

Advance unedited version

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**Committee on the Elimination of Discrimination
against Women****Concluding observations on the ninth periodic report of
Hungary***

1. The Committee considered the ninth periodic report of Hungary (CEDAW/C/HUN/9) at its 1941th and 1942th meetings (CEDAW/C/SR.1941 and 1942) held on 7 February 2023. The list of issues and questions raised by the pre-sessional working group is contained in CEDAW/C/HUN/Q/9, and the responses of Hungary are contained in CEDAW/C/HUN/RQ/9.

A. Introduction

2. The Committee appreciates the submission by the State party of its ninth periodic report. It also appreciates the State party's follow-up report to the previous concluding observations of the Committee (CEDAW/C/HUN/CO/7-8) and its written replies to the list of issues and questions raised by the pre-sessional working group. It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its multisectoral delegation, which was headed by Mr. Attila Beneda, Deputy State Secretary for Family Affairs of the Ministry of Culture and Innovation, and included representatives of the Ministry of Culture and Innovation, Ministry of Interior, Ministry of Justice, Ministry for Economic Development, Ministry of Energy, Hungarian Police Headquarters, as well as H.E. Margit Szűcs, Ambassador, Permanent Representative and other representatives of the Permanent Mission of Hungary to the United Nations Office and other international organizations in Geneva.

B. Positive Aspects

4. The Committee welcomes some efforts made since the consideration in 2013 of the State party's previous report (CEDAW/C/HUN/7-8) in improving its legislative framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption of the following:

- (a) Amendments to the Labour Code, extending the parental leave for both parents, in 2023;
- (b) Amendments to the Criminal Code on restrictions of the conditions of parole in cases of violent crimes against relatives, in 2020;

* Adopted by the Committee at its eighty-fourth session (6-24 February 2023).

(c) Amendments to the Criminal Procedures Code (Act XC), extending the application of restraining orders, in 2017;

(d) Amendments to the Criminal Code (Section 196) to define rape on the basis of the lack of voluntary consent of the victim, in 2013.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption of the following:

(a) The Empowering Women in the Family and Society Action Plan for 2021 - 2030, in 2020;

(b) The National Anti-trafficking Strategy for 2020 – 2023, in 2020.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party ratified:

(a) The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention), in 2015;

(b) The Council of Europe Convention on Action against Trafficking in Human Beings, in 2013.

C. Sustainable Development Goals

7. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.**

D. Parliament

8. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see A/65/38, part two, annex VI). It invites the National Assembly, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.**

E. Principal areas of concern and recommendations

Regression in the promotion of gender equality

9. The Committee is deeply concerned about retrogressive movements seeking to exclude reference to gender from the political, educational and social discourse in the State party, and that the State party's equality policy is based exclusively on a concept of the family and primarily conceiving a woman's role as a wife and a mother. It notes with concern the rise in stereotypical attitudes about the roles and responsibilities of women and men in the family and in society, as well as the current unavailability of gender studies in public universities. The Committee recalls that the realization of women's human rights and the empowerment of women in all fields of life must go beyond the family. It further notes with concern the backlash on women's rights in the legislation of the State party and in political and public life, undermining the administration of justice and the separation of powers, the right to abortion, protection from discrimination against women belonging to minorities, migration policies, the right to asylum, which jeopardizes women's human rights and the rule

of law in the State party as well as achievements made in recent years in the advancement of gender equality.

10. **The Committee urges the State party to uphold the human rights of women and girls in all their diversity, the rule of law and the independence of the judiciary. It recommends that the State party take measures to address anti-gender public discourse and expand capacity-building on gender equality for government officials, parliamentarians, leaders of political parties and religious movements, as well as public and private media professionals, and the availability of gender studies in public universities, and ensure broad and participatory consultation and collaboration with civil society, in particular women's rights organizations, in the formulation, adoption and implementation of legislation, policies and programmes in relation to the elimination of discrimination against women and the promotion of gender equality.**

