

Alternative report submitted to the UN CEDAW Committee for consideration in relation to the examination of the combined seventh and eighth periodic reports of Hungary
January 2013
by the Hungarian Women's Lobby and the European Roma Rights Centre¹

Context and general concerns

Throughout Hungary's history as a democratic country since 1989, the institutional, legal and policy frameworks have been inadequate to genuinely and effectively advance gender equality. Gender equality has never been placed high enough on the political agenda to generate real policy changes. There has been insufficient progress towards accomplishing women's human rights norms and standards set by the UN CEDAW Convention and the Committee. Most of the recommendations of the CEDAW Committee relating to the Periodic Reports of Hungary have not been fulfilled by any government up to the present.

Beyond this continuing failure, the current government, in power since 2010, has a regressive approach to gender issues. The promotion of gender equality has been removed from the government's vocabulary, and replaced by the promotion of traditional gender roles and so-called 'family mainstreaming'. Consequently, one can often experience the misinterpretation and misuse of the concepts of gender and gender equality. Recently, women's rights NGOs have faced a lack of cooperation, or even a lack of communication with state actors.

Some parts of the current state Periodic Report² is simply copied from the text of the National Strategy for the Promotion of Gender Equality – Guidelines and Objectives 2010-2021³ (hereinafter National Gender Strategy), which was adopted by the previous government in 2010 and has been left unimplemented by the current government. Some information presented in the Report refers to the first few years of the reporting period, the initiatives introduced are mainly short-term, smaller scale, or in some cases not gender-specific projects or programmes, and only rarely long-term policy measures.⁴

Article 2 and Article 3 – Policy measures to be undertaken to eliminate discrimination; guarantee of basic human rights and fundamental freedoms

The national machinery for gender equality – which has been consistently underfunded and understaffed since it was established – has been practically dismantled by the current government. The Department for Gender Equality was operational at the Ministry of Social Affairs and Labour in the previous government, and has since been transformed into the Department for Equal Opportunities in the Ministry of Human Resources in the current government. Although the scope of its responsibilities has been widened, the number of staff members has been reduced. Another body, the Department of Family Policy, plays an important role in the development of policies affecting women as far as their reproductive rights and work-life balance are concerned. The work of this Department focuses mostly on the role of women in families and as potential mothers for a desired demographic increase.⁵

The Council for Gender Equality, a tripartite consultative body on gender equality issues (composed of state, civil society representatives and individual experts), of which the Hungarian Women's Lobby (HWL) has always been a core member, has not been convened by the current government at all.⁶ That is, the Council has not met for nearly three years, having previously met most

¹ The Hungarian Women's Lobby (HWL), established in 2003, is an umbrella organisation dedicated to advocating for the women's human rights agenda as laid down by international norms. The HWL unites and represents the interests of Hungarian women's organisations with a gender equality and human rights-based agenda. HWL is the Hungarian member organisation of the European Women's Lobby (EWL), the largest gender equality-oriented umbrella organisation in the EU with more than 2500 member organisations. Additional information about the organisation is available at: www.noierdek.hu

The European Roma Rights Centre (ERRC) is an international public interest law organisation engaging in a range of activities aimed at combating anti-Romani racism and human rights abuse of Roma, in particular strategic litigation, international advocacy, research and policy development and training of Romani activists. Additional information about the organisation is available at: <http://www.errc.org>

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² See the Combined seventh and eighth periodic reports of Hungary to CEDAW, the related list of issues and questions taken up by the CEDAW Committee and the written reply of the Government at: <http://www2.ohchr.org/english/bodies/cedaw/cedaws54.htm>

³ The Strategy was adopted by Government Resolution No. 1004/2010 (I. 21.). See the text of the Strategy in English: <http://www.szmm.gov.hu/main.php?folderID=21368>

⁴ Women's Rights NGOs asked to see the government's Periodic Report, but the request was refused.

⁵ See for example the related news of the Hungarian EU presidency: Demographic challenges require EU-level response, available at: <http://www.eu2011.hu/news/demographic-challenges-require-eu-level-response>

⁶ HWL was only asked to preview the later dismissed Bill in 2010 that would reform the Council by i.a. including the representatives of the so-called 'historical' churches.

quarters. Moreover, the working groups specialised in different areas of women's rights, which included NGO representatives and independent experts, established by the previous government, have been dismantled.

There have been substantial changes as regards the operation of the Equal Treatment Authority. Its Advisory Board composed of independent experts was dissolved in 2011 and the budget of the Authority was reduced.⁷

The National Gender Strategy was only introduced in January 2010, at the very end of the term of the previous government. Although it remained in force after the change of government, there is no publicly available information about its implementation, or about the implementation of its first action plan for 2010-2011.⁸ No further action plans have been elaborated for the implementation of the Strategy. As the government noted in the Periodic Report, the Strategy will be replaced by a new one, but women's rights NGOs have not been consulted or even informed about the elaboration and content of this document.

A limited awareness of the importance of gender mainstreaming has been apparent among the leadership/senior staff of the National Development Agency and its implementing bodies, responsible for the planning and programming of European Structural Funds, the major developmental resources for new EU member states.⁹ Other than supporting some modest targeted programmes, gender mainstreaming is not present in the horizon and vocabulary of those agencies.¹⁰ Furthermore, no systematic support has been given to the beneficiaries of these funds to sensitise them to the questions of gender equality.

Article 5 – Sex roles and stereotyping

Although the Periodic Report mentions that one of the most important tasks related to gender equality is tackling gender stereotypes, the media and educational regulations and policies that are relevant to this issue have been moving away from the goal of gender equality since the current government came into power.

The present government introduced strict media laws,¹¹ which do not reflect the content of CEDAW's Article 5. In the public debate about the media-focused 'Draft Public Service Code', HWL recommended that the Code should "highlight the media's responsibility in promoting gender equality and encourage content that is free from gender stereotypes." However, the adopted Public Service Code does not refer to gender equality, it only mentions that public service broadcasters should respect human rights and rights relating to personality; and emphasises that public service media should respect and support the institution of marriage and the value of the family. In its response to the CEDAW Committee, the government argues that by respecting human rights and rights relating to personality, the Code also respects gender equality. However, women's NGOs claim that the current wording of the Code is inadequate.

