

## HUNGARY

### Provision of information on the implementation of the recommendations of the Working Group on discrimination against women and girls 2023

#### A. Legal, policy and institutional frameworks

97.

(a) The Government established the Human Rights Working Group in 2012 with the main purpose of monitoring the implementation of human rights in Hungary, conducting consultations with civil society organisations. Among the 11 thematic groups of the Human Rights Roundtable, one is dedicated to Women's Rights, which has held 16 meetings since 2014. These meetings provided the 26 members and 10 other organisations with a consultative status to receive information and exchange with the Government about processes such as the UN CSW and the reporting mechanism under CEDAW, the UPR, and also various internal legal and policy developments.

In order to achieve balanced participation of women and men in political and public decision-making the Subcommittee on Women's Dignity as part of the Parliament's Committee on Culture was established in 2015. Women and men equally participate in the Subcommittee's work. The improvement of the women's economic participation and employment are the main objectives of the Subcommittee, in accordance with the Europe 2020 Strategy's goals. In close cooperation with the Thematic Working Group on Women's Rights, **Strengthening the Role of Women in the Family and Society (2021-2030) Action Plan** was produced as a strategic document in 2020. It has been modified several times during its elaboration and wide-ranging public consultation, and its creation and content are continuously monitored by the Hungarian Authorities and the European Commission.<sup>1</sup>

#### (b) **Strengthening the Role of Women in the Family and Society (2021-2030) Action Plan**

The Action Plan as the National Strategic Framework for Gender Equality is laying out the activities, emphasizing that the content of the Action Plan and the related annual implementation plans are developed and monitored in close cooperation with the Thematic Working Group on Women's Rights. The Action Plan covers the areas of better reconciliation of family life and work; empowering women in areas where they are underrepresented; creating equal economic, health and social protection for women and men. The Action Plan 2021-2030 beside dealing with work-life balance, covers several areas, where the support of women is approached not only from the childrearing perspective, such as empowering women in areas, where they are underrepresented; creating equal economic, health and social protection for women and men. The National Strategy was developed with the involvement of a range of stakeholders, including non-governmental women's rights organizations. **The Thematic Working Group on women's rights includes 20 civil society organisations and a further 22 organisations participate as invitees.** The organisations are listed in the Action Plan Chapter III. Furthermore, the Office of the Commissioner for Fundamental Rights, the Directorate General for Equal Treatment, the Central Statistical Office, the National Authority for Data Protection and Freedom of Information, the Integrated Legal Protection Service, the Hungarian Trade Union Confederation, the Democratic Trade Union of Health Care Workers, the National Association of Entrepreneurs and Employers one representative of each ministries, as well as at least one representative from the Secretariat of the Working Group on Human Rights participate in the meetings as permanent invitees. The Ministry of Culture and Innovation leads the Action Plan Working Group on Strengthening the Role of Women in the Family and Society (2021-2030) Action Plan. This **Action Plan working group** discusses and monitors the implementation of annual schedules and the status of current measures, with particular reference to predefined indicators, with the involvement of policies, civil society organisations and social partners. The annual schedules shall be drawn up for periods of two years.

#### B. Political and public life

98.

(a) Hungary considers it of the utmost importance that women have a fair chance and opportunity to apply for senior positions and to participate in public life, including in the legislative and judicial branches. According to data for the first half of 2022, the proportion of women employed in the judiciary is 63.4% and 77.6% in the courts. This represents an increase of 3.7 and 1.4 percentage points respectively compared to 2010.<sup>2</sup> In Hungary the proportion of women in senior positions in the public sector is particularly high, at 65.7%, according to the Hungarian Statistical Office's data for the period January-September 2022.

It can be seen that the number of women employed in the Ministry of Foreign Affairs and Trade (hereinafter: the Ministry), including both those working in the Capital and those on permanent foreign service, is high and the number of female leaders has been steadily increasing over the past 10 years.

The creation and maintenance of gender equality is an indispensable element of an efficient and democratic public administration, and the Ministry is taking the necessary measures (commitment to appoint women as leaders, provision

<sup>1</sup> <https://kormany.hu/dokumentumtar/a-nok-szerepenek-erositese-a-csaladban-es-a-tarsadalomban-20212030-akcioterv>

<sup>2</sup> CEDAW Manual – data provided by the Ministry of the Interior, February 2023

of training) to this end. In this context, the promotion of women's leadership and the provision of the necessary conditions for this will be realised, taking into account the specificities of the work of the Ministry.

The Hungarian Diplomatic Academy is an educational institution under the Ministry. The diplomatic academy ensures high level of theoretical and practical training and postgraduate education for the Hungarian diplomatic service. The students participate in a mentoring programme and an internship at the diplomatic mission and are placed in the Ministry's staff, thus helping young women to develop their careers in diplomacy. In addition, the Ministry is planning to set up an internal mentoring programme in the future, where new colleagues will be supported by a designated mentor to help them settle in, and we hope that this programme will also help to recruit and retain female colleagues in the Ministry.

(b) Article XV of the Fundamental Law declares that: 'Everyone shall be equal before the law. Every human being shall have legal capacity. Hungary shall guarantee fundamental rights to everyone without discrimination and in particular without discrimination on the grounds of race, colour, sex, disability, language, religion, political or other opinion, national or social origin, property, birth or any other status.

Women and men shall have equal rights. By means of separate measures, Hungary shall help to achieve equality of opportunity and social inclusion. By means of separate measures, Hungary shall protect families, children, women, the elderly and those living with disabilities.' (Article XV (1)-(5) of the Fundamental Law). In Hungary, men and women have equal rights, and discrimination on the basis of sex is prohibited in all areas of life.

