
Committee on the Elimination of
Discrimination against Women
Third session

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Concluding comments of the Committee on the Elimination of
Discrimination against Women: Hungary

Initial report

18. The Committee considered the initial report of Hungary (CEDAW/C/5/Add.3) at its 32nd and 36th meetings, held on 29 March and 2 April 1984 (CEDAW/C/SR.32 and 36).

19. The representative of Hungary stated that the report gave Hungary, as a State party, the opportunity to review the issue of what had been achieved in implementing its goals to ensure equal opportunities to all human beings and to define where the weaknesses were and what measures would have to be taken to improve the situation, as well as to compare their achievements with regard to the situation prevailing in other parts of the world.

20. He stated that, as could be seen from such an evaluation, although his country could certainly not claim to have fully reached all the goals, starting from a semi-feudal, semi-fascist society predating the Second World War, its record was rather respectable.

21. Hungary had been among the first countries to ratify the Convention and such a step had been taken because the Convention's provisions coincided with the goals of Hungary's socialist society. The principles and measures required by the Convention had been spelled out and the country had undertaken to implement its provisions and to comply with the obligations inherent therein. Moreover, in his country, some provisions went even beyond the scope of the Convention in some areas.

22. With regard to women's employment, there were countries where women faced mass unemployment. Hungary also had an employment-related problem but of a different nature. Because of extended paid child-care leave, a substantial number of Hungarian women remained at home three years after the birth of a child. That, in fact, affected a quarter of a million women in Hungary which in turn created a labour shortage, as for example in the textile industry.

23. What was important was that constant and consistent care should be taken to prevent discrimination against women. Such efforts should not result in tokenism since women represented a large segment of all societies. In Hungary they constituted 51.5 per cent of the total population with 79 per cent of those of working age being active earners. It was obvious that the economy could not function without women because, for example, women accounted for 83.4 per cent of pharmacists, 40.4 per cent of physicians, 89.7 per cent of lower grade teachers, 27.7 per cent of those devoted to scientific research and 47.4 per cent of jurists and lawyers.

24. The solution to problems confronting women was bound to lead to the emergence of other problems but that should never be a deterrent to coming to grips with a problem that presented itself as the most acute one at the present moment.

25. Women's participation in the political life of the country was at a respectable level. They made up 27 per cent of the members at the National Assembly, 95 of the 352 deputies being women. However, he did recognize that the ideal 50 per cent had not been achieved, although through a projected electoral reform, the situation was likely to be improved.

26. Finally, although objective conditions had now been met for eliminating old prejudices, there remained a subjective element on which there was still a lot to do and which related to old concepts and prejudices.

27. The Committee commended the representative of Hungary for the sincere and frank exposition of the situation of women in Hungary and for the clear and thought-provoking presentation of his country's initial report.

28. In response to the introductory statement made by the representative of the State party, one expert noted that a very small percentage of women were not employed in Hungary and experts asked about benefits to women who were not employed and how women were affected in that regard.

29. One member of the Committee also noted that the three-year-leave plan after the birth of a child for both men and women had led to a problem for women

returning to work and sought clarification on what kind of re-entry programmes, such as training, were made available to women. It was also asked whether the positions occupied by the women who took advantage of that leave period were kept for their return and whether their seniority was protected.

30. A further question was raised as to whether the three-year-leave period granted upon the birth of a child was paid leave and whether it was paid in addition to the pregnancy leave provisions which were 20 fully paid weeks.

31. Regarding the participation of women in political life, it was noted that 27 per cent of the representatives to the National Assembly were women. Although a 50 per cent target was desirable, it did not always mean that equality existed. Rather, equality meant that women's capacities were fully recognized and that the constitution guaranteed their full participation in the political and social life of the country.

32. Some experts commended the structure of the report in that it followed the structure of the Convention, some others found it refreshing to learn from the report that not everything was perfect in that country as yet. Yet others stated that the principle of equality in all forms of political, social and economic life had been implemented in Hungary already before the ratification of the Convention.

33. Clarification was sought on the percentage of women in legislative bodies, on the number of women who were involved in schooling and professional training, on the number of women who held managerial posts and posts in the higher courts or were on executive boards and on the number of women who presided over educational establishments. Another expert asked whether women were responsible for teaching in primary schools. Explanations were requested as to whether discrimination against women was considered as a crime or an offence, and the nature of the sanctions and examples of penalties against persons who had violated the Convention were requested.