Article 6 – Trafficking and prostitution

Most of the changes related to Article 6 that have occurred since the previous reporting period are of a legislative nature. However, Hungary has not ratified either the Council of Europe's Convention on Action against Trafficking in Human Beings, or the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.¹² Despite the recommendation of the CEDAW Committee, the definition of trafficking in persons given in the current Criminal Code is not harmonised with international norms; it contains selling, purchasing, conveying, receiving or exchanging of persons as punished behaviours or requires such purpose for other behaviours, and lacks reference to exploitation.¹³ According to the opinion of the police and legal experts, the crime of trafficking is almost impossible to prove; and the small number of such criminal cases supports their opinion. In practice, suspected trafficking is prosecuted under less serious offences, such as pandering.

A Criminal Code provision in effect since 2007 orders that anyone who pays for a sexual act with a minor is punishable under the offence called "sexual abuse of a child".¹⁴ This terminology, by not referring to prostitution or trafficking, makes the implementation of the law difficult; indeed, since the law entered into force there have been very few such cases.

⁷ See the news report of the European network of legal experts in the non-discrimination field, date: 23 February 2012, expert: András Kádár: available at: http://www.non-discrimination.net/content/media/HU-38-HU_flash_r_ETA_budget_cut.pdf

⁸ The action plan was adopted by the Government Resolution No. 1095/2010 (IV. 21.)

⁹ See: Evaluation of the European Social Fund's support to Gender Equality – Country Report of Hungary, GHK and Fondazione G. Brodolini, 24 January 2011, available at: <http://www.gendercop.com/ec-evaluation-of-operational-programmes/>

¹⁰ According to the civil society members of the Monitoring Committees of the main operational programmes, gender equality has been given less and less attention towards the end of the current programming cycle (2007-2013) in favour of fulfilling the absorption objectives.

¹¹ See Act No. CIV of 2010 on the freedom of press and the basic rules of media content and Act No. CLXXXV of 2010 on media services and mass media

¹² Similarly, Hungary has yet to fully transpose the European Union Directive No. 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims that replacing the previous Council Framework Decision.

¹³ See Act No. IV of 1978 on the Criminal Code, Article 175/B

¹⁴ See Article 202/A of the Criminal Code

The new Criminal Code that enters into force as of 1 July 2013¹⁵ contains a number of significant improvements, such as bringing the definition of trafficking closer to international norms, naming prostitution and prohibiting taking advantage of child prostitution. However, the law fails to make a connection between prostitution and trafficking in persons.

The Act on Misdemeanours has allowed for the punishment of persons in prostitution in general since 1999, and since 2010, it also allows for the detention – as a form of punishment – of persons in prostitution who are minors.¹⁶ The law has been used in several cases to detain minors.¹⁷ In his report on child prostitution, the Commissioner for Fundamental Rights highlights that the most serious obstacles to effectively tackling child prostitution are the lack of cooperation between authorities and institutions, the lack of knowledge, professional guidelines and protocols, and the fact that the police treat children in prostitution as offenders and not as victims.¹⁸

In response to the recommendation of the CEDAW Committee about raising the age limit for marriage, the government has argued that it should happen only in the interest of the child that s/he is given permission to marry. Contrary to this claim, there is anecdotal evidence that pimps/traffickers withdraw minors from the framework of the child protection system through marriage.¹⁹ A recent proposal²⁰ aiming to simplify the process of giving permission to minors to marry does not only disregard the Committee's recommendation, but goes against it. According to the proposal, "the number of marriages in Hungary is continuously declining, thus it is a fundamental social interest to slow down or reverse this trend. To this end, it is still justified to provide the legal background for the marriage of minors."

Although Hungary adopted a National Strategy on Combating Trafficking in Human Beings (2008–2012)²¹, it was never implemented.²² Not even an action plan was adopted to accompany that Strategy, meaning that – without assigning specific measures, deadlines, responsibilities and budgets – the Strategy had no chance of being implemented. To date the government has failed to draft a new strategy.

There are only six places in the one state-supported shelter for victims of trafficking. The shelter's management lacks transparency and it has been run by a succession of different NGOs and church organisations over the years. There is no information available about the shelter's standards of operation, level of service provided, the conditions, or the number of people using the service. Since 2008, the state has provided six million forints (cca. 28,000 USD) annually for this service. Even according to the statement of its management, the shelter does not meet the most basic TIP standards, including the standards of safety and sufficient staff.

Compulsory and systematic training courses designed for professionals dealing with victims of trafficking and prostitution – police officers, justice personnel, representatives of schools and social and child protection institutions – are missing in general. Training courses that aim to sensitise professionals are mostly run by NGOs and are financed by international donors. The only state 'contribution' to these training courses is giving time off to the police officers and/or providing the training venue.²³ Professional protocols on effective intervention and cooperation between institutions are also missing, as well as a wide range of affordable services to victims.

According to ERRC research,²⁴ human trafficking affects Romani women disproportionately in Hungary. Although relevant official data still does not exist, interviews conducted by the ERRC with a range of law enforcement officials, service providers and NGOs in 2010 indicated that Roma represent at least 40% of victims of trafficking in Hungary, although Roma constitute only approximately 7% of the total population.²⁵ The ERRC study indicated the high vulnerability of Romani women and girls to internal and external trafficking for the purpose of sexual exploitation.²⁶ ERRC research also indicated that girls brought up in State care are more vulnerable to becoming victims of trafficking;²⁷ given the overrepresentation of Romani children in State care,²⁸ Romani girls are highly vulnerable to this phenomenon.

¹⁵ Act No. C of 2012 on the Criminal Code

¹⁶ See Act No. II of 2012 on misdemeanors, misdemeanor procedure and registration system. Article 172 and 184 relates to prostitution, while Article 27 to special rules on minors.

¹⁷ See in Hungarian the report of the Commissioner for Fundamental Rights No. AJB-1472/2011, about tackling child prostitution: <http://www.obh.hu/allam/aktualis/htm/kozlemeny20111205.htm>

¹⁸ *Ibid*

¹⁹ Minors between 16 and 18 years are allowed to marry with the permission of the guardianship authority. According to the Act No IV of 1959 on the Civil Code married persons under 18 are considered to be major, while the scope of the Act No. XXXI of 1997 on child protection and guardianship administration only extends to minors.

²⁰ See the draft proposal in Hungarian at <http://lev-lista.hu/archattach?l=socialis.szakma&m=20121208082729001&a=1.2>

²¹ Government Decree No. 1018/2008 (III. 26.); C/ROM/CO/6 2 June 2006, para. 27.