Legislative framework

11. The Committee notes with concern the statement of the State party's delegation that there are no plans to adopt specific legislation in relation to women's rights and gender equality in the near future and Political Declaration 2/2020 (V.5) OGY of the National Assembly deciding not to ratify the Council of Europe Convention No. 210 (2011) on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), which would require incorporating the concept and definition of gender and a gender-based approach into national legislation. It is also concerned at the low level of implementation of existing anti-discrimination legislation resulting in a protection gap especially for women facing intersecting forms of discrimination. The Committee is further concerned at the fragmented approach to the recognition and enforcement of women's human rights. It also notes with concern that the Convention has not been directly applied or invoked in court proceedings, despite the precedence of international treaties over national legislation in the State party.

12. **Recalling the principle of indivisibility and universality of human rights enshrined in the Vienna Declaration and Programme of Action of 1993, and anchored in the Convention, the Committee invites the State party to reconsider its position concerning non-ratification of the Council of Europe Convention No.210 (2011) on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), which further weakens protections for women and girls, deprives them of acquired rights and is incompatible with the aforementioned standards and principles of international human rights law. It further recommends that the State party:**

(a) **Adopt, with a clear time frame, a comprehensive and specific anti-discrimination legislation covering direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination, in line with articles 1 and 2 of the Convention, the Committee's general recommendation No. 28 (2010) on the core obligations of State parties under article 2 of the Convention, and target 5.1 of the Sustainable Development Goals on ending all forms of discrimination against all women and girls everywhere;**

(b) **Strengthen capacity-building for members of the judiciary and legal professionals regarding the direct application of the Convention in court proceedings and the interpretation of national legislation in light of the Convention.**

Access to justice

13. The Committee notes with concern persistent barriers to women's and girls' access to justice, in particular for women and girls facing intersecting forms of discrimination who have limited access to justice owing to social stigma, the inaccessibility of the judicial system, gender bias among law enforcement officers, including the police. The Committee further notes that priority is given to mediation and reconciliation procedures in cases involving gender-based violence against women, women's limited awareness of their rights and limited knowledge among judges and law enforcement officials of the Convention, the Optional Protocol thereto and the Committee's general recommendations.

14. Recalling its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party address the barriers to women's and girls' access to justice, including by:

(a) Conducting a study to identify barriers faced by women and girls, in particular those who experience intersecting forms of discrimination, in accessing justice, and by taking effective measures to remove those barriers, including by raising the awareness of women of their rights and improving the accessibility of the judicial system;

(b) Ensuring women's and girls' access to justice, including through procedural accommodations, and encouraging reporting of gender-based violence to law enforcement bodies, including through affordable and, if necessary, free legal assistance; relaxing the burden of proof for complainants; ensuring affordable access to forensic evidence; and continuing to build the capacity of judges, prosecutors, the police and other law enforcement officers on gender-sensitive investigation and interrogation methods and the Convention, the Optional Protocol thereto and the Committee's jurisprudence and general recommendations as a mandatory part of their professional training;

(c) Raising awareness among women and girls, including in rural areas and among Roma women, women with disabilities and older women, on the legal remedies available to claim violations of their rights.

Women peace and security

15. The Committee welcomes the information provided by the delegation about the draft National Action Plan to implement Security Council resolution 1325 (2000). However, it notes with concern that the draft Action Plan has still not been adopted. It is also concerned that civil society organizations, in particular women's organizations are not effectively represented in processes related to women peace and security.

16. The Committee recalls its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, and recommends that the State party

(a) Finalize and adopt the draft National Action Plan for the implementation of Security Council resolution 1325 (2000) on women peace and security, in cooperation with representatives of women's civil society organizations, and ensure that it takes into consideration the full spectrum of the Security Council agenda on women peace and security, as reflected in the Security Council resolutions 1325 (2000) and subsequent resolutions, and incorporates a model of substantive equality that addresses gender-based violence against women and discrimination against women in all spheres of women's lives, including intersecting forms of discrimination against women;

(b) Ensures the meaningful and inclusive participation of women in all processes related to women peace and security, in particular with regard to the implementation of the National Action Plan;

(c) Integrates a gender-responsive budget, sets out indicators for the regular monitoring of its implementation and provides for accountability mechanisms.