At the same time, Hungary believes in real initiatives encompassing proper motivation, training and mentoring of women, instead of top-down initiatives, such as mandatory quantitative quotas. These are effective tools in the long term, while artificially generated quotas only create conflict and only seem to solve problems superficially.

The Mathias Corvinus Collegium Women's Public Leadership Programme is a good example of training and mentoring women, which since its launch in 2018 has aimed to nurture talented young women who have ambition to play a public role, want to do something for their immediate and wider communities and are committed to improving the future of their communities.

(c) As the above mentioned (97.b) Action Plan as the National Strategic Framework for Gender Equality was created, women's non-governmental human rights organizations have the opportunity to play an even more vital role and participate in government consultations. In addition, the membership of the so-called Monitoring Committees related to the access to certain EU funds has been transformed. Non-governmental human rights organisations are strongly represented. The proportion of NGOs and government actors in Monitoring Committees is 50-50%.

### **C. Economic and social life**

#### **99.**

(a) In the framework of the project "National Entrepreneurial Mentoring Programme", a mentor program has been established, which is available nationwide under uniform conditions and is based on existing mentoring, development, training and advisory organisations. Successful enterprises, i.e. mentors, help micro, small and medium-sized enterprises as mentored organisations to strengthen their business, to develop their supplier position, to deal with the problem of generational change or even to enter foreign markets. The program also contributes to improving entrepreneurial culture and image. Mentoring services in the early stages of entrepreneurship increase entrepreneurial activity, expand the pool of entrepreneurs with a wide range of entrepreneurial skills and knowledge, thus improving the survival rate of businesses. The project will shape positive development motivation and openness among women entrepreneurs and help to overcome the difficulties that are unique to this group of entrepreneurs. The mentoring process is open to one person from women-owned business partnerships and to the self-employed entrepreneurs. The project aims to create high impact business development activities in four target groups which, due to their nature and life situation, need specific, personalised and personal support. The target groups are: young entrepreneurs, women entrepreneurs, family businesses facing generational change, small and medium-sized enterprises facing the negative economic consequences of the Covid-19 pandemic.

To promote female entrepreneurship, the Foundation for Small Enterprise Economic Development (SEED) – founded by ministries, business associations, a university and a credit institution – has been operating various programs, as presented below:

#### **'Dobbantó' Female Entrepreneurial Program**

This competence development program, supported by MKB Bank, is a twelve-day-long training for female entrepreneurs and for those who aim to establish an enterprise. The program's goal is to equip the participants with solid entrepreneurial knowledge and help build a network.

#### **Online Business Model Canvas workshops**

This is an 8-hour intensive workshop leading through the steps of creating a Business Model.

#### **Quick IT and digITall workshops**

SEED has launched a 2 times half-day training focusing on Entrepreneurial Digitalization for women entrepreneurs under the name QuickIT.

### **Online Entrepreneurial Forum**

The Online Entrepreneurial Forum was created in 2020 with the aim to bring together experts and entrepreneurs in an online forum to share their experiences and knowledge.

### **Successful women's enterprises**

Since 2019, SEED in consortium with the Professional Women's Association (PWA) launches a call for applications each year to identify the most successful female entrepreneurial/managerial role models. The award granted by SEED is beneficial both from PR and from network building perspectives.

"Female Manager of the Year" Award is an annual award to recognise exemplary female managers in Family Friendly Place certified organisations in order to promote women's leadership in the economic, corporate sector.

Under the "Women in the Family and at Work" (EFOP-1.2.9-17) scheme, 69 Family and Career Points have been opened across the country with a budget of HUF 14 billion for women with young children who want to return to work, including training, coaching and mentoring to help women e.g. further their personal development and improve their entrepreneurial skills.

### **(b) Hungarian National Social Inclusion Strategy 2030 (HNSIS 2030)**

The horizontal aspect of the Hungarian National Social Inclusion Strategy 2030 is to improve the situation of Roma women. In the vision of the strategy, further increasing the employment of disadvantaged women, including Roma women, in social, health, educational and other public services appears as a priority sub-goal. The planned development is also included in the first action plan of the HNSIS 2030.

### **Opportunity-creating kindergarten program**

The Opportunity-creating kindergarten project (implemented in the 2014-2020 EU programming period) strengthened the kindergartens educating disadvantaged children, including Roma children, in order to ensure that they are suitable for high-quality pedagogical work during compulsory kindergarten education from the age of 3. In the period between 2016-2020, the project provided services, support, and the opportunity to purchase equipment, network, and exchange experiences to 570 kindergartens and 20,100 children.

Within the framework of the project, Roma nannies speaking the Gypsy/Roma language were able to work in 65 kindergartens, who helped the kindergarten teachers in communicating with families, strengthening the relationship between parents and the kindergarten, and conveying Romani traditions. The nannies of Roma origin were able to address the Gypsy/Roma children attending the kindergarten in the language spoken by the Gypsies/Roma (Beás, Romani), who thus had a more successful integration into the kindergarten community. After the completion of the project, 21 Roma nannies became long-term employees of the kindergartens. The project will continue in the 2021-2027 programming period.

