
Committee on the Elimination of
Discrimination against Women
Seventh session

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

Second periodic report

672. The Committee considered the second periodic report of Hungary (CEDAW/C/13/Add.1) at its 124th and 127th meetings, on 1 and 2 March 1988 (CEDAW/C/SR.124 and 127).

673. Before answering the questions presented to him, the representative of Hungary distributed statistical data on topics such as the structure of the population, employment, household statistics, housing, education, social welfare, public health and employment. In introducing the report, he stressed his country's deep commitment to the Convention, which his country considered as one of the most significant parts of contemporary international law.

674. In reply to a question concerning the introduction of legal and other measures since the initial report, the representative referred to the introduction of the child-care fee in 1985, which represented a much higher level of social protection than the child-care allowance; a new family law in 1986, which gave an increased protection to marriage and family; the revision of the maternity leave provisions;

and the 1983 Act on the election of members of parliament and of councillors, which had introduced the mandatory nomination of two or more candidates.

675. Regarding the actual progress made in promoting the full advancement of women, the representative gave as examples the increase in participation of women in the socially-organized labour and the higher level of education attained by women. Further examples were an increased involvement of women in public life and continuing improvement in their living conditions. They represented 49.2 per cent of the economically active population in 1986. He also mentioned the Government's long-term demographic and social policy programmes, which included, *inter alia*, an increased material support to families with children, a wider network of child-care facilities, genetic counselling and improvement of pre- and post-natal care.

676. No significant changes had occurred in the status and equality between women and men since the initial report. As far as any remaining obstacles to the achievement of equality between women and men were concerned, the achievement of equality could never be considered as completed. No new institutions had been established to ensure the principle of equality.

677. Regarding the existence of any programmes to modify patterns of conduct based on the idea of inferiority or superiority of either of the sexes, he said that such an idea was incompatible with the values of the Hungarian socialist society.

678. The Convention had become part of the legal system of the country and it had been published in the Official Gazette, he said, as well as in the widely distributed publications of the National Council of Women, and was included in school textbooks. The report of Hungary to the Committee had received publicity in the daily press and in periodicals. Any similar report would receive the same treatment.

679. Anybody, without exception, could be prosecuted for violating the constitutional provisions prohibiting discrimination against women. There were no special institutions to deal with complaints by women relating to discrimination because Hungarian courts operated on the basis of the territorial principle. Judges could, however, be designated on the grounds of their competence and experience to deal with specific cases. No statistics were available about cases of complaint about discrimination and no examples could be given.

680. No answer was given to the question concerning the introduction of measures to overcome obstacles to equality arising from prejudices, customs or practices. There were no general programmes aimed at overcoming domestic violence and sexual harassment, but specific cases were always investigated and prosecuted. Regarding programmes aimed at assisting men and women in performing their dual role as earners and caretakers of the family, he referred the Committee to the information given in the report.

681. Prostitution was defined as a crime regardless of sex, but the other party was not liable to prosecution.

682. Concerning a possible increase of the number of women in legislative bodies, the representative referred the Committee to the information given in the report. No replies were provided to questions concerning the actual level of participation of women in governmental positions, managerial posts, higher courts, education boards and the direction of educational establishments, and in management of trade

unions. Figures on the membership of trade unions showed that the number of both women and men had increased. Women slightly outnumbered men in trade union executive bodies.

683. Referring to questions concerning the role played by the National Council of Women in government and legislation, the appointment of its executive members and the part played by the Council in the preparation of the report, the representative referred the Committee to the information given in the report. The presidium of 35 members was elected by the Council and the Council contributed to the advancement of women by putting out various publications. The Council had taken part in the preparation of the report.

684. Concerning the measures adopted to ensure that women were equally represented in all government boards and committees, the representative replied that an equal representation was an overall desire, but not on a pure basis of statistics and that women in some cases could be in majority. Regarding the proportion of women in the communist party, at all levels, he said that no statistics were available, but that women were quite fairly represented.

685. Referring to measures taken to involve more women at decision-making levels of management in delegations to international forums, he said that the Government encouraged women to be more and more involved in decision-making.

686. As regards any increase in the proportion of women entering training in traditionally male areas, he gave percentages of girls attending various levels of education and having completed university, secondary and vocational education. The lowest percentages of women could be seen in engineering (18.4 per cent), agricultural (35.3 per cent) and veterinary schools (14.8 per cent). Women in industry represented 30.6 per cent and their number had decreased in agriculture to 18.6 per cent. Their participation in trade, transport, public administration, post and communications and social and cultural services was continuously increasing. No specific programmes existed to encourage girls and boys to seek education and training in non-traditional areas nor were specific programmes available for family life, family health and family planning. All sporting facilities were equally open to either sex and he gave several examples of women who had accomplished outstanding performances in sports.