National machinery for the advancement of women

17. The Committee notes the establishment of different components of the national machinery for the advancement of women, such as the Ministry without Portfolio for Families in 2020 and the Gender Equality Unit, as well as the Department for Adoption and Women's Policy under the State Secretary. It also notes the replacement of the National Strategy for the Promotion of Gender Equality 2010 – 2021 by the Action Plan for 2021 – 2030. However, the Committee is concerned that since 2022, the Ministry of Culture and Innovation is in charge of women's issues, which may reinforce the shift of the focus from gender equality to women's traditional stereotypical roles in the family, and that the national machinery is fragmented, which reduces its capacity to ensure that gender equality policies

are effectively implemented and that gender is mainstreamed across all government departments. The Committee is further concerned:

- (a) That no impact assessment has been conducted on the Strategy for the Promotion of Gender Equality 2010 – 2021;
- (b) At the lack of specific knowledge and conceptual clarity on family, women's rights and gender equality among civil servants;
- (c) At the limited cooperation between the different components of the national machinery for the advancement of women and civil society.

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

- (a) Establish, within a clear time frame, a government institution at the highest level with adequate human, technical and financial resources, external to and independent from the Ministry of Culture and Innovation, responsible exclusively for the promotion and advancement of women's rights and gender equality, and establish local gender focal points and gender coordination units in all relevant ministries, and clearly define their mandates and responsibilities in the implementation of national legislation and policy frameworks on gender equality;**
- (b) Conduct an impact assessment of the Strategy for the Promotion of Gender Equality 2010 – 2021;**
- (c) Conduct systematic training on women's rights and gender equality for civil servants on initial appointment and regular refresher courses, and monitor progress in relation to gender mainstreaming across all sectors;**
- (d) Strengthen cooperation between the national machinery for the advancement of women and women's rights organizations.**

National human rights institution

19. The Committee notes with concern that the Commissioner for Fundamental Rights has been downgraded to "B" status by the Global Alliance of National Human Rights Institutions (GANHRI) in 2022, due to its failure to effectively carry out its mandate in relation to disadvantaged groups such as ethnic minorities, LGBTQI persons, human rights defenders, refugees and migrants, as well as in relation to media pluralism, civic space and judicial independence.

20. The Committee recommends that the State party strengthen the Commissioner for Fundamental Rights by providing it with adequate human, technical and financial resources to discharge its mandate effectively, independently and in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles; General Assembly resolution 48/134). It also recommends that the State party support the Commissioner in implementing the recommendations of the GANHRI Sub-Committee on Accreditation (SCA), and seek technical assistance from OHCHR in the process.

Temporary special measures

21. The Committee notes with concern the limited understanding within the State party of the non-discriminatory nature and importance of temporary special measures for accelerating the achievement of substantive equality of women and men, including through statutory quotas for women's representation in the public and private sectors, in particular as regards rural women, Roma women and girls, women with disabilities and older women.

22. In line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, and recalling its previous recommendations (CEDAW/C/HUN/CO/7-8, para. 17), the Committee reminds the State party that the application of temporary special measures in

accordance with the Convention is one of the means to realize de facto or substantive equality for women, rather than an exception to the norms of non-discrimination and equality, and recommends that the State party:

(a) Avail itself of regional or international technical assistance to promote understanding of the purpose of temporary special measures among State officials, parliamentarians, policymakers, employers and the general public;

(b) Take further legal measures, including quotas and other proactive measures, accompanied by time-bound targets, sufficient resources and sanctions for non-compliance, to accelerate the realization of the rights of all women under the Convention, in particular in the areas of access to credit, entrepreneurship, employment in the formal sector and professional occupations in the judiciary and in science, technology, engineering, mathematics and information and communication technology, especially with respect to access to decision-making positions in those areas, and to elected and appointed decision-making positions at the provincial and local levels, with particular attention to rural women, Roma women and girls, women with disabilities and older women;

(c) Systematically collect data on the impact of temporary special measures and include such data in its next periodic report.