Human Resources Development Operational Programme (HRDOP) supports the so called Growing chances training and employment) programme. The aim of the programme is to improve the social inclusion and employment of the unemployed Roma, especially Roma women, struggling with social prejudice and discrimination in the labour market, by increasing the number of people employed in public services. Employment and training took place in the social and child welfare/child protection system. The peculiarity of the program is that it starts immediately with employment (a 3-month trial period), after which the participants acquire the necessary qualifications through the training embedded in the employment. No new jobs are created, which would be a burden for the employer after the project, but vacant jobs were filled by hiring Roma women, thereby alleviating the labour shortage in the social sector.

The indirect reduction of the gender pay gap is expected from a number of measures, such as wage increases in professions overrepresented by women (e.g. wage increases for teachers and early childhood educators), women's labour market growth due to increasing the number of nursery places, female leadership training, and an increase in the number of female managers. These gender equality measures are part of the **Strengthening the Role of Women in the Family and Society (2021-2030) Action Plan** under Part II. Specific objectives and measures are presented in the section. The measures are accompanied by quantifiable indicators.

**(c)** Equal pay for women is protected by the Equal Treatment and Promotion of Equal Opportunities Act, which was established in 2003 in Hungary.

Protecting workers and ensuring transparent working conditions is a priority for the Government. In this context, the Government supports and promotes the principle of equal pay for equal work or work of equal value through the national measures and regulations. The regulations specified by the Labour Code stipulate that the requirement of equal treatment shall be respected in relation with the determination of the remuneration of work. The Labour Code lays down the definition of wages and provides objective guidelines on the definition of work of equal value. In regard to ensuring equal remuneration, it is also important that the minimum wage and the guaranteed wage minimum are set by a government decree every year, and that salary and promotion systems and career paths in the public sector are regulated by a generally applicable law without any discrimination between the sexes.

**(d)** The mother is entitled to a continuous 24 weeks of maternity leave, of which she is obliged to take two weeks. The regulation in the Labour Code was amended from 1 January 2020, allowing also fathers to take maternity leave. According to the health insurance rules, fathers can be entitled to the infant care allowance and the adoption allowance

is available regardless of gender. Otherwise, according to the regulation in force, maternity leave is also granted to an employee who is caring for a child on the basis of a court judgment or an enforceable guardianship order which is enforceable on account of the mother's state of health or death. This allows men to take maternity leave.

In addition to the uniquely long parental leave covered by family support care of up to 36 months as of 1 January 2023, the legal institution of parental leave was introduced to Hungarian labour law - with retroactive transitional provisions to 2nd August of 2023 - in order to comply with Directive 2019/1158. Under this, parents (both the mother and the father) are entitled to 44 paid and non-transferable working days of parental leave provided that the employment relationship has existed for at least one year until the child reaches the age of 3.

From 2020, additional rules on adoption have been introduced: employees are entitled to unpaid leave to care for their adopted child for 3 years from the date the child is placed in care, and for 6 months for children over 3 years old. For the duration of parental leave, the employee is entitled to 10 percent of the absentee pay, which must be reduced by the amount of the child care fee and child care allowance paid to the employee for this period.

In order to reconcile work and family obligations, Hungarian labour law has provided for the right to paid leave for fathers in the event of the birth of a child since December 2002. From 1st of January 2023, paternity leave was increased from 5 to 10 working days, with retroactive transitional provisions to 2nd August 2023, to comply with Directive 2019/1158.

(e) In Hungary, telework is regulated by Act I of 2012 of the Labour Code, which defines it as an atypical employment relationship. The Act CXIII of 1993 on Labour Safety also applicable in connection with the safe and healthy working conditions. Teleworking differs from “home office”, which is not regulated by the Hungarian labour law. Home office does not need to be laid down in an employment contract, but rather is based on a decision by the employer and the employee; the employee maintains a workplace at the employer’s premises; and the work schedule is fixed in principle. Flexible working practices in Hungary, with a focus on telework was only considered to be an activity that was regularly carried out at a place separate from the employer's premises using a computer and the results were transmitted electronically. During the period of the COVID pandemic, a different regulation was in force, which was raised to the statutory level from 1st of June 2022: in the case of teleworking, the employee performs the work for part or all of the working time at a place separate from the employer's premises. This change of definition has made the legal instrument more flexible. It remains the case that the employee and the employer can agree on teleworking in the employment contract. Separately, there is also the possibility of so-called home working, which is not regulated and is based on the employer's decision.

Until 31st of December 2019, the employer was obliged to modify the employment contract to 4 hours at the employee's request until the children age of 3 or until the age of 5 in the case of employees with three or more children. From 2020, part-time work for 4 hours is compulsory at the employee's request until the age of four, or six in the case of large families with 3 or more children. In order to comply with Directive 2019/1158, from 1 January 2023, the worker may request a change of place of work and working hours, teleworking or part-time work until the child is 8 years old and the carer may request a change of working place and working hours, except for the first six months of the employment relationship.

(f) The Hungarian family support system has changed since 2017. The government’s main goal is to create an environment conducive to supporting families, fostering a favourable perception of parenthood, and contributing significantly to the ongoing efforts to address demographic challenges while forging a prosperous future.

One of the most significant change concerning the allowances is that from 1 July 2021, the rate of the infant care fee (CSED) increased from 70% to 100% of eligible gross earnings. The aim of the measure is to provide families with children with the income they need to properly manage their new life situation. Thanks to this measure, the income of insured mothers does not fall during the 24 weeks of maternity leave, and they may even receive benefits higher than their previous net earnings. It is not possible to work in addition to receiving infant care fee.