²² See the Trafficking in Persons (TIP) report of the U.S. Department of State for 2011, available at: <http://www.state.gov/j/tip/rls/tiprpt/2011/164232.htm> The following year there was no progress reported in this issue. See: <http://www.state.gov/documents/organization/192595.pdf>

²³ For further information see the annual TIP reports of the U.S. Department of State, available at: <http://www.state.gov/j/tip/rls/tiprpt/>

²⁴ ERRC, *Breaking the Silence: Trafficking in Romani Communities* (2011), available at: <http://www.errc.org/cms/upload/file/breaking-the-silence-19-march-2011.pdf>.

²⁵ *Ibid*, p. 34.

²⁶ *Ibid*, p. 38.

²⁷ *Ibid*

²⁸ ERRC, *Life Sentence: Romani children in state care in Hungary*, available at: <http://www.errc.org/reports-and-advocacy-submissions/life-sentence-romani-children-in-state-care-in-hungary/3953>.

Despite the widespread perception held by relevant experts that Roma are over-represented among trafficked persons in the country, the National Strategy on Combating Trafficking in Human Beings does not refer to Roma as an at-risk group for trafficking. Although the National Social Inclusion Strategy (2011-2020)²⁹ admits the high vulnerability of Romani women in trafficking, it does not identify any concrete plan for programmes to prevent and combat trafficking and/or provide appropriate services for women, including Romani girls and women who became victims of trafficking for sexual exploitation and are forced into prostitution. The related Action Plan³⁰ only adopts one measure to tackle trafficking: No. 11 in Section VI requests a targeted police action to reduce usury, trafficking and forced prostitution. However there is no specific deadline and funding allocated to this measure.³¹

In every year of the reporting period but one, Hungary was ranked in Tier 2 in the U.S. Department of State Trafficking in Persons Reports, meaning that it does not fully comply with the Trafficking Victims Protection Act's minimum standards.³²

Article 7 – Political and public life

In the area of women's participation in public life there have been a number of negative tendencies in the reporting period.

When the current government began its term there was not a single woman in it, at the moment there is only one woman among the 11 ministers. The proportion of women in the Parliament is 9%, including only one Romani woman.³³ Although the proportion of women MPs has always been around 10% in the two decades since the end of state socialism, temporary special measures have not been introduced to rectify the situation discriminatory against women.

The proposed Bill on women's quota in parliamentary elections in 2007 was only supported by one party, and the MPs of the biggest parties were encouraged to vote according to their conscience, rather than following the instructions of the leadership, which resulted in insufficient support to adopt the law. There was a similar failure in 2011, when two MPs (from the parties LMP and Jobbik) proposed a bill on women's quota on national party lists. Currently, two parliamentary parties have a quota within the party itself,³⁴ and only one party (LMP) promotes explicitly women's political participation.

Women candidates have a smaller chance of becoming MPs from individual constituencies than from national or regional party lists. Still, the proportion of women elected from lists is under 30%, which signals the lack of not only the quota, but also of any other support mechanism. When the electoral law was reformed, the introduction of measures to address the existing gender inequality in the representation of women in Parliament was not even proposed. The new act on parliamentary elections raises the proportion of MPs elected in individual constituencies from 45% to 53% and significantly reduces the number of MPs.³⁵ Thus, without the introduction of special measures a further decline in women's political participation is expected.

The image of women that is outlined in the state Periodic Report shows that the government wishes to place women in the context of the private sphere, especially in the role of the mother, rather than support their participation in politics.³⁶ At the same time, the work hours and the organisational culture of the Parliament do not respond to the needs of those with caring responsibilities; despite the government's emphasis on work-life balance, parliamentary sessions often end late at night.

Article 8 – Participation at the international level

The Periodic Report does not mention the issue of women's participation in the representation of the government at the international level. There is no data accessible to the public about the proportion of women among the officials representing the government at the international level or participating in the work of international organisations. We are not aware of any measures supporting women's participation in the special positions of foreign service. At the same time, Hungary openly opposes the progressive measures at the international level, such as the introduction of gender quotas on non-executive boards of companies initiated by the EU Commission.³⁷

²⁹ National Social Inclusion Strategy – Extreme Poverty, Child Poverty, the Roma – (2011-2020), available at:

<http://romagov.kormany.hu/download/5/58/20000/Strategy%20-%20HU%20-%20EN.PDF>;

³⁰ Resolution No. 1430/2011. (XII. 13.) of the Government Regarding the National Social Inclusion Strategy and Governmental Action Plan for the Implementation Thereof in the Years 2012 to 2014, available at:

<http://romagov.kormany.hu/download/6/58/20000/Strategy%20Action%20Plan.PDF>

³¹ *Ibid.*, p. 18.

³² See the TIP reports, *op. cit.*

³³ As for the parties in Parliament, the proportion of women MPs: Fidesz Hungarian Civic Party (right-wing party) 8%, KDNP (Christian Democratic Party) 5%, MSZP (Hungarian Socialist Party) 4%, Jobbik (extreme right-wing party) 7%, LMP (Politics can be Different, green party) 40%, independent MPs 19%. See: www.mkogy.hu

³⁴ In the Hungarian Socialist Party it is 20% for women, while in LMP there is a special rule that men and women candidates should follow each other on the party lists presented to voters.

³⁵ Act No. CCIII of 2011 on the election of the members of Parliament, Article 3

³⁶ A good example of this is the government's reply given to the CEDAW Committee to Question 12, that outlines women's self-fulfillment through motherhood, and discusses the issue of reconciling paid work and family life instead of addressing the obstacles to women's political participation.

³⁷ See EWL press release: Nine countries move to block key EU equality legislation for women on boards, available at: <http://www.womenlobby.org/spip.php?article4037>

Although during the Hungarian presidency of the EU the position of the minister of state responsible for the programme of the presidency was filled by a woman, currently all the government positions related to international affairs are filled by men.³⁸

Article 10 – Equality in education

A noteworthy change occurred in the field of education in 2010, when the government decree regulating the national curriculum of kindergarten education³⁹ was amended. The amendment affected one sentence, which was added to the decree by the previous government, and which set the objectives of avoiding gender stereotypes and dismantling stereotypes about gender equality in the curriculum of kindergartens. This sentence was replaced by another one, which is less direct in opposing stereotypes: “[Kindergarten education] should not allow room for the development of social, gender, or any other prejudices.” The amendment was justified by arguments of state officials about the moral and mental development of children and the need to limit the spread of ‘gender ideology’.⁴⁰

The new National Core Curriculum that provides the framework for the state regulation over elementary education, adopted in 2012, represents a conservative shift, and focuses on the moral and patriotic aspects of education and on ‘preparation’ for family life. Gender equality is not included at all among the tasks and values of public education, in the areas of development, or among the objectives of education. There is only a subchapter, titled “Social and civic competences”, where it is stated that “knowledge of basic concepts about gender equality” is important to the development of the competences discussed in the chapter. At the same time, preparing students for relationships and family life is highlighted in the National Core Curriculum, with the aim of compensating for “the changes in the value systems and the problems in the functioning of some families.”⁴¹

As indicated in the state’s Periodic Report, the issue of gender equality is not emphasised in teacher training, it is only present in the form of local programmes and individual initiatives of some teachers, rather than at the policy level.