Stereotypes

23. The Committee remains concerned about the persistence of deep-rooted discriminatory stereotypes and the State party's official declarations concerning the roles and responsibilities of women and men in the family and in society, which overemphasize women's responsibilities as mothers and wives, thereby undermining women's social status, autonomy, educational opportunities and professional careers, as well as constituting an underlying cause of gender-based violence against women. It is further concerned:

(a) That the Fundamental Law and Civil Code only cover hate speech related to national, ethnic, racial and religious groups, and do not provide protection to Roma and LGBTI women against sexist, homophobic and transphobic hate crimes and attitudes;

(b) At the absence of a comprehensive strategy to address discriminatory gender stereotypes, and the absence of capacity-building for media professionals and public officials on the use of gender-responsive language.

24. The Committee reiterates its previous recommendations (CEDAW/C/HUN/CO/7-8, para. 19) and recommends that the State party:

(a) Amend the relevant national legislation, in particular the Fundamental Law (Constitution) and the Civil Code to provide adequate protection against hate crimes against LGBTI and Roma women;

(b) Develop and implement a comprehensive strategy and gender transformative programmes, including for the online domain, targeting community and religious leaders, teachers, girls and boys, and women and men, to eliminate discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society, and develop and introduce a set of targets and indicators to systematically measure the effect and impact of the strategic interventions undertaken;

(c) Provide the media and relevant public officials with capacity building on the use of gender-sensitive language to address discriminatory gender stereotypes and objectification of women and to promote positive media portrayals of women as active drivers of development.

Gender-based violence against women

25. The Committee notes the launch of a new application in 2019 named *Kapcsolj egyből!* (Switch immediately) for victims of gender-based violence and the establishment of new crisis centres, secret shelters, transitional homes and crisis management clinics in 2018.

However, it remains concerned about the high incidence of gender-based violence against women in the State party. In particular, it notes with concern:

(a) The absence of a comprehensive law in line with general recommendation No. 25 (2017) on gender-based violence against women specifically criminalizing all forms of gender-based violence, in particular psychological violence and inadequate protection from gender-based violence to women and girls facing intersecting forms of discrimination, including women and girls belonging to religious and ethnic minorities, women and girls with disabilities and LGBTI women;

(b) That the Criminal Procedure Act provides only 30 days for the victim to file a complaint (private motion) in cases of stalking (222.§), economic and psychological violence as forms of domestic violence (212/A.§ (1)), and certain forms of rape 196.§ (1) and 197.§ (1) a);

(c) The inapplicability of civil restraining orders to victims who are not legally recognized as intimate partners;

(d) The possibility for courts and authorities to oblige the parties to mandatory mediation in cases of child custody or visitation disputes before the Family courts and by the child welfare services and the absence of a legal requirement to examine the history of violence, as well as the possibility to be obliged to pay mediation procedure fees for the woman in case she refuses to take part in mediation with the violent partner.

26. Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:

(a) **Adopt a comprehensive law on gender-based violence against women, in line with general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19 and the Committee's jurisprudence under the Optional Protocol, which includes a definition of gender-based violence against women, measures and policies aimed at its elimination, institutions responsible for its implementation and coordination mechanisms, and takes into account the special protection needs of disadvantaged and marginalized groups of women, including Roma women, women with disabilities and LGBTI women;**

(b) **Amend the discriminatory provisions to ensure the timely and effective issuance, enforcement and monitoring of protection orders, including, where appropriate, expulsion orders, in cases of domestic violence, and impose adequate deterrent penalties for non-compliance with such orders;**

(c) **Repeal provisions on mandatory mediation in cases of child custody and visitation rights, introduce a legal requirement to examine the history of violence in such cases, remove the obligation to pay mediation procedure fees for "non-cooperation" and give priority to criminal proceedings over mediation and reconciliation in cases involving gender-based violence against women;**