The government increased the amount of the minimal wage in every year, which means that the maximum amount of the child care fee (GYED) that can be paid on a monthly basis also increased. The amount of that is 70% of the daily basis established on the basis of the parent’s income, but no more than 70% of twice the actual minimum wage per month; HUF 324 800 in 2023. As of 1 January 2016 mothers may take up employment without restrictions when the child reaches 6 months of age without losing their eligibility for the child care fee.

Those, who are not eligible for the above mentioned insurance-based benefits (CSED, GYED), are entitled to the child care allowance (GYES) from the birth of the child until the age of 3. The amount of that is 28 500 HUF per month. It is important that the parent can claim family allowance on this amount.

The above mentioned benefits contribute to the financial support of the smaller families and the low-income families.

Hungary provides special support to families through the tax system: increased family allowance is available for those with one and two children. The discount will also be extended to contributions, so families with lower incomes can also take advantage of it. Measures have been taken to improve the living conditions of single-parent families and children living under such circumstances, litigation and enforcement proceedings for the establishment and recovery of child support have become faster and more efficient. Hungary has made legal regulations significantly more

favourable on the advance payment of child support (abolished the income limit previously required for eligibility, and the condition for advance payment is a 3-month non-recoverability period instead of the previous 6 months), the minimum amount of orphan's benefit has more than doubled. From January 2023, the minimum wage has increased. The maximum amount of grandparent childcare allowance and the university graduate's childcare fee has also increased.

Other subsidies are: tax relief for young mothers, tax relief for women with four or more children, student loans allowances.

**(g) Nursery care**

In Hungary, a complex development of the nursery care system has been taking place for years. The main goal is to achieve a nursery network that responds to parental needs, with a balanced distribution of places in terms of location. In Hungary, there is a split system whereby day care for children under 3 years (nursery care) is under the professional control of the Ministry of Culture and Innovation and is managed under the Family Support System, while pre-school kindergarten education is under the control of another ministry, the Ministry of Interior, as part of the public education system. At the beginning of December 2023, a nearly twofold increase can be observed in terms of the number of nursery care places in comparison to 2010. There are four times as many centres and services than in 2010. Nursery care is provided in almost three-and-a-half times as many settlements in comparison to 2010.

Moreover, in the case of nursery institutions, the care is free of charge by course of law in the following cases: children receiving a regular child protection benefit (i.e. whose family income does not reach the legal minimum level), those raised in large families, chronically ill or disabled children and children in temporary care, children placed in temporary foster care or in a children's home, children in foster care or children in protective care. Based on the data of the CSO for 2022, 70% of the children enrolled at nursery institutions (nursery, mini nursery) received the care free of charge (including, in addition to the aforementioned cases of personal exemptions, when the maintainer did not establish a fee within its competence). In addition to the fee for care, users of nursery care must pay a fee for meals.

In terms of service-type nursery settings (workplace nursery, family nursery), the maintainer determines the amount of the fee to be paid for the care and meals together in proportion to the income, with the legal guarantee rules being applied in relation to the maximum amount that can be requested (thus, it cannot exceed 50% of the regular monthly income per person amount of fee payable per user). In addition to the fee for care, users of nursery care must pay a fee for meals. In nursery institutions, a number of means-tested exemptions apply. According to the law free meals are available in nursery institutions (nurseries and mini nurseries) for children a.) in receipt of regular child protection benefit b.) living in a family with children with disabilities c.) living in a large family d.) living in a family in which the monthly net per capita income does not exceed 130% of the statutory minimum net wage (according to the parent's declaration) e.) who is in foster care.

With the extension of free institutional meal rules, 63% of children enrolled in nursery institutions (nurseries and mini nurseries) currently receive free meals. In Hungary, 5 different funding sources (RRF, TRDOP Plus, HRDOP Plus, DROP Plus and national funds) are used to expand early childhood education and care conditions in the period 2021-2027 to reduce social inequalities and increase employment opportunities for parents. HRDOP Plus will support the training and retention of skilled early child educators, the creation of crèche places provided by jobs (focus on human resources and the creation of conditions for service delivery, with complementary infrastructure development) and the provision of crèche fees for parents with young children returning to work.

**(h)** Hungary believes in upholding the values of a cohesive, peaceful and democratic society, based on the equality of all individuals and the recognition of their inalienable rights. For this reason, the implementation of equal treatment and the promotion of equal opportunities are of the utmost importance for our country, which guarantees the requirement of equal treatment at the highest possible legal level, in the Fundamental Law, and strictly prohibits all forms of discrimination. It is important to stress that anti-discrimination legal protection in Hungary is comprehensive and in line with the relevant international and EU requirements.

Therefore, the fight against all forms of discrimination is a priority for Hungary, which also attaches great importance to the effective functioning of the extensive institutional system that serves this purpose. Prominent actors in this institutional system include the Commissioner for Fundamental Rights and the judiciary.

In this context, it should be emphasised that the Office of the Commissioner for Fundamental Rights, which has taken over the functions of the Equal Treatment Authority with full powers, will guarantee the enforcement of fundamental human rights in Hungary from 1 January 2021. As a result, the protection of fundamental rights in Hungary is now provided by a constitutional body. The transfer of the tasks of the ECJ to the Commissioner for Fundamental Rights is a measure that increases the effectiveness of the protection of fundamental rights.

It should be stressed that the Commissioner for Fundamental Rights has retained his powers to impose obligations after the fusion, including in the field of employment.