687. It was stated that 87.1 per cent of teachers in lower grade and 75.6 per cent in higher primary schools were women. Female teachers in kindergarten represented 99.9 per cent. The percentage of children enrolled in kindergarten had risen from 79.8 per cent in 1980 to 92.6 per cent in 1986.

688. An affirmative reply was given to the question of whether the new child-care allowance scheme reflected a pro-family policy aimed at encouraging women to have more children and stay at home. Concerning the way in which the rule that employment preference be given to pregnant women was carried out in practice, the provision was monitored by legal departments, trade unions and various organizations. No further information was given regarding the question whether restrictions on assigning work considered harmful to health applied also to men. Concerning the questions as to which measures had been taken to encourage young women to enter male-dominated professions, the representative said that the country's long-term objective had been to eliminate deeply-rooted traditions in people's choice of professions, and he gave the ratios of women in different branches of research.

689. No action had been taken to provide the same retirement age for women and men.
690. As regards the family-allowance system, he explained that the allowance depended on the number of children and served family-planning purposes. The monthly amounts, for which the corresponding figures were given, were paid to the parents or to single mothers or fathers.
691. It was explained that women's wages were about one fourth less than men's wages and some of the reasons for that phenomenon were traditions, subjectivism and the employment of women mainly in lower-paid jobs. As a result of technological developments, new job opportunities had appeared for women, in fields such as microelectronics, computer technics, telecommunication and chemical and machine industries.
692. Concerning the level of employment of women and the measures taken to increase employment opportunities for women, it was stated that the problem of unemployment did not exist for the period under review. It was further stated that during the last five years, the disproportion between women's and men's wages had decreased.
693. No significant changes were reported on with respect to birth and fertility rates, life expectancy of men and women, maternal and infant mortality. Family-planning services were available to all women free of charge and were accessible also to rural women. The Government endeavoured to increase the birth rate. A woman could have an abortion only if the Abortion Committee gave her permission. The permission was usually granted if she was not married or had at least two children or had health problems.
694. Regarding the proportion of women living in rural areas and any changes in that respect, 41 per cent of the total population lived in rural areas and the percentage had decreased by nearly 20 per cent during the last 27 years. As to the measures taken to improve the situation of rural women as a result of the implementation of the Convention, the position of rural women in some areas was even better than that of women in the cities. Concerning the access of rural women to health services, education, employment and training, similar facilities existed all over the country. The National Council for Women, in collaboration with other social organizations, paid special attention to rural women, and the members of the Committee as well as of the presidium held frequent meetings in different parts of the country.
695. After the conclusion of marriage, all property earned or purchased by husband and wife was considered joint property and there were no restrictions on the right of married women to own or sell land, as far as their own property was concerned, to enter into contracts or to obtain credit. The consent of any of the spouses for any of those transactions was only needed in case of common or joint property.
696. As regards family relations and marriage, the age of marriage had been increased for both partners to 18 years, either of the spouses could be held liable by a court decision to pay maintenance after separation or divorce and children born in and out of wedlock had the same rights. Joint property had to be divided equally between the partners if the marriage broke up and either of the partners could be obliged to pay alimony. A supplementary alimony could be requested from the man only if the woman was on maternity or child-care leave and had to face major expenses in connection with maternity. The maximum amount of maintenance was 45 per cent of the wage earned by the father if the children stayed with the mother.

697. Regarding special measures to protect women who were victims of domestic violence, it did not constitute a problem in the country, and, if needed, the offender was punished. Rape was a crime severely punished even if committed within marriage.

698. No information was provided as to whether alcoholism caused special problems for women and whether any measures existed in that respect.

699. As regards percentages on the distribution of the population by marital status or living in de facto relationships, the representative referred the Committee to the statistical data that had been distributed during the meeting. The divorce rate was 2.6 in 1980 and had increased to 2.8 in 1986.

700. Experts thanked the representative for his co-operation in the adopted procedure for the consideration of second periodic reports, which had been used for the first time on a trial basis, for having dealt with most of the questions raised by them and for having provided ample additional information. While the information provided orally and the statistical material were commended, disappointment was expressed at the way the second periodic report was presented. It was said that except for the information on the new social security measures, the new family law and some statistical data, the second report did not differ at all from the initial report. It was not sufficient to report on legal measures; the experts were interested in the results of their implementation and in the de facto situation of women. It was also said that some of the articles of the Convention were not addressed with sufficient depth by the State party. It was remarked that the repetitions in the second report were perhaps attributable to the absence of appropriate guidelines for second periodic reports.