(d) **Encourage reporting of all forms of gender-based violence against women and girls, including domestic and sexual violence, without fear of reprisals, stigmatization or re-victimization, and ensure that all such cases are effectively investigated and that perpetrators are prosecuted ex officio and adequately punished; and ensure that police officers who fail to take action or discourage victims from filing complaints are held accountable;**

(e) **Strengthen victim support services and protection, including a 24/7 hotline, adequate and accessible shelters, medical treatment, psychosocial counselling and economic support to victims in all parts of the State party, as well as introduce voluntary and mandatory help services for violent partners.**

Trafficking in women and exploitation of prostitution

27. The Committee welcomes the adoption of the National Strategy against Trafficking in Human Beings for 2020 – 2023, as well as the amendment to the Criminal Code in 2020 which increased the penalties for qualified cases of trafficking in human beings (Section 192

of CC) committed against a minor. However, the Committee notes with concern that the State party remains a country of origin and transit for trafficking in women and girls for purposes of sexual and labour exploitation. It also notes with concern:

- (a) Challenges in the implementation of the National Strategy against Trafficking in Human Beings for 2020 – 2023;
- (b) The limited awareness raising and capacity-building for the judiciary, law enforcement officers, immigration officers and border security on gender-sensitive investigations and interrogations in cases of trafficking in women and girls;
- (c) The lack of information on measures taken to combat cybercrimes related to trafficking in women and girls;
- (d) The State party's reliance on non-governmental organizations for shelter services.

28. **Recalling its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration and its previous recommendations (CEDAW/C/HUN/CO/7-8, para. 23), the Committee recommends that the State party:**

- (a) Ensure sufficient human, technical and financial resources for the effective implementation and monitoring of the National Strategy to monitor and combat human trafficking;**
- (b) Increase awareness and build the capacity of the judiciary, law enforcement officers, border control officials, social workers and health workers to identify, protect and refer women and girls who are victims of trafficking to appropriate services;**
- (c) Intensify efforts to combat cybercrimes related to trafficking on women and girls and adopt a strategy to provide effective protection to victims;**
- (d) Ensure the systematic collection and analysis of data on trafficking, disaggregated by age, sex, nationality of victims and forms of trafficking;**
- (e) Conduct awareness-raising campaigns on the risks of being trafficked and provide access to income-generating opportunities, financial support, legal assistance, hotlines and pre-departure information to migrant women and girls;**
- (f) Further increase the number of shelters for victims of trafficking in both urban and rural areas and provide free legal assistance, adequate medical care, psychosocial counselling, financial support, education, professional training and access to income-generating opportunities to women and girls who are victims of trafficking;**
- (g) Continuously provide funding to civil society organizations operating shelters and providing victim support services.**

Participation in political and public life

29. The Committee notes with appreciation the notable increase of women in the Ministry of Foreign Affairs and Trade (62 per cent) and in diplomatic missions (49 per cent), as well as the election of the State party's first female President in 2022. However, it remains concerned that women are still underrepresented in decision-making positions, including in the Parliament, academia, the judiciary, the public service, as well as in the foreign service as heads of diplomatic mission. The Committee is also concerned at the hate speech towards women in politics, as well as at the lack of targeted measures, including temporary special measures in line with its general recommendation No. 23 (1997) on women in political and public life, to increase women's representation in political and public life.

30. **Recalling its general recommendation No. 23 (1997) on women in political and public life, the Committee recommends that the State party:**

- (a) Introduce targeted measures, including temporary special measures, in line with article 4, paragraph 1, of the Convention and general recommendation No. 25 (2004) on temporary special measures, such as increased quotas in different sectors and financing targeted campaigns to accelerate women's equal and inclusive representation**

at all levels of government, including in Parliament, the judiciary, academia and the foreign service, in particular at decision-making levels;

(b) Introduce measures to combat negative attitudes and discriminatory behaviours, including hate speech towards women in politics, including awareness-raising and educational campaigns in schools, Parliament and among the general public;