According to the ‘Analysis of the Current Situation’ section of the National Social Inclusion Strategy (2011-2020), Romani women have a lower education level even compared to Romani men; only 5.8% of Romani women have vocational qualifications, in contrast to 17.5% among Romani men.⁴² The educational gap stems from ethnic and gender discrimination, including social and economical exclusion and traditional gender roles. However, no steps have been taken by the state to improve the situation.

Article 11 – Employment

The promotion of women’s employment is the area where some progress has been achieved by the current government – even if this progress is far from satisfactory. In 2012, following the initiative of LMP, a commissioner responsible for women’s employment was appointed within the Ministry of National Economy. Significant EU funds have been allocated to the improvement of day-care provision for children and the promotion of flexible forms of employment. Special incentives have been introduced for employers in order to support re-entry to the labour market for those inactive due to childcare responsibilities.⁴³ However, there have been several regressive legislative changes. From 2011, a regulation sets a new reduced limit of 30 hours per week to paid work done outside the home if the worker receives a flat-rate childcare benefit after a child reaches the age of one.⁴⁴ The new Labour Code⁴⁵ introduced positive changes which may support the sustainability of jobs after childcare leave, such as regulating certain atypical forms of employment. However, the Code diminished the protection from dismissal of those caring for children until they reach the age of three: those who return to work before the child attains that age can now be dismissed with sufficient justification. Contrary to the previous Constitution, the new Fundamental Law– adopted by the Parliament in 2011 and entered into force on 1 January 2012 - does not contain the principle of equal pay for equal work, neither does the new Labour Code in an explicit way. Moreover, the new Labour Code – contrary to the previous one – does not suggest that employers introduce equal opportunity plans.

In addition to childcare benefit already available for grandparents,⁴⁶ a new rule was also introduced in 2010 which allows women to take early retirement,⁴⁷ potentially encouraging older women to leave the world of paid work. According to the new pension regulations, in the case of women’s early retirement the time spent on child care leave(s) contributes to pension eligibility, while the time spent in higher education does not, which sends the message that motherhood is more important than women’s education, supporting a traditional female role. Furthermore, ‘family taxation’, providing tax cuts after the number of children, which has been in effect since 2011, encourages the economic inactivity of the lower-earning spouse, typically the wife.

³⁸ They are: the Minister of Foreign Affairs, the State Secretary of the Prime Minister’s Office responsible for foreign affairs and external economic relations and the Minister without portfolio responsible for liaising with certain international financial organisations

³⁹ Government Decree No. 137/1996 (VIII. 28.)

⁴⁰ See in Hungarian: <http://www.edupress.hu/hirek/index.php?pid=egycikk&HirID=22868>

⁴¹ See: Government Decree No. 110/2012 (VI. 4.) on issuing the National Core Curriculum

⁴² See National Social Inclusion Strategy, *op. cit.*, p. 26.

⁴³ See the related article in Hungarian: <http://www.kormany.hu/hu/nemzetgazdasagi-miniszterium/foglalkoztataspolitikaert-elelos-allamtitkarsag/hirek/nyolcmilliardos-keret-munkahelyi-csaladi-napkozikre>

⁴⁴ Act No. LXXXIV of 1998 on supporting the families, Article 21, para. (1) b

⁴⁵ Act No. I of 2012 on the Labour Code

⁴⁶ Act No. LXXXIV of 1998 on supporting the families, Article 20/A

⁴⁷ See Act No. LXXXI of 1997 on social security pensions, Article 18, para. (2)a-d

One of the first steps the current government took was to reinstate the length of child care leaves which was reduced by the previous government: the leave with an income-related benefit is available until the child's second birthday, the leave with a flat-rate benefit is available until the child's third birthday, and if there are at least three children in the family, until the eighth birthday of the youngest one. This regulation tends to further encourage women's economic inactivity.

The government claims that the appointment of a special commissioner dedicated to the issue of women's employment proves their intention to promote gender equality. However, the effects of the commissioner's work have yet to be seen, partly because she has not participated in professional events open to the public, and has not met with women's rights NGOs. The commissioner's report, published in October 2012 about the first six months of her work does not refer to the issue of gender equality at all, which further indicates that her appointment is not related to the economic equality of men and women.⁴⁸ The report, which was not presented to the general public, paints a positive picture of women's employment, due to selective methods of data analysis. In order to create a positive image, the report compares Hungarian statistics on women's employment to statistics about women in other countries, but not to those about men's employment. The data are not organised in line with standards used by the EU and in employment statistics. The report does not mention the gender pay gap, women's limited participation in economic decision-making, the encouragement of women's entrepreneurship or men's participation in care work in the family. At the same time, the underdeveloped recommendations included in the report, such as creating jobs for women in the care sector, would contribute to increasing horizontal gender segregation in employment.

The Action Plan for 2012–2014 of the National Social Inclusion Strategy⁴⁹ contains only one action specifically aimed at Romani women, which suggests that their employment in social, child welfare and child protection institutions should be promoted. According to the information available to us, in 2012 there was only one government programme targeting Romani women with the aim of supporting employment in the social services (as nursing assistants, child care workers, nurses etc.) for 1,000 Romani women. The content of the programme and the funds dedicated to it match the Action Plan. Although the expected outcome of this action is positive for the direct group and the wider social context as well, it is problematic that there does not seem to be a political will to open other, better paid and more prestigious areas of employment to Romani women, which would provide better opportunities for social mobility.

Underlying all these policy changes seem to be the goal of covering up gender inequalities in employment, the promotion of the 'traditional family', and the strengthening of women's dominant role in care work.

Article 12 – Healthcare and family planning

The Fundamental Law calls for the protection of the life of the foetus from the moment of conception in the same sentence which declares the right to life and human dignity. This wording can easily lead to the restriction of the abortion law. The actions of the government indicate a case of doubletalk on the issue: they claim they have no intention to amend the current legislation because Hungarian society is not ready for an abortion ban; at the same time they have made several statements and taken steps towards tightening the law.