It is important to note, however, that in Hungary, the adjudication of these types of discrimination cases and the enforcement of the defence in such discrimination cases is primarily the responsibility and competence of the courts, which are responsible for labour disputes. In the Hungarian legal system, compensation or indemnification is

conceptually the exclusive competence of the courts. In Hungary, this competence of the courts is currently guaranteed in accordance with the relevant national legislation.

In order to promote equal opportunities and equal treatment, the Labour Code was amended with effect from January 1, 2023. The amendment complemented the instances of the prohibitions of termination of employment included in the Labour Code with the concept of the paternity leave, the parental leave and carer worktime allowance. The amendment also clarified the rules pertaining to the enforcement of claims related to the prohibition of the abuse of the right as follows: „in the event of the enforcement of a labour legislation claim based on the violation of the prohibition to abuse a right the person enforcing the claim shall furnish evidence of the fact, circumstance and disadvantage serving as the basis of infringement of the prohibition, and the person exercising the right shall furnish evidence that no cause and effect relationship exists between the fact, circumstance and disadvantage demonstrated by the person enforcing the claim.” Additionally, the amendment expanded the cases in the Labour Code when the employment relationship must be restored. Under the new rules – in addition to previous cases – at the employee’s request the court shall reinstate the employment relationship if termination of the employment relationship took place in violation of the prohibition of the abuse of rights or in violation of paternity leave, parental leave and carer worktime allowance.

(i) The government aims to achieve a 50 per cent share of mathematics, science, engineering and information technology (STEM) in higher education by 2030, with one in two students choosing STEM courses. In 2023, the number of students enrolled in a STEM field increased by 34 per cent, i.e. one in four students enrolled in a STEM field. Currently, 55 percent of students in higher education and 25 percent of those studying in STEM fields are female. In the academic year 2022/2023, 42.7% of lecturers are women.

The Hungarian Academy of Sciences (MTA) first elected a woman member in 1914, and with the academics elected at the MTA General Assembly in May 2019, the proportion of women among the full and corresponding members of the MTA has risen to 8.76%, and according to 2022 data, 36 of the 353 full and corresponding members of the MTA are women, a 10% share. Currently, 17% of MTA doctor of sciences are women.

Ensuring gender equality in the research and innovation system is one of the horizontal objectives of the new National Strategy for Research, Development and Innovation. The strategy aims to promote and recognize women's excellence in science and innovation in a number of ways. The Postdoctoral Excellence Programme and the Young Investigators Programme, funded by the National Research, Development and Innovation Fund, support young women researchers and grants can be used to apply for age-rating reductions for researchers with children.

(j) In order to strengthen access to quality and equitable education for socioeconomically disadvantaged students, including Roma students, and to prevent segregation, systemic measures are continuously taking place in public education. These objectives are also set out in the Public Education Strategy 2030 adopted by the Government, in line with the Hungarian National Social Inclusion Strategy 2030.

Main systemic measures: continuous implementation and mandatory review of equality action plans in every school district, including desegregation action plans in the relevant school districts; annual review of primary school districts to ensure an even distribution of socially disadvantaged pupils; operation of anti-segregation working groups in every school districts, pedagogical-professional support for low-performing schools; teachers working with disadvantaged students or using inclusive pedagogical methods receive additional salary supplements. Strengthening that Roma girls and boys are not being segregated in educational institutions, additional preparatory programmes are taking place: **Safe Start Children's Houses**. The Safe Start Children’s Houses programme is based on the policy approach that the key to preventing social exclusion is complex development in early childhood (ages 0-3) - with the active participation of the family, which is certified by researches.

**Programme of „BARI SHEJ – NAGYLÁNY - FÁTĀ MÁRÉ – „Preventing Roma girls school leaving”**

The program - which is unique in Europe - served the development of 10-18-year-old elementary school or high school Gypsy/Roma girls with disadvantage through applicant organizations. The aim of the interventions is to create a stable foundation for future school progress, to reduce school leaving without a qualification, and for later employability, and contribute to the improvement of their quality of life and health, as well as the development of their parents' ability to raise children, and the above mentioned (99b) "Growing chances - Training and Employment" programme, that was also recognized by the European Union, and the European Commission considers it one of the best practices.

## **D. Gender stereotypes**

### **100.**

(a) The requirement of equal treatment applies to all educations and trainings which are carried out on the basis of requirements approved or prescribed by the State, or to the organizations of which the State provides direct normative budgetary support or to which it indirectly contributes. Everyone should be treated equally in relation to education and training, in particular as regards determining the conditions for access to education, assessing applications for admission, setting education requirements, providing and using education-related services, access to education-related benefits.

The right to free and compulsory primary education and the right to free and accessible secondary education for all, until the completion of the school-leaving examination and the vocational examination, as enshrined in the Fundamental Law, is a public duty of the Hungarian state. (For the purposes of free participation, a vocational qualification obtained with a view to performing the job at a higher level does not count as an independent vocational qualification.) Participation in education is free of charge for pupils with multiple disadvantages and special educational needs. (Fundamental Law XV. (2); Act CXXV of 2005 on Equal treatment 8-11. §, 27-29. §, Act CXC of 2011 on Public Education 1. § and its' implementing regulations).

Since the UN delegation's visit, the number of women's appearances in the media has increased slightly, by a few percent. In 2020 and 2021 the proportion of women reached 25 percent, while that of men in both public service and public affairs news programmes fell below 80 percent. There was no similar change in the practices of commercial news.

**(b)** The Action Plan as the National Strategic Framework for Gender Equality reflects the multiple roles that women play in both the private and public spheres (announced above in point 97 b).

