated basis to illuminate the situation of women, based on factors such as their age, socio-economic status, urban/rural location, race, ethnicity and religion. Please describe how the Government intends to improve the collection of disaggregated data pertaining to the areas of the Convention.

#### Legal status of the Convention and institutional framework

2. The report mentions that article 66 of the Constitution provides for protection against gender discrimination (para. 80)<sup>1</sup>. Please explain how this definition is in accordance with article 1 of the Convention as recommended by the Committee in its previous recommendations (CEDAW/C/HUN/CO/6, para. 13).

3. Please provide information on any court cases in which the Convention has been invoked or directly applied or referred to in court proceedings. Please indicate how the State party is enhancing awareness and knowledge of women about their rights under the Convention and about communications and inquiry procedures provided by its Optional Protocol. Please also indicate whether judges, lawyers, and law enforcement officials receive training on the Convention, as recommended by the Committee (CEDAW/C/HUN/CO/6, para. 11).

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<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the combined seventh and eighth periodic report of the State party (CEDAW/C/HUN/7-8).

4. Please provide updated information on measures taken to strengthen the mandate of the Equal Treatment Authority and to provide it with the necessary human and financial resources and decision-making power as well as to ensure its autonomy. How many cases of discrimination against women have been brought before the Equal Treatment Authority since 2007? What were the grounds invoked and what was the outcome of these cases? Please also provide information on activities conducted to raise awareness among women about the Authority as mentioned in paragraph 88 of the report.

#### **National machinery for the advancement of women**

5. Please provide more detailed information on the “National Strategy for the Promotion of Gender Equality – Guidelines and Objectives 2010-2021” and its implementation. While the report outlines the objectives of the National Strategy (paras. 1-3), please also indicate whether there are concrete activities planned to achieve those objectives and whether there are timetables and targets that have been established to monitor the National Strategy. Please also indicate which governmental body is responsible for its implementation, whether the civil society is involved in this process and also whether regular monitoring and evaluation of the National Strategy is conducted and by which entity.

6. Please provide information on the coordination mechanisms between the National Network of Equal Opportunities and the Department of Family Policy, as well as between the Council of Gender Equality and the Family Policy Council (paras. 96-97).

#### **Temporary special measures**

7. According to information received in the report, the Quota Act to promote gender parity was rejected by parliament in 2007. Please explain the factors encountered in passing the legislation and indicate what new measures have been introduced to promote and accelerate de facto equality of women, including temporary special measures as recommended by the Committee in its previous concluding observations (CEDAW/C/HUN/CO/6, para. 25).

#### **Stereotypes**

8. The report acknowledges the role of the media in perpetuating discriminatory gender stereotypes and cites the general “acceptance of the sexist language and attitude in the media” (para. 121). The report also states that the elimination of stereotypes is one of the most significant duties for the establishment of equality between men and women (para. 126). In this respect, please provide information on steps taken or planned to combat gender stereotypes. In addition, please provide information about measures taken to eliminate stereotypes of women in the media and indicate whether professional training programmes have been initiated for media professionals to ensure the elimination of discrimination against women in media. Please provide information on the number of cases concluded by the National Communications Authority that relates to discriminatory imaging of women (para. 115).

#### **Violence against women**

9. According to information received, police called to the scene in domestic violence cases may issue an emergency restraining order valid for three days in lieu of immediately filing charges. Please provide data on the number of restraining orders issued since the adoption of the amendment of the Criminal Code through Act XCI of 2005 (para. 136) and the corresponding number of prosecutions in such cases. Please also indicate whether the State party is taking any steps to review its reportedly lenient prosecution policy in domestic violence cases. Please provide statistical information on the number of

investigations, including *ex officio*, prosecutions and convictions in cases of domestic violence from 2007. Please provide information about plans of the State party to increase the number and capacities of shelters for women victims of violence in terms of provision of housing and assistance to women victims.

10. In its previous concluding observations, the Committee urged the State party to define the crime of rape as sexual intercourse without consent rather than requiring the use of force or threats (CEDAW/C/HUN/CO/6, para. 21). The report indicates that the law on rape has not been changed (para. 176). Please indicate what safeguards are in place to ensure that all women are adequately protected against rape. Please elaborate further on the definition of the term “habitual criminal” which according to the report (para. 151) is one of the elements of violent crimes such as rape and bodily injury. Please explain the age of consent and the exceptions in the law by which sexual intercourse with children, particularly girls, between 12 and 14 years is to be charged on the grounds of seduction and not on the grounds of rape (para. 184). Please provide data on the number of reported cases of women victims of rape, prosecutions, and sentences imposed on perpetrators since 2007.