In May 2012 the national drug administration authority registered the abortion pill *Medabon*. As a reaction, the State Secretariat in charge of Health Issues at the Ministry of Human Resources announced that despite the registration, this method of abortion would not be introduced in Hungary, as there are several "contradictory professional concerns about its safety and future side effects."⁵⁰ The only private clinic in Budapest that used to provide medical abortion stopped this service because they had been harassed with inspections. Compared to earlier years, in 2012 twice as many women decided to go abroad for an abortion (mainly to Austria and Slovakia) because they wanted medical abortions or they found the access to abortion in Hungary difficult, time consuming, expensive and humiliating.⁵¹

A debate about making emergency contraception easily accessible took place during the summer of 2011. Previously it seemed that the existing restrictions would be lifted and the pill *Escapelle*, a type of emergency contraceptive would become available over the counter. However, the professional body of Hungarian gynaecologists did not support the change, and the pill remained available only with a prescription.

As the majority of contraceptives are not subsidised by the state, comprehensive data on their use is not available to the government, and thus not to experts or the public either.

⁴⁸ See the commissioner's report in Hungarian at: http://www.kormany.hu/download/b/25/b0000/jelent%C3%A9s_miniszteri%20biztos_v%C3%A9gleges.pdf

⁴⁹ Resolution No. 1430/2011. (XII. 13.) of the Government Regarding the National Social Inclusion Strategy and Governmental Action Plan for the Implementation Thereof in the Years 2012 to 2014, *op. cit.*

⁵⁰ See the related Announcement of the State Secretariat in Hungarian: <http://www.kormany.hu/hu/emberi-eroforrasok-miniszteriuma/egeszsegugyvert-felelos-allamtitkarsag/hirek/kozlemeny-az-abortusztabletta-engedelyezesrol>

⁵¹ The information was provided by Christian Fiala, medical director of the Gynmed Clinic Vienna. In more details see an interview in Hungarian with him (23 May 2012, Kossuth Radio), available at: http://www.hirado.hu/Hirek/2012/05/23/08/Egyre_tobb_magyra_no_megy_abortusztablettaert_Becsbe.aspx

A state advertising campaign started in June 2011, partly financed from the EU Progress Fund serving to combat discrimination and, among others, to advance gender equality. The campaign used a poster with a picture of a foetus with the words, "I understand it if you aren't ready for me, but put me up for adoption, let me live!" The European Commission called on the Hungarian government to immediately remove the posters, stressing that the anti-abortion campaign is not in line with European values.⁵² There has been another awareness-raising campaign entitled "Life is a gift", with posters on the streets showing happy families with newborn babies. In the framework of this campaign the government funded a large anti-choice conference with international speakers.⁵³ Furthermore, according to unofficial information, the government intends to initiate a campaign on post abortion syndrome (an alleged psychological disturbance whose existence is not supported by scientific evidence), and plans to encourage medical students to exercise conscientious objection even in studying the medical procedure of abortion, and to lengthen and strengthen the mandatory counselling procedure for women requesting a termination.

Hospital birth remains a procedure with a high rate of medical interventions: over 30% of all births are delivered by C-sections and cca. 90% of women giving birth to their first child by vaginal delivery undergo an episiotomy. The recognition of independent midwives as a professional group is still missing, in spite of the government decree creating the legal framework for home birth, which entered into force of as of 1 April 2011.⁵⁴ The resolution is highly restrictive, excluding most women from giving birth outside hospitals based on "medical contraindications" and by not providing state funding, making homebirth service available only to the wealthy. Meanwhile, independent midwives face criminal charges for birth incidents based on the opinion of experts who are doctors in maternity hospitals and do not have direct experience (or a protocol accepted by the medical profession to refer to) of home births. Hungary's foremost defender of women's reproductive rights, Dr. Ágnes Geréb, was sentenced to two years' imprisonment and suspended from working as an obstetrician-gynecologist and midwife for ten years after she was found guilty of negligent malpractice by a criminal court in February 2012. She has been under strict house arrest for more than 800 days and is facing a further trial.

Coercive sterilisation remains a concern for Romani women in Hungary. In 2006, the CEDAW Committee found Hungary to have violated Articles 10(h), 12 and 16 of the CEDAW in a case concerning the sterilisation of a Romani woman, Ms A.S., in the absence of fully informed consent.⁵⁵ More than six years later, Hungary has failed to fully implement the recommendations by the CEDAW Committee in that decision: the legal provisions regulating sterilisation do not comply with international standards on medical indication as a basis for sterilisation and the reversibility of sterilisation procedures.⁵⁶ Although informed consent is required, the Hungarian Public Health Act still mandates sterilisation on the basis of a medical indication. Sterilisation for prevention of future pregnancy cannot be justified on grounds of medical emergency.⁵⁷ The legislation also requires the provision of relevant information to patients on the "chances of reversibility" which suggests that sterilisation is a non-permanent procedure and relevant patient counselling is therefore conducted based on that premise. However, consent cannot be considered fully informed without informing the patient about the permanent consequences of sterilisation.⁵⁸

That the issue is being taken up by the courts is also in doubt. The ERRC is currently involved in a case⁵⁹ pending on appeal before domestic courts in which a woman was coercively sterilised without her fully informed consent in a public hospital in 2008. Despite the lack of an informed consent form and adequate counselling procedure, in November 2012, the first instance court made a finding of fact (vehemently rejected by the claimant) that she requested the sterilisation. The decision awarded damages to the claimant of around 350 EUR (plus interest) for the technical breach but failed to establish that her right to fully informed consent was violated.

Article 13 – Economic and social benefits

The government's sensitivity to social inequalities can also be questioned, similarly to their sensitivity to gender equality. Recent changes in the regulation of taxation (flat-rate income tax, family taxation, tax cuts related to the number of children) have been favourable to those with high income, but have had a negative impact on the majority of the economically active population. In addition, those changes reflect the government's declared intention to contribute to the child care expenses of the 'middle class'.

The National Gender Strategy includes the overarching objective of reducing the risk of women's poverty, yet the problems of groups at risk of poverty, such as families of single parents – 90% of whom are mothers –, women living in the countryside, Romani and elderly women, have been almost completely ignored, and attempts have not been made to reduce income inequalities, or take the objective of reducing inequalities into account when social policies were amended.