**(c)** To create the enabling conditions for public recognition and acceptance for women, including Roma women in leadership and decision-making positions, the National Strategic Policy Framework for Social Inclusion and Poverty Reduction and related sectoral strategies have been amended. In addition, the National Strategic Policy Framework for Roma inclusion has been prepared (the document is an amendment to the Hungarian National Social Inclusion Strategy 2030 (HNSIS 2030) referred above (point 99.b)).

**(d)** The Organization for Security and Co-operation in Europe (OSCE) defines hate crimes as criminal acts motivated by bias or prejudice towards particular groups of people. In Hungary, Act C of 2012 on the Criminal Code (hereinafter referred to as the Criminal Code) defines violence against a member of the community and incitement against a member of the community as criminal acts, the facts of which define the protected characteristics that are protected under criminal law by an open list. On the one hand, it contains an exemplary list of the groups against which the offence is most often committed, and on the other hand, it also provides for the possibility of protecting groups not mentioned by including in the text of the norm 'the other groups of the population' expression.

As with the criminal act of violence against a member of the community, the fact of the incitement against a community also specifically highlights the offence based on gender identity or sexual orientation. According to this provision, in front of a large audience incitement to violence or hatred against the Hungarian nation, against a national, ethnic, racial or religious group or its members, or against certain groups of the population or their members, in particular on grounds of disability, gender identity or sexual orientation, is punishable by imprisonment. (Criminal Code 332. §)

It is also worth mentioning Act XXXVI of 2012 on the Parliament, which also sanctions hate speech in relation to Members of Parliament speaking in Parliament. Article 46/B of the Act stipulates that a Member who uses an inappropriate or hurtful expression or other act that insults the authority of Parliament, the dignity of the sitting, a person or a group, in particular a national, ethnic, racial or religious community, may be reprimanded or warned by the chair presiding over the sitting. If this measure is ineffective, the chair may withdraw the right to speak from the Member who may not speak again on the same day during the discussion of the same item on the agenda.

Act C of 2012 on the Criminal Code contains a number of provisions under which action may be taken against conduct that offends human dignity and that rises to the level of a criminal act. An important criterion for this is that such offensive conduct (speech), including when committed in the light of gender stereotypes, must be serious and, where appropriate, defiantly anti-communal. Typical criminal acts include:

**1. Violence against a member of the community (Section 216 of the Criminal Code)**

**2. Harassment (Criminal Code, Section 222)**

Harassment is a subsidiary offence, i.e. it is applicable if no more serious offence is committed. The first predicate offence of harassment [Section 222(1) of the Criminal Code] may, for example, provide for criminal action against bias-based harassment.

**3. Defamation (Section 226 of the Criminal Code)**

This provision provides for the protection under criminal law of the social esteem of natural persons, associations of persons without legal personality (i.e. a specific and closed group of persons who also have a collective social obligation), legal persons, social organizations, public authorities and their favourable social assessment. The victim of the crime must be specific and identifiable (recognisable).

**4. Making false audio or image recording capable of harming the reputation of another (Section 226/A of the Criminal Code)**

**5. Disclosing false audio or image recording capable of harming the reputation of another (Section 226/B of the Criminal Code)**

**6. Insult (Section 227 of the Criminal Code)**

Insult differs from defamation mainly in that it does not primarily provide for criminal action against social esteem, but rather against abusive, disparaging, humiliating, degrading expressions and conduct directed against human dignity and honour.

## **7. Abuse of office (Section 305 of the Criminal Code)**

Under this offence, a public official may be punished if he or she uses serious or even hateful language with the intention of causing unlawful harm to another person. Unlawful harm may also include, where appropriate, harm to human dignity.

## **8. Abuse of public office (Section 306 of the Criminal Code)**

The facts of the case make it a criminal offence for a person exercising a public function to use a serious, even hateful, expression intended to cause unlawful harm to another person. Unjust harm may also include, where appropriate, harm to human dignity. Section 459(1)(12) of the Criminal Code defines who are persons performing public functions for the purposes of the application of the Criminal Code, for example, a child welfare worker, a teacher or a health worker.

(e) The Fundamental Law of Hungary guarantees the right to generally accessible, available and free public education for all, making no difference based on ethnicity, religion or gender. Based on these ideas, the preamble of the National Core Curriculum in Hungary envisions “providing a learning environment that is barrier-free in all respects and equally accessible to all students, with differentiated goal selection that matches student differences, multi-level planning and curriculum application”.

The National Core Curriculum requires full respect for human rights in the educational process as a whole, including equality, democracy, respect for religious and ethnic diversity, knowledge of the basic concepts of gender equality and non-discrimination. Overcoming personal prejudices is an important part of the attitude to be developed. The textbooks are also made in this spirit, the accreditation system does not allow textbooks that would be harmful to women, sexual minorities or people of other skin colors and religions.

The renewed National Core Curriculum was introduced in 2020 with phased implementation, therefore civic studies as a separate subject, which is one of the core curriculum’s novelties, will be taught for the first time in September 2023 in 8th and 12th grades. The frame curriculum for civic studies puts great emphasis on human rights, tolerance, democracy and equality between people, beyond that on women’s and men’s situation. The family and relations within the family are also highlighted topics in the subject. The textbooks for civic studies include many exercises, case studies which make it possible that students will not only learn, but will also be able to experience democratic behaviour, respect and acceptance for each other regardless of gender, origin or religion and make these their own conviction.