### **Trafficking and sexual exploitation**

11. Please provide information on steps taken to harmonize the definition of trafficking, in accordance with the Palermo Protocol, as recommended by the Committee in its previous concluding observations (CEDAW/C/HUN/CO/6, para. 23). Please provide disaggregated data on the number of cases of trafficking in persons, including women and Roma women and girls, the number of prosecutions, convictions and sentences imposed on perpetrators. Please also provide information on the coordination mechanisms among the police, the judiciary, the child protection authorities and civil society organizations for the detection, prevention and rehabilitation of women and girls who are victims of sexual exploitation in the tourist industry and in trafficking.

### **Participation in political and public life**

12. Please provide information on measures taken to overcome the difficulties to increase the political participation of women mentioned in paragraph 214 of the report. Please provide information about temporary special measures, such as statutory quotas, to ensure equal representation of women in leadership and decision-making positions in the public sector and to promote the participation of women in economic decision-making.

### **Education**

13. The report indicates that among the pupils leaving the system and becoming private students, Roma girls are overrepresented (para. 289). Please provide statistical data on dropout rates for Roma girls, and provide information on measures taken to support them continuing their education. Have any programmes been adopted to financially support Roma secondary school female students? What measures have been taken to prevent the exposures of Roma girls to harassment and abuse in school? Please indicate the extent to which the New National Core Curriculum (2012) incorporates the principles of gender equality and non-discrimination.

### **Employment**

14. Please provide information on measures taken to address the underrepresentation of women among entrepreneurs. Please provide information on steps taken to address the gender pay gap and occupational segregation in the State party (para. 238), including the adoption of legislative provisions, to ensure equal pay for work of equal value in employment as recommended in previous concluding observations (CEDAW/C/HUN/CO/6, para. 27). Please also provide statistical data, indicating trends

over time, about the situation of women in the field of employment and work in urban and rural areas in the public, private, formal and informal sectors and about the impact of measures taken to realize equal opportunities for women as requested in the Committee previous concluding observations (CEDAW/C/HUN/CO/6, para 27). Please also provide information on the impact of the Act on Social Security Pension Benefits (2011) on women, particularly in relation to pension benefits.

#### **Health care**

15. The Committee, in its previous concluding observations (CEDAW/C/HUN/CO/6, para. 8), urged the State party to monitor public and private health centres which perform sterilization procedures. Please report on measures taken to monitor all hospitals and to ensure that they comply with the new informed consent procedures (para. 75). What specific measures has the government taken to ensure that sterilizations are not performed on the grounds of medical emergency? Please also inform the Committee on whether the new law on informed consent for sterilization procedures complies with international human rights and medical standards as recommended in previous concluding observations (CEDAW/C/HUN/CO/6, para. 8).

16. According to information received, the new Constitution provides for the protection of life from the moment of conception. In light of this Constitutional provision, please provide information on measures taken to effectively protect the sexual and reproductive rights of women. Please also provide information on measures taken to make commercially available and ensure women's access to the emergency contraceptive pill, registered by the National Pharmaceutical Institute in May 2012.

#### **Rural women**

17. According to the report (para. 295), the situation of rural women is deteriorating. While the report attributes this deterioration to shortcomings in infrastructure and refers to efforts to improve public transportation, please provide additional information on the particular impediments faced by rural women in the full and equal enjoyment and exercise of their rights under the Convention, including how these are addressed.

#### **Disadvantaged groups of women**

18. Please provide further information on the implementation of the Strategic Plan of the Roma Integration Decade Programme (para. 293). Please also provide more information on specific measures taken to address the widespread discrimination against Roma girls and women in the health care system. What measures are being taken to address the high incidence of teenage pregnancy among the Roma community (para. 291)?

19. According to information received, domestic legislation does not require reasonable accommodation for persons with disabilities and in general, statutory provisions do not make reference to women with disabilities. What kind of legislative actions and policy measures has the State party taken in order to recognize and give effect to the rights of women and girls with disabilities, provide equal opportunities and to eliminate discrimination in this area?