⁵² See: *EU funds used for Hungarian anti-abortion campaign*. Euractiv, 17 June 2011. Available at <http://www.euractiv.com/justice/eu-funds-hungarian-anti-abortion-news-505684>

⁵³ See the program of the international conference Life – It's a Gift: http://azeletajandek.hu/hu/cikkek/28-az_elet_ajandek_konferencia_programja.html

⁵⁴ Government Decree No. 35/2011 (III. 21.) on the rules, conditions and exclusion criteria of giving birth outside institutions

⁵⁵ Committee on the Elimination of Discrimination against Women, Session no. 36 Communication No.: 4/2004, available at: <http://www.un.org/womenwatch/daw/cedaw/protocol/decisions-views/Decision%204-2004%20-%20English.pdf>.

⁵⁶ ERRC submission to the UN Special Rapporteur on Health, Torture and Violence Against Women (June 2011), available at: <http://www.errc.org/cms/upload/file/letter-to-un-special-rapporteurs-on-health-torture-and-violence-against-women-3-june-2011.pdf>.

⁵⁷ Guidelines on sterilisation of women issued by the International Federation of Gynecology and Obstetrics, available at: <http://www.figo.org/files/figo-corp/FIGO%20-%20Female%20contraceptive%20sterilization.pdf>

⁵⁸ *Ibid*

⁵⁹ *H. v MISEK Hospital*, No. 25.P.21.782/2010. On file with ERRC.

The regulation, which makes the payment of certain social benefits conditional upon employment status makes the situation of single parents – mostly women - particularly difficult.⁶⁰ The regulations which allow it to distribute the family benefits and certain social benefits in kind, and not in cash, and link the payment of family benefits to children's school attendance and allows it even to withhold the benefits, threatens the livelihood of many poor families.⁶¹ The situation of women caring for children with disabilities has been made more difficult as access to the integrated education service has been limited in educational institutions by decreasing the available places, and it has been completely cancelled in nursery schools.⁶² The planned regulation commonly referred to as 'aid ceiling' – determining the monthly upper limit of available social benefits – may affect certain groups of women negatively, such as those who provide care to family members and receive a nursing benefit, and are entitled to other benefits, too.

Article 16 – Marriage and family life

The current government completely ignores the perspective of gender equality and diversity in its family policy, too. The protection of families, in particular the promotion of the family model of a heterosexual couple and several children is now at the centre of government objectives and communication. The protection of the traditional/nuclear family based on marriage between a woman and a man is enshrined in the Fundamental Law.⁶³ Similarly, the new cardinal law on the protection of families adopted in 2011⁶⁴ defines family as a "relationship between natural persons in an economic and emotional community that is based on a marriage between a woman and a man, or lineal descent, or family-based guardianship." However, in a recent decision, the Constitutional Court declared this definition of the family contrary to the Fundamental Law, arguing that its scope is too narrow.⁶⁵

General Recommendations No. 12, 19 – Violence against women

The government has failed to sign the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

The legislator has been consistently opposed in the reporting period to either introducing a specific crime on domestic violence or referring to domestic violence as an aggravating circumstance in all relevant offences. The introduction of a new criminal offence of domestic violence is now on the government's agenda;⁶⁶ however, they intend to set in the offence the condition of living together and to exclude certain relationships – e.g. (ex-)intimate partners – from the protection.

The legislation on so-called preventive restraining does not provide effective, immediate and long term protection to the victims, as it can be issued by the police only for 72 hours and extended by the court for a maximum of 30 days without an option to extend it.⁶⁷ It also excludes certain relationships (e.g. intimate partners, former common-law partners) from its scope. Moreover, ungrounded initiation of the preventive restraining is considered as a misdemeanour. Furthermore, mediation for domestic violence cases is applied both in the criminal and the social schemes, and is offered even by the crisis intervention centres.

According to the experience of the legal aid services of women's rights NGOs, courts and child protection authorities – as the relevant legal norms – fail to recognise and take into account domestic violence in custody and visitation cases, thus forced visitation is a widespread practice in the cases of children with abusive parents (mostly fathers). Moreover, women who do not allow visitation with the abusive father face fines and, ultimately, prison sentences for the criminal offence termed as 'endangering the child'⁶⁸ (in the new Criminal Code 'barring visitation').

The CEDAW Committee in the *A.T. v Hungary* case, submitted under the Optional Protocol to CEDAW, made recommendations to the government in 2005 both regarding the state response to domestic violence and the author of the communication, but the recommendations have not been fully implemented up to the present.⁶⁹

⁶⁰ See Act No. III of 1993 on social administration and social benefits, Article 36, para. (2)e)

⁶¹ See Act No. LXXXIV of 1998 on supporting the families, Article 6 para (2), Article 15 and Act No. III of 1993 on social administration and social benefits, Article 47

⁶² Nursery schools cater for children under the age of 3, and they are part of the health care system, not the education system

⁶³ Writing about the new Fundamental law, the European Parliament concluded in its resolution of July 5, 2011: "through the values it enshrines and its unclear wording when defining basic notions such as 'family' and the right to life from the moment of conception, [the Fundamental Law] creates the risk of discrimination against certain groups in society, namely ethnic, religious and sexual minorities, single-parent families, people living in civil partnerships and women."

⁶⁴ See Act No. CXXI of 2011 of the protection of families

⁶⁵ The Constitutional Court declared that if the legislator intends to set rights and obligations to the family, it should not take away rights from those who are not living in marriage-based relationships. See the related announcement in Hungarian: <http://www.mkab.hu/sajto/kozlemenyek/a-csaladok-vedelmerol-szolo-2011-evi-cxxi-torveny-csalad-fogalmanak-es-oroklesi-szabalyanak-megsemmisiteserol>

⁶⁶ It was the related successful signature collection campaign started by an individual to oblige the Parliament to deal with the issue. Although the government had not support the introduction of the new offence, they changed their standpoint because of the public indignation caused by the male-chauvinist statements of one MP during the parliamentary debate.

⁶⁷ See Act No. LXXII of 2009 on restraining applicable to violence between relatives.

⁶⁸ Article 195 para. (4) of the Criminal Code

⁶⁹ See the Communication No. 2/2003, Ms. A. T. v. Hungary, available at: http://www2.ohchr.org/english/law/docs/Case2_2003.pdf

Although the new Criminal Code introduces some positive steps regarding sexual violence,⁷⁰ the definition of rape will still not be based on the lack of consent, and a reference to sexual morals is still present in the new regulation. Criminal procedures for many of the offences relevant to domestic violence and sexual violence still require – against international recommendations – the victim's active involvement, such as requesting a private motion (a statement from the victim requiring the punishment of the perpetrator, as a prerequisite of the procedure) or putting the cases under private prosecution.