(c) Expand the Women's Public Leadership Programme and introduce preferential recruitment of women to the civil service and the foreign service, paying particular attention to women belonging to disadvantaged and marginalized groups;

(d) Provide capacity-building to women politicians and candidates regarding political campaigning, leadership and negotiation skills, and raise awareness, in collaboration with the media, among politicians, the media, religious and community leaders and the general public, on the importance of the full, independent and democratic participation of women on an equal basis with men in political and public life as a requirement for fully implementing the human rights of women and for achieving political stability and sustainable development in the State party;

(e) Provide capacity-building and training to women managers and leaders in the private sector and work with private sector entities on the importance of women's equal participation in leadership positions.

Education

31. The Committee notes with appreciation the high number of girls and women enrolled in education, and the initiatives to promote women's and girls' participation in non-traditional fields of study and career paths, in particular in science, technology, engineering and mathematics and information and communications technology. However, the Committee notes with concern the "Pink education" analysis produced by the State Audit Office in 2022, which contains sexist language and reinforces gender stereotypes. It also notes with concern:

(a) Reports about segregation and discrimination in access to education against Roma, refugee and asylum-seeking women and girls and LGBTI women and girls;

(b) The lack of comprehensive age-appropriate sexuality education at school;

(c) The persistence of discriminatory gender stereotypes in school curricula and textbooks and the lack of school education on gender equality;

(d) The lack of effective measures to ensure the protection of women and girls from gender-based violence, harassment and bullying in schools and universities and the lack of effective complaint and redress mechanisms.

32. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee reminds the State party about its obligation to adopt measures towards a genuine transformation of opportunities, institutions and systems so that they are no longer grounded in historically rooted patriarchal power and life patterns, and that the education system is an example of an area for transformation that, once achieved, can accelerate positive change in other areas. The Committee recommends that the State party:

(a) Ensure that girls and women belonging to disadvantaged and marginalized groups, such as girls and women with disabilities and Roma, migrant, refugee and asylum-seeking girls and women, and LGBTI girls and women have access to inclusive quality education;

(b) Develop and integrate into school curricula: (i) education on gender equality, including on women's rights, women leaders in public life and the harmful effects of gender stereotyping and gender-based violence against women and girls; (ii) age-appropriate sexuality education at all levels of education, paying particular attention to responsible sexual behaviour, modern forms of contraception and preventing early pregnancies and sexually transmitted diseases; and (iii) human rights and peace education;

(c) **Adopt targeted measures, including temporary special measures, to encourage women and girls to choose non-traditional fields of education and career paths, such as science, technology, engineering and mathematics (STEM) as well as information and communications technology (ICT), including through career counselling, scholarships and subsidies to cover indirect costs of education, and ensure that all fields of studies and employment are open to women and girls.**

(d) **Ensure the protection of women and girls in schools and universities from harassment and gender-based violence, including by establishing effective reporting and accountability mechanisms, and endorse the Safe Schools Declaration (2015);**

(e) **Develop a national anti-bullying policy to provide safe and inclusive educational environments to women and girls free from discrimination, harassment and violence.**

Employment

33. The Committee notes with appreciation the amendment to the Labour Code in January 2023, which introduces new opportunities for the return of parents of small children to work and grants 44 working days of parental leave for both the mother and father until a child reaches 3 years of age provided that the employee has at least one continuous year of employment. However, the Committee is concerned at the lack of awareness among fathers and employers about these possibilities. The Committee also notes the new provisions for flexible working arrangements to improve the work-life balance of women and men. However, the Committee is concerned:

(a) At the gender pay gap (17 per cent of the average monthly wage of men) and horizontal and vertical segregation in the labour market, as well as barriers to women's access to management positions, higher-paid jobs and decision-making positions;

(b) At the lack of measures to implement the European Union Directive 2022/2381 to establish a minimum quota of 40 per cent for women's representation as non-executive directors on company boards;

(c) That despite the prohibition of sexual harassment in the Equal Treatment Act, between 2021-2022, only 4 complaints about sexual harassment in the workplace have been received by the Commissioner for Fundamental Rights;

(d) At the limited access to decent employment for disadvantaged and marginalized groups of women, including Roma women and women with disabilities;

(e) That despite certain efforts to strengthen women's entrepreneurship through different national programmes such as 'Dobbantó' Female Entrepreneurial Program, the number of women entrepreneurs remains low.