701. Whereas most experts expressed the hope that the subsequent report would contain a more in-depth study of the situation of women in Hungary and give answers to all the remaining questions, some members of the Committee were not at all dissatisfied with the report and the replies given. Firstly, it was said that social processes were complex and lengthy and a time-span of four years was not long enough to make it possible to identify significant changes. Secondly, it was stated that at the time of presentation of the initial report, the status of women was already quite high in the country. The analysis of the report and the answers provided by the representative attested to a continuous tendency of the country towards implementing the concept of equality of the sexes. It was said that the socialist system had established the broad social framework for the advancement of women, which could be expanded even further. Not all problems had been solved yet, but the setting of goals constituted already the first step for achieving them. Given the actual status of women in Hungary and the very powerful women's movement in the country, the report was rather modest and did not describe fully the positive situation. When introducing the report, the representative of the State party should be given the opportunity to speak more at length about the underlying fundamental principles of a State.

702. Some members asked additional questions regarding the recent reforms undertaken by the Government affecting the status of women. Others wanted to learn to what extent the National Council of Women had succeeded in implementing a change of legislation in favour of women.

703. It was asked whether men participated in domestic work and whether the two parties in a marriage were being educated in sharing their household tasks through enlightenment campaigns.

704. Congratulations were expressed for the high representation of women in Parliament. It was asked, however, why the ratio had decreased since 1982 and whether consideration had been given by the country to overcoming traditional stereotypes.

705. More clarification was sought concerning statistical data on education, in particular as to the reason why the percentage of students in vocational secondary schools had risen, whereas the number of students in grammar schools had dropped. Furthermore, it was asked how the high number of undergraduates of high level education compared with the low number of diplomas obtained.

706. It was asked whether it was considered at all to grant women the same retirement age as men, and whether paternity leave existed. More information was requested on the existence of temporary special measures.

707. It was commented that sex segregation existed in education and on the labour market, which could have a negative impact on women's wages. Could it even be that women were lower paid because they often were to be found in professions dominated by women. Further information on the practical implementation of the principle of equal pay for work of equal value was requested therefore in the forthcoming wage reform, such as affirmative action programmes to integrate women in male-dominated areas.

708. More statistical material was requested and it was said that statistical data made it easier for experts to assess certain developments.

709. It was said that most of the social security measures were not a reflection of the rights of women, but rather seemed to aim at the protection of women in their function as mothers. It was felt that those measures emphasized the role of women as being reproductive machines, and it was asked whether women who were not interested in having children were given similar incentives in their conditions of work. Experts asked how the two policies of encouraging women to have more children and of improving their status of work could be reconciled. It was felt that the encouragement for women to have more children had to be met by a considerable increase in the contribution by men in performing household work and child care. It was also asked whether the years lost in child bearing were counted for seniority in job promotions.

710. Questions were raised as to whether any new legislation was contemplated to modify the family law and whether single persons could adopt children, and concern was expressed at the increasing divorce rate. It was asked whether studies on that topic existed.

711. The representative said that Hungary's third report would be prepared in such a way as to address those questions which might have remained unanswered. The repetitions between the initial report and the second were intentional. The Government wished to enable the experts to make comparisons.

712. Electoral reforms had been established in Hungary. At the present time, it was possible to nominate more than one candidate for a seat, which would certainly

open the door for women's participation in Government. Twenty-one per cent of all Parliamentary seats were held by women. If there had been a decrease in the percentage of women elected, it was not due to lack of interest, since 99 per cent of all women in Hungary voted. There were no provisions for the establishment of quotas or targets.

713. The National Council of Hungarian Women was involved in both proposing and commenting on new legislation.

714. At the present time, Hungarian legislation provided for 24 weeks of paid maternity leave. After that, either of the two parents could remain at home for three years. There were no statistics on how many fathers took advantage of that leave provision. Pension benefits were equal for men and women. However, if indeed certain positive discrimination remained, it referred to retirement age, since women could retire at 60 while men retired at 65. That was justifiable in view of her additional responsibility in child rearing and child care.

715. If there were differences in the wage levels between men and women, they were due to the unavoidable job segregation. Men would actually take jobs in foundry and mining which were better paid, while women were found in lower paid jobs as cashiers or hostesses. However, there was progress registered concerning teachers and physicians which showed that younger women were joining those careers. There had also been an increase in the number of women taxi drivers, train conductors, etc.

716. Alongside the electoral reform, a financial accounting reform had taken place introducing a system of income tax and value added tax. Those reforms would undoubtedly have an effect on the family and employment and the effects would have to be evaluated in due course.

717. Regarding family relations, there was very little any Government could do in that regard. Experience had shown that it was a matter of education as, for example, a married professional couple tended to share more of the housework with each other. The same was true of the size of the family which, as an average, was almost two children per couple.

718. He added that adoption laws did not discriminate between married or single parents. A legal requirement was to have reached majority.

719. The Committee once more thanked the representative of Hungary and noted with satisfaction that Hungary was the first country to present a second report.