The Equal Treatment Authority has dealt with very few sexual harassment cases, and according to the experiences of the legal aid service of women's rights NGOs when cases get to the courts upon appeal, judges seem to be resistant to taking into account circumstantial evidence. This leads to requirements which the victims cannot meet, and the courts do not find the harassment proven.

Systematic training programmes for professionals dealing with gender-based violence are missing, as are professional protocols for handling the cases of violence against women (e.g. in health care, or prosecution). Crisis intervention centres for the victims of violence were established by the previous government. The current government first reduced the number of places by half, and then presented the later reopening of these facilities as an improvement. Places in crisis centres for victims are 908 short of that recommended in the standards of the Council of Europe (there are 92 places in Hungary instead of the recommended 1,000 places).⁷¹ Most of the crisis centres are operated by social institutions termed 'temporary homes for families', which are designed to provide open-to-public services for people in different kinds of emergencies; the centres have never been operational as a specific service for women victims. The legal basis for the centres' operation is now provided by the Act on Child Protection. The above means that the methods of operation of these centres often do not follow international norms and good practice: the safety of the victims is not a priority consideration, and the women's human rights perspective is overwritten by the principles of the social, family and child protection services. The crisis intervention network in general does not cooperate with women's rights NGOs, who are not involved in either the monitoring or evaluation of the operation of crisis centres, or in the training programmes provided for the staff.

Violence against Romani women

Romani women and children are highly vulnerable to violence by state and non-state actors. In 2008 and 2009 a series of serious violent attacks were committed against members of the Romani community,⁷² resulting altogether in the death of six victims, including two women.⁷³ Besides these ERRC registered at least 61 violent attacks against Roma with dozens of people with injuries since 2008,⁷⁴ victims included Romani women and girls.⁷⁵ Investigation and assistance provided by the authorities during the above-mentioned period were inadequate.⁷⁶

Paramilitary groups have been marching and organising demonstrations in Hungarian villages since 2006.⁷⁷ In spring 2011, paramilitary groups were marching and patrolling particularly in the Hungarian village of Gyöngyöspata, harassing and intimidating Romani communities. Human rights NGOs raised concerns and called on State authorities to take immediate action.⁷⁸ During these unlawful actions Romani women and children were relocated due to the threat of violence.⁷⁹ As a result of racial harassment, due to stress an eight-month pregnant Romani woman delivered her baby early and needed to be hospitalised.⁸⁰ These far-right movement activities continued in 2012, when several demonstrations were organised in Devecser,⁸¹ Cegléd and Miskolc.⁸² In Devecser pieces of concrete and other missiles were thrown at Roma houses, and one female activist was injured.⁸³ In an open letter to the Hungarian Minister of Interior and the National Chief of Police, three Hungarian NGOs expressed their concern about the violence in Devecser, stating that by not dispersing the demonstration, the police failed to ensure the rights to freedom, equality and security of the local inhabitants.⁸⁴ The Ministry and the police responded by saying they considered the police intervention in Devecser adequate.⁸⁵

The ERRC and Hungarian Civil Liberties Union represented a Romani woman at the European Court of Human Rights (Court) who was mistreated by police officers who came to intervene, when having allegedly caused noise while hosting guests in her house.⁸⁶ In its

⁷⁰ Sexual violence is grounded in the new Criminal Code on coercion – as compared to violence or immediate threat against life and body in the old one.

⁷¹ 717 persons' request for accommodation in crisis centres were refused in 2011, due to the lack of available places. Source: telephone interview with the head of the National Crisis Telephone Information Service on December 18, 2012.

⁷² Amnesty International, Violent attacks against Roma in Hungary, Time to investigate, available: <http://www.amnesty.hu/item/violent-attacks-against-roma-in-hungary-report>

⁷³ Athena Institute, Hate group map, Death Squad (Roma serial killer group), available at <http://www.athenainstitute.eu/en/map/olvas/34>

⁷⁴ ERRC, Attacks against Roma in Hungary, available: <http://www.errc.org/cms/upload/file/attacks-list-in-hungary.pdf>

⁷⁵ See: http://www.athenainstitute.eu/en/hatecrimerecord_full/?q=

⁷⁶ See more: <http://www.errc.org/cms/upload/media/03/DA/m000003DA.pdf>

⁷⁷ See: <http://www.reuters.com/article/2007/10/21/us-hungary-farright-idUSL2141447820071021>

⁷⁸ See: <http://www.errc.org/article/rights-groups-demand-protection-for-hungarian-roma/3816>.

⁷⁹ Hungarian Civil Liberties Union, <http://tasz.hu/en/news/shadow-report-about-events-gyongyospata>.

⁸⁰ Hungarian Helsinki Committee: Events of concern in Hungary during the period of the country's EU Presidency June 2011, available: http://helsinki.hu/wp-content/uploads/HHC_Events_of_concern_in_Hungary_during_the_countrys_EU_presidency_2011June.pdf, page 1

⁸¹ See: <http://www.reuters.com/article/2012/10/25/hungary-jobbik-idUSL5E8LMIJZ20121025>

⁸² See: <http://www.reuters.com/article/2012/10/17/us-hungary-farright-idUSBRE89G1MN20121017>

⁸³ See video footage: http://atv.hu/belfold/20120805_devecser

⁸⁴ See: <http://www.amnesty.org/en/news/hungary-must-protect-roma-communities-attack-2012-08-15>

⁸⁵ See: http://tasz.hu/files/tasz/imce/bm_valasz_devecser_nyilt_levelre.pdf

⁸⁶ See: <http://www.errc.org/article/european-court-of-human-rights-rules-against-hungary-in-police-brutality-case/4014>

judgment delivered in June 2012, the Court found that in violation of Article 3 of the European Convention on Human Rights the excessive use of force by the police amounted to degrading treatment and that the investigation into the actions of police officers proved to be inefficient and was not capable of redressing the violations suffered by the Romani woman.⁸⁷

Women facing multiple discrimination

Multiple discrimination against women in general has not been given due attention in legal and policy measures. Romani women continue to suffer multiple discrimination on the basis of their gender and ethnicity. They experience barriers in accessing equal education, healthcare and adequate housing, employment and in accessing justice through administrative or institutional channels.⁸⁸ Major state policy documents to improve the situation of Roma have not yet resulted in substantive improvements in the situation of most Romani women or have failed to address the particular situation of those women.⁸⁹ The National Social Inclusion Strategy⁹⁰ gives a detailed description of the problems of Roma women and identifies several relevant points for intervention; however, attention to gender issues is limited in the discussion of the indicators.