34. **The Committee recommends that the State party refocus its employment policy on gender equality and ensure that it is based on results, measurable indicators, partnerships with the private sector and opportunities for professional training in all areas, including innovative sectors such as the information and communications technology sector. It also recalls its previous recommendations (CEDAW/C/HUN/CO/7-8, para. 29) and recommends that the State party:**

(a) **Enforce national legislation and regulations to ensure the application of the principle of equal pay for work of equal value, and regularly review wages in sectors where women are concentrated and adopt measures to close the gender pay gap, including through gender-neutral analytical job classification and evaluation methods and regular pay surveys;**

(b) **Strengthen efforts to comply with the European Union Directive 2022/2381 to establish a minimum quota of 40 per cent for women's representation as non-executive directors on company boards;**

(c) **Strengthen the application of legislation which prohibits sexual harassment in the workplace, ensure that victims have access to effective remedies and ensure that complaints about sexual harassment are effectively investigated,**

perpetrators prosecuted and adequately punished and victims protected from retaliation;

(d) Improve access to employment and training opportunities for disadvantaged and marginalized groups of women, such as Roma women and women with disabilities;

(e) Promote the understanding and encourage the use of the parental leave and flexible job arrangements for fathers through regular awareness and sensitization campaigns, including among employers, and through providing adequate compensation;

(f) Ratify the Convention on Eliminating Violence and Harassment in the World of Work (No. 190), 2019, of the International Labour Organization.

Health

35. The Committee remains concerned:

(a) That despite the fact that termination of pregnancy is legal in the State party, medical abortion is not available and according to the amendment September 2022 to the regulation No. 32/1992 (XII.23), women who require an abortion are required to undergo two sessions of counselling and a mandatory 3-day waiting period and to listen to the foetus' heartbeat before abortion;

(b) That women's and girls' access to available and affordable modern contraceptives remains limited and is subject to a prescription, and that adolescent girls face barriers in accessing information on sexual and reproductive health and rights;

(c) That women with disabilities living in institutions continue to be subjected to sterilization and forced sterilization without their free and informed consent;

(d) At the absence of policies on protection of women from HIV/AIDS;

(e) At the absence in school curricula of mandatory education on sexual and reproductive health and rights, and the lack of training of teachers in this field.

36. In line with its general recommendation No. 24 (1999) on women and health and targets 3.1 and 3.7 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Repeal the amendment to the regulation No. 32/1992 (XII.23) and ensure unimpeded and adequate access to legal abortion and post-abortion services for all women in the State party, including by ensuring that institutions are precluded by law from raising conscientious objections, defining the grounds on which it is permissible for health professionals to raise such objections and guaranteeing mandatory referrals in cases of conscientious objections;

(b) Ensure access to adequate sexual and reproductive health services and information, including the availability, accessibility and affordability of modern and emergency contraceptives, for all women and girls, including women belonging to ethnic minorities and rural women and girls, with full respect for women's sexual and reproductive choices, autonomy, privacy, confidentiality and informed consent, in all parts of the State party;

(c) Repeal or amend Act CLIV of 1997 which enables doctors to perform forced sterilizations on very wide grounds and eliminate the possibility of forced sterilization of women with disabilities, as recommended by the Committee on the Rights of Persons with Disabilities in 2022 (CRPD/C/HUN/CO/2-3, para. 36);

(d) Adopt specific policies to protect women from HIV/AIDS;

(e) Integrate mandatory education on sexual and reproductive health and rights in school curricula, including education on responsible sexual behaviour, modern forms of contraception, the prevention of sexually transmitted infections and the risks of unsafe abortion, and provide related training for teachers.