34. In connection with the question of the participation of social and political bodies, clarification was sought as to whether the terms of article 68 of the Hungarian Constitution authorizing citizens to make proposals of public interest with respect to social and political organizations specified a particular political party and whether citizens had to be active members of that political party in order to be allowed to exercise that right or whether mere citizenship was sufficient. The Committee also wondered whether trade unions played a legislative role in Hungary and asked what was meant by the "traditionally" important role played by women in the trade unions.

35. One expert was eager to learn whether all the other national councils had the same threefold legislative, executive and informative task as the National Council of Hungarian Women.

36. In connection with the provision contained in article 19 of the Labour Code, clarification of the meaning of the word "preference" was sought, and the question was asked whether in case of a job application made by a man, a woman and a pregnant woman, the employer would give preference to the pregnant woman.

37. One expert asked whether the mutual obligation of the spouses to help each other, as contained in article 24 of the Family Law, referred to material or to intellectual help and what were the sanctions in case of non-compliance.

38. Noting the attention paid in the report to the concept of equality in both public life, work and the family, one expert wanted to know what was done not only to promote conditions for women, but also to encourage men to perform their double role as earners and caretakers of family and home. He also wanted to know whether in analogy to article 20 of the Labour Code men would be assigned to perform work which was liable to be injurious. He asked for an explanation as to what types of work figured on the list of work qualified as harmful to one's health.

39. Information was requested as to whether women had free access to abortion and what penal measures existed in the field of prostitution.

40. Since women could choose under Hungarian law to keep their maiden name after marriage, clarification concerning the names of children was requested.

41. The Committee inquired also whether the provision concerning remuneration according to quality and quantity of work was equivalent to the article of the Convention concerning equal pay for work of equal value.

42. One expert asked for more detailed information on the phenomenon of feminization of certain professions, which existed also in other countries. She further inquired about the measures taken by the Government to change the professional orientation of young women. She asked whether, in view of the retirement age fixed by law, women were forced to retire at the age of 55 even if they preferred to go on working and whether the system of part-time work had been introduced in Hungary. Another expert inquired about the reason for the difference in the retirement ages of men and women (55 for women and 60 for men).

43. Another question referred to the role of women in the struggle for peace and disarmament.

44. Information was sought on the type of grants given to parents for children up to the age of three, whether for children older than three years a monthly grant was paid to their parents and, if so, what the percentage of such grants was compared with the average monthly salaries. It was also asked what percentage of children between three and six years attended kindergartens and whether the needs of such children were met by child-care institutions. Another question referred to whether or not children were guaranteed maintenance in case of dissolution of the marriage.

45. With regard to article 55 of the Labour Code, it was asked what guarantees were given that secured the right to fair remuneration and if there was a salary scale which could be used as a basis for comparative analysis.

46. One expert was concerned about the legal avenues open to women who sought redress in case of discrimination and, if such legal provisions existed, could examples be cited as to how they were applied; also, were there cases which had served as precedents and were there court decisions. In that regard, it was also asked what specific legislative measure provided for the application of the Convention and its implementation. One expert also inquired whether there were penalties for discrimination against women.

47. Going back to women's participation in the political life of the country and society, it was said that clarification was needed with regard to whether a woman could be elected as President of the country; also, in which main direction was the

official policy of the Government moving to attain the desired goal of equality and the assurance to women of their rights. Moreover, it was asked whether the Government was taking any steps to encourage women to run for elections.

48. In discussing the National Council of Women and its role, it was asked whether it could initiate and propose the introduction of new laws, whether it was taken seriously and whether specific statistics could be given on the female-male ratio within the Communist party, and at what levels.

49. It was asked whether Hungary had ratified the Convention with reservations and how did the Government feel its legislation went beyond the requirements of the Convention.

50. More information was also requested regarding the profile of women's employment, and whether girls were encouraged to enter into unsegregated professions. Moreover, it was asked how the Hungarian Government was dealing with the introduction of new technologies and how women were being integrated in that process.

51. On the subject of family law, it was asked whether a single parent could adopt a child and why was there a different age for men (18 years) and women (16) to enter into marriage. The law requested parental consent if marriage was sought at a younger age, and it was asked what that age was and whether the matter was left to the discretion of the parents.

52. At its 36th meeting, the Committee heard the replies of the representative of Hungary to the questions raised. He said he welcomed the interest of the Committee in the situation of women in Hungary.

53. He referred to the Hungarian Constitution where discrimination in any form was prohibited. That prohibition was accompanied by measures providing for additional protection of women which was a necessary precondition for actually realizing the principle of equality. Problems related to implementation were complex in nature and required a comprehensive approach. The Constitution went further than the Convention in that, not only did it enshrine the principle of equality but it legislated against all forms of discrimination, and special measures had been devised which acted as a corollary to guarantee the practical realization of the targets laid down by the principles in the Constitution.