## **E. Right to health**

### **101.**

(a) Regarding healthy aging, the government plans to launch a dementia action programme, called „Van értELME!”, which states that the "National Health Promotion Network" may be the main flagship of the implementation of the new (fourth) main pillar of the Hungarian family support system, the pillar "physical, psychological and mental health". Healthcare services are available free of charge to children and pensioners.

### **Ensuring the Nursery Network**

Health visitor care nurses system for newborns care is unique and popular method distinctive in Hungary and a great example for good practices.

Childbirth is available in different ways; the choices include giving birth at home or in institutional care. Furthermore, possibility for ambulatory, or as needed, longer care is provided, and it is most common to give birth within a few days of hospitalization.

(b) Act CXXXV of 2003 on Equal Treatment and the Promotion of Equal Opportunities is the main legislation guaranteeing equal treatment in Hungary. It recognises a number of protected grounds, including gender, pregnancy, motherhood and fatherhood. According to the Act, a person cannot be treated less favourably than a person in a comparable situation because of their status in respect of one of the protected grounds. Act CXXXV of 2003 lists the protected characteristics on the basis of which differentiation qualifies as discrimination under the law. However, the list in the law is not exhaustive, as the last place in the line is “any other characteristic” which can be assessed as good practice. Intersectional discrimination includes those cases when the protected characteristics affect each other at the same time, namely in such a way that they cannot be separated. An example is the case of a Roma woman during the birth of her child, during which she is exposed to segregation. It should be highlighted that the adequacy of the scope of protected characteristics is well demonstrated by the fact that this section of the Act CXXXV of 2003 has not been amended since 2011, so that the open list of protected characteristics adequately reflects the characteristics of the most vulnerable individuals or groups.

The availability of specialised sexual and reproductive healthcare services are provided in all level of health care system (primary, secondary and tertiary as well) especially for (1) obstetric gynaecological care, (2) emergency contraception, (3) specialised sexually transmitted infection (STI) prevention and treatment (4) safe abortion and post abortion care. Particularly the health care providers are the (1) primarily health centres, doctors’ offices or equivalent (non-hospital settings) and (3) hospital setting. The emergency patient care system (ambulances and hospital units) are open for everyone with an acute health concern. The emergency contraceptives use as a treatment has to be supervised by an obstetrician. It is crucial to maintain a controlled method, considering the possible side effects of the



procedure.

Hungary's Comprehensive Health Screening Programme 2010-2020-2030 (HCSP) is the largest health protection programme in Hungary operating in humanitarian form, providing free screening tests to the population using state-of-the-art equipment, keeping in mind the importance of prevention. No social security card is needed to participate in the programmes, thus disadvantaged people can also benefit from the opportunities offered by it. The programme successfully met its targets at national level between 2010 and 2021. It was present in 2212 sites nationwide, achieving the target of 8 million screening tests while enabling more than 643 000 citizens to participate free of charge, and the program included buses as mobilised units with screening equipment.

**(c) Contraceptive drugs and devices in Hungary**

In Hungary, according to Act LXXXIII of 1997 on the benefits of compulsory health insurance, insured persons are entitled to a subsidy for the price of medicines and medical aids ordered for medical purposes. Only medicines for the prevention and treatment of diseases are eligible for the social security scheme. Hormonal contraceptive drugs are excluded. Access to them requires medical prescription. Consumer goods are not regulated, manufacturers and distributors are free to set the price. Supply problems are not typical for these medicines. Other contraceptive devices without hormone active ingredients are available without a prescription (condoms, vaginal diaphragms, cervical caps, vaginal sponges, intrauterine contraceptive devices, loops, spirals, topical contraceptives). Aid may be granted under the social security system for the purchase of medical devices for the personal use of disabled persons with temporary or permanent impairment. Support may be provided on social grounds by municipalities. In addition, we place great emphasis on education, in which the health visitor network can also help. In the high school settings condoms are available free of charge.

Although the number of abortions in Hungary is decreasing, the number of fetuses that are aborted is still around 20,000. Unfortunately, experience shows that women consider abortion to be the first and most obvious procedure for unwanted pregnancies, without considering keeping the pregnancy and the birth of the child. In many cases, they are not aware of the state aid system or the possibility of adoption. In order to support women's decisions and protect fetus, the decree was amended by adding to the pregnancy certificate to be submitted to the Family Protection Service that fetal vital functions are presented to the pregnant woman at the last medical examination. We emphasize that this does not imply any obligation for the pregnant woman.

The Government considers the support of conscious childbearing to be a priority. To this end, it focuses on prevention, and with women's health in mind, it is important to impart knowledge about sexuality, develop learnable behaviour and culture. It is also an important part of education programmes to inform young people about the risks and long-term side effects of regularly or occasionally used hormonal contraceptives in a young, developing body. A project titled "Professional methodological development of the health care system" is to promote health-conscious choices about factors positively influencing health status in childhood and in the pre-adult period. As part of this, regarding the 7-18 age group, the content and methodological development of the topics of couple relationships, sexuality, including contraception will take place in the Social relations thematic block, taking into account age characteristics.