Disadvantaged and marginalized groups of women

37. The Committee remains concerned that rural women, older women, women with disabilities, women belonging to ethnic minority groups, such as Roma women and girls, LGBTI women and girls, refugee, asylum-seeking women and migrant women continue to face intersecting and aggravated forms of discrimination in the State party.

38. **The Committee recommends that the State party adopt targeted measures, including temporary special measures, to ensure access to justice, employment and health care, including sexual and reproductive health services, social protection and food security for disadvantaged groups of women such as rural women, older women, women with disabilities, women belonging to ethnic minority groups, refugee, asylum-seeking and migrant women, taking into account their specific needs.**

39. The Committee takes note of the State party's efforts to improve social inclusion of Roma women and girls, such as *Bari shej-Fata maré-Girl* Programme for education launched in 2016, and 'Chance for Women' programme aimed at addressing poverty and unemployment among Roma women. However, the Committee is concerned that those measures have not improved the situation of Roma women and girls, who are frequently exposed to intersecting forms of discrimination and marginalization and continue to face stigmatization and harmful practices.

40. **The Committee recommends that the State party:**

(a) **Adopt targeted measures to combat intersecting forms of discrimination against Roma women and girls, including with regard to access to education, employment, health care, housing and other basic services;**

(b) **Strengthen and implement programmes on gender equality, poverty alleviation and social inclusion for Roma women and girls;**

(c) **Engage with national educational institutions and civil society organizations representing Roma women to coordinate action to reduce prejudice, combat ethnic stereotypes and discrimination and promote the equal participation of Roma women in all areas of life.**

Marriage and family relations

41. The Committee notes with concern:

(a) That, although the legal age of marriage is 18 years under Section 4:9 of the Civil Code, exceptions are allowed for marriages above the age of 16 with the approval of the guardianship's authority;

(b) That despite the fact that women in registered partnerships have most of the rights and duties as married women, registered partnerships are not recognized under the joint and second parent adoption scheme, which creates legal, administrative and practical barriers for children living with same-sex parents and disproportionately affects lesbian and bisexual women;

(c) That several measures introduced by the Family Protection Action Plan with the aim of family mainstreaming and demographic increase, such as joint loans for purchasing property, tax exemptions for women raising four and more children, preferential loans for women under age 40 for their first marriage, among other measures, may force women to stay in violent relationships and in case where children are not born within the commitment period women are obliged to pay back the subsidy with penalty interests, which disproportionately affects them.

42. **The Committee recommends that the State party establish a clear time frame for the adoption of the national strategy and action plan on the prevention of child and forced marriage. Recalling its previous recommendations (CEDAW/C/HUN/CO/7-8, para. 39), the Committee recommends that the State party:**

(a) **Review the Civil Code in order to remove all exceptions to the legal minimum age of marriage of 18 years for both women and men and pursue its efforts to combat child and forced marriage, including by addressing the root causes of this**

harmful practice; encouraging reporting; punishing complicit family members, religious and community leaders or law enforcement officers; establishing mechanisms to detect such cases; and ensuring the prosecution and adequate punishment of those responsible, in accordance with 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 on harmful practices (2014);

(b) Ensure that women and men have the same rights and responsibilities in marriage and family relations, including in registered partnerships, and upon their dissolution, including the same parental rights in cases of adoption, irrespective of their marital status, in accordance with article 16 of the Convention;

(c) Amend the Family Protection Action Plan to ensure that the measures contained therein do not have detrimental consequences for women in case of separation or divorce.

Beijing Declaration and Platform for Action

43. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.

Dissemination

44. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language(s) of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the Parliament and the judiciary, to enable their full implementation.

Ratification of other treaties

45. 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 ratify 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, to which it is not yet a party.

Follow-up to the concluding observations

46. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 14 (a), 16 (a) and 30 (a) and 36 (a) above.

Preparation of the next report

47. The Committee will establish and communicate the due date of the tenth periodic report of the State party in line with a future predictable reporting calendar based on an eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should cover the entire period up to the time of its submission.

48. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I).