54. As a result of the above provisions, steps had been taken successfully in Hungary to remove discrimination in some areas, such as in the labour field, which had been enforced by the competent labour tribunals and resulted in appointments, promotions, etc. being made.

55. The Constitution guaranteed the exercise of women's political rights. More specifically, the voting age for women and men was 18 years; a woman could be elected President; encouragement was given to more women to run for office; both de jure and de facto, women could perform any public function. One third of the deputies to the National Assembly were women and one out of two deputy speakers in Parliament was a woman; women were represented in the Presidential Council, in the Council of Ministers and in the Political Committee of the Party. Thirty-one per cent of municipal and county council members, and 30.7 per cent of local council members were women while 51 per cent of the elected posts in trade unions and 42 per cent in youth organizations were held by women. There was a

considerable number of women in the Supreme Court, the Court of Appeals and district courts.

56. The Hungarian National Council of Women, a voluntary membership organization, played a fundamental role in the political life of the country. That Council had the right to take initiatives and to promote the views of its members on all the issues where women were directly or indirectly concerned, and it was taken very seriously by the Government. In addition, it provided guidelines to Parliament and recommendations to the trade unions, which could be made into law.

57. Education was another facet of Hungarian society where women participated fully. At the present time, 50 to 60 per cent of students attending institutions of higher education, 60 to 80 per cent of secondary school students, and 33 per cent of vocational school students were women. Also, 40 per cent of graduates and 54 per cent of those who had completed secondary education were women. Illiteracy had been eradicated with compulsory primary education.

58. Regarding labour, he explained that if anyone was unable to work because of health reasons he or she was entitled to special allowances. The picture in the Hungarian labour force was as follows: women comprised 45 per cent of the total and 32.2 per cent of those in industry. Other sectors were as follows: non-material sectors, 26 per cent; agriculture and forestry, 18.6 per cent; trade, 14.2 per cent; transport and telecommunications, 4.5 per cent; construction, 3.1 per cent; Management of Water Supplies, 0.8 per cent. The highest percentages of women were in the fields of health, social and cultural services with 75.4 per cent.

59. As to the level of employment, women's positions were generally lower than men's. The percentage in managerial posts was approximately 10 per cent. It was expected that, with more women attending institutions of learning, that figure would increase. It was also stated that, although the principle of equal pay for equal work was part of Hungarian legislation, women's average earnings were 20 to 30 per cent less in their main occupational groups, and in leading positions they also were 15 per cent less than their male counterparts.

60. Occupations harmful to women were determined with the help of the trade unions and the Women's Council. Protective legislation also covered pregnant women who, for example, were prohibited from working on the night shift from the fourth month of pregnancy to the end of the child's first year.

61. It was forbidden to terminate a woman's employment during pregnancy or while nursing, during child-care leave, and during paid or unpaid leave granted to take care of a sick child.

62. The age for retirement of women was 55, but that was not compulsory and there were options for part-time work to supplement the pension payments.

63. Since 1967 the Government had given child-care allowances to working mothers after 20 weeks of paid maternity leave. Child-care leave, as explained in the report, was granted up to three years and in no way interfered with acquired rights such as pension, salary and other benefits. Vocational courses had been organized and measures taken to provide the necessary pre-conditions for those who wanted to go back to work. Child-care leave was an option and a new regulation allowed a mother on such leave to undertake part-time employment which should not exceed four hours a day on the monthly average.

64. Regarding marriage laws, both spouses had a right to choose their partners, to marry or divorce, to adopt children and to perform the tasks of being parents. Both parents were equally responsible for their child's health, development, welfare and education. Upon divorce, the children's fate was decided by common agreement or by court decision.

65. Several members of the Committee congratulated the representative on his thorough answers, and noted that major progress had been made in Hungary. It was stated that the articles of the Convention coincided with provisions in the Constitution and that the Hungarian Government was making efforts to ensure equality.

66. One expert asked whether a single person could adopt a child, while another noted that the achievement of equality by women was not only a social issue but also a cultural and economic one.

67. In replying, the representative of the State party informed the Committee that a law was being drafted which would enable a single person to adopt a child, and he agreed that equality was a socio-economic, cultural and health issue which should be tackled in all of its complexities.

68. Some members of the Committee expressed the view that the provisions of the Convention were fully implemented in Hungary and that women were playing a major role in that country.