**(d)** Currently, two organized screening examinations are taking place in Hungary covering at-risk age groups and stipulated by law: breast screening and cervical screening. Earlier in 2018, following a series of examinations spanning several years, colon and rectal screening for women and men aged 50 to 70 years was expanded nationwide. Organized breast screening for women aged 45-65 has been in operation in Hungary since 2001, every 2 years, at 49 screening sites nationwide. Organized cervical screening is provided every 3 years for women aged 25-65. The Government makes cervical cancer vaccination available free of charge to 12-year-old girls in the 7th grade of primary school, and from the fall of 2020, the vaccination against the human papilloma virus is also available for boys from the 7th grade. In order to make access to skin examination and oral cancer screening, cervical cancer screening easier for women (mainly in the rural areas), 10 health-promoting examination buses are also supporting equal access as a service close to residence within the framework of the program "We bring examinations to the place". In their screening schedule, the settlements defined in the long-term program of "Catch-up settlements" are listed with priority in 2023 they could reach 10572 persons, in 230 screening occasion. In 2014, a model program for lung cancer screening with low radiation dose CT examination (HUNCHEST) was taking place covering the risk target group from the point of view of lung cancer. By 2022 - gradually, in order to achieve national coverage - 40 centers participate in the program. An essential part of the program is the support for quitting smoking (also with a special focus on pregnant women). These programs are continually being reorganized aiming to reach more and more people.

The government treats the protection of women's health, especially reproductive health, as a priority. In 2022, a national institute has been established for the purpose of promoting human reproduction (in the National Directorate General for Hospitals), which prioritizes the following sub-goals: 1) prevention or early, adolescent recognition and appropriate treatment of health factors which can lead to infertility, 2) optimizing the time of pregnancy. Furthermore Hungary's plans include expanding the range of reproduction services with the further involvement of specialized institutions.

With regard to the possible support and free provision of hormonal contraceptives, it should be noted that our pharmaceutical support system is primarily based on the inclusion of medicines for the treatment of diagnosed diseases

and medicines for people suffering from chronic diseases.

## **F. Violence against women**

### **102. (a) – (f)**

Although Hungary did not ratify but did sign the Istanbul Convention. With the accession to the Istanbul Convention, the EU has committed to do all it can to prevent and combat gender-based violence, support and protect victims of such crimes, and hold perpetrators accountable for their abusive behaviour. The Gender Equality Strategy 2020-2025 announced the establishment of an EU network on the prevention of gender-based and domestic violence by the European Commission. The aim of the Network is to provide the space for Member States to: discuss needs for violence prevention which are not sufficiently addressed or new or emerging, and possible avenues to improve prevention; map effective measures and approaches for violence prevention; share knowledge and tools for effective risk assessment and detection of vulnerabilities; exchange existing good practices and lessons learned. Hungary is also an active participant - from November 2023- in the established Network of gender-based and domestic violence.

#### Government measures with the aim of combatting domestic violence

The Ministry of Justice's victim support system provides basic services to victims of all forms of crime, while the Ministry of Culture and Innovation has a special support system specifically for victims of domestic violence. Currently, beside the National Crisis Management and Information Telephone Service 20 Crisis Centres, 20 Transitional Housing Services, 8 Secret Shelters, 7 Crisis Management Clinics are operating.

As of 1 July 2023, a methodological institute supports both the operation of the care system for victims of domestic violence as well as the sectoral management of the field.

As a result of the expansion of the system of services for victims of domestic violence, in terms of an increase in capacity, currently there are always free places available in the country for victims who find themselves in acute crisis situations. Around 300 sheltered places are available throughout the country, run jointly by state and civil partners. The Government also places great emphasis on prevention and awareness-raising campaigns.

Hungary is preparing to introduce the 116-016 Europe-wide harmonised helpline. Calls from Hungary to the EU-wide number will be handled by the National Crisis Management and Information Telephone Service. It is planned to launch the telephone number in early 2024, combined with a public awareness campaign.

The Hungarian care system for victims of domestic violence is mainly part of the social system in Hungary, in cooperation with the health and justice systems. Measures are taken under primary, secondary and tertiary prevention (rehabilitation) as well as on the field of crisis intervention.

Government-funded research is being carried out on the subject, which surveyed the adult population in Hungary, measuring exposure, attitudes towards domestic violence, predisposing factors for becoming a victim of abuse and the mechanisms through which it emerges. Additionally, awareness-raising campaigns as well as training for members of the signalling system are being actualized. In 2019-2020, 4200 signalling system members (police officers, family support workers, home visitors, judges etc.) received training to identify issues as soon as possible and provide adequate assistance. As of September 2023, a civil methodological organisation supports both the operation of the care system for victims of domestic violence as well as the sectoral management of the field.

### **Hungary strongly condemns Russia's aggression against Ukraine.**

The Hungarian government provides all assistance to the refugees from Ukraine. According to the Ministry of Interior measures taken in the field of employment can be considered as good practice: asylum seekers or applicants for recognition are entitled to work on the territory of Hungary without a permit, including through temporary agency work, and can also participate in the public employment scheme.

Through the legislation adopted in the framework of the emergency declared in light of the armed conflict and humanitarian disaster in Ukraine (and in order to avert the consequences of these factors), Hungary has created the legal basis for the minor children of individuals with temporary protection who are fleeing from Ukraine to be entitled to receive nursery care under the same conditions as Hungarian citizens, thus helping the integration of the parents concerned into the labour market. Moreover, in light of the emergency situation, childcare may be established on the basis of Government Decree 147/2022 (IV. 14.) the provision of childcare to accompanied children from Ukraine. On 7 March 2022, the Government adopted a decree on the rules for persons recognised as beneficiaries of temporary protection, on the basis of which Hungary grants temporary protection as refugees of Ukrainian citizens arriving from Ukraine before 24 February 2022; stateless persons or non-Ukrainian third-country nationals who have been granted international protection or equivalent national protection in Ukraine, or family members of such persons.