Hungary in general lacks laws, policies and programmes to address the specific situation and multiple discrimination against women with disabilities and of the girl child.⁹¹

In Hungary the majority of asylum seekers entering the country illegally are detained. The maximum period of immigration detention is 12 months; families can be detained for 30 days.⁹² The alien policing legislation does not set forth differentiated rules for women in immigration detention, except for the opportunity of prolonged medical treatment in a healthcare institution for pregnant women. Women, in general, are not separated from their children who are minors.⁹³ Asylum seeking women who are not detained are placed in an open refugee reception centre where there is no specific screening process in place to identify victims of gender-based violence and no state-funded psycho-social assistance or rehabilitation is provided for them.⁹⁴

The Hungarian Helsinki Committee has repeatedly expressed concern about prison overcrowding, which has increased significantly during the past years.⁹⁵ The overcrowding has grown more in prisons for women than in institutions for male prisoners. As of September 2012 the overcrowding of the Kalocsa Strict and Medium Regime Prison for women was 155%, and the detention conditions were far below international standards.⁹⁶

⁸⁷ *Borbala Kiss v Hungary*, No. 59214/11; available: <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-11166>

⁸⁸ Written Comments of the European Roma Rights Centre Concerning Hungary For Consideration by the United Nations Committee on the Elimination of Discrimination against Women at its 39th Session. (23 July-10 August 2007), available at: <http://www.errc.org/db/03/7A/m0000037A.pdf>; see also the National Social Inclusion Strategy, *op.cit.*

⁸⁹ The Action Plan implementing the National Social Inclusion Strategy failed to address the multiple disadvantages of Romani women. The first action plan to implement the National Gender Strategy did reference the situation of Romani women but no programme was launched or implemented to tackle their disadvantaged situation.

⁹⁰ National Social Inclusion Strategy (2011-2020) *op.cit.*

⁹¹ See in details the Joint Submission of the Hungarian National Council of Persons with Disability (FESZT), the European Disability Forum (EDF) and the International Disability Alliance (IDA) on Hungary to the UN Committee on the Elimination of Discrimination against Women Pre-sessional Working Group, 54th session. Available at http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/FESZT_EDF_IDAjointSubmission_PSWG_Hungary.pdf

⁹² The information to this report regarding women asylum seekers and women in prison was provided by the Hungarian Helsinki Committee.

⁹³ The Hungarian Helsinki Committee reported in 2010 that an asylum-seeking Afghan family was put in pre-trial detention in a regular penitentiary institution due to the use of forged documents, while their children were placed in foster care.

⁹⁴ For further information please see the National Research Report for the GenSen Project, available at www.helsinki.hu/en/gender-and-asylum-in-hungary

⁹⁵ 15,360 detainees in 2009, 16,326 in 2010 and 17,210 in 2011. At the end of 2011 there were 1237 women in Hungarian prisons.

⁹⁶ The Hungarian Helsinki Committee paid a visit to Kalocsa Prison on 11-12 July 2012. According to their report the majority of female prisoners are allowed to take a shower only twice a week for 10 to 15 minutes per occasion, including those working for example in the lavatories under hard conditions. Only those working in the kitchen and storage facilities of the institution and in other "polluting workplaces" are allowed to take a shower on a daily basis.

ANNEX

MAIN RECOMMENDATIONS TO THE HUNGARIAN GOVERNMENT

- To establish a national machinery on gender equality at the highest level of the government, equipped with a clear mandate to comply with international norms, and with appropriate human and financial resources; to operationalise the Council of Gender Equality and ensure that women's rights NGOs are sufficiently represented in this body;
- To implement the "National Strategy for the Promotion of Gender Equality – Guidelines and Objectives 2010-2021" by elaborating and implementing its action plans (providing responsible actors, deadlines and adequate financial resources for the implementation); to organise systematic and mandatory training programmes on gender equality for state officials;
- To develop specific and explicit regulation and guidelines on media content in order to prevent harmful gender and ethnic stereotypes and prejudices; to call the attention of broadcasters to better promote gender equality, and organise training programme for media professionals in that regard;
- To adopt a new national strategy to combat trafficking in human beings, so that it is accompanied by action plans equipped with responsible actors, deadlines and adequate financial resources for the implementation; to collect data on the number of women and girls who were trafficked from and through Hungary disaggregated by sex, age, location of origin, ethnicity and the form of trafficking;
- To introduce legislation on women's quotas on political parties' candidate lists as a temporary special measure;
- To gather information on the position of women representing the government at the international level, to make accessible the relevant data to the public; to promote women's better participation at the international level through overcoming the obstacles preventing it;
- To effectively include the issue of gender equality in education policy, that is, in the National Core Curriculum and related documents; and in teacher training and on the job training of teachers and educators;
- To bring the legal framework of homebirth in harmony with respective international norms; to guarantee women's exercise of their right to access to a safe and legal abortion and refrain from restrictions which hinder, de jure or de facto, access to safe abortion;
- To carry out a complex and in-depth analysis of women's position in the economy and employment market; to take steps against the reproduction of women's multiple and life-long disadvantages; to develop an employment policy framework that takes into account and is in synergy with family policies and other relevant public policies, with the aim of reducing the high level of inactivity among women;
- To develop taxation, family and social policies which take into account the following: the existence of diverse family forms, and the diverse situation and needs of people living in these families; the higher risk of poverty among women; and women's economic dependence, which is the consequence of their larger share in childcare responsibilities; to pay special attention to groups of women facing multiple disadvantages, such as single, rural and Romani women while developing such policies;
- To harmonise national legislation in line with international norms in relation to all forms of violence against women (VAW); to legally ban mediation in domestic violence cases and to provide protection to all victims, irrespectively of the nature of the relationship or whether they live together with the batterer; to encourage public prosecution in all forms of VAW by eliminating the requirement of victim's active involvement in prosecution; to provide direct financial support to women's rights NGOs for legal representation to victims; to introduce systematic training programmes and protocols for all professionals concerned, based on a multi-agency approach; to financially secure the extension and development of services for victims of domestic violence, sexual violence, prostitution and trafficking, while ensuring these services comply with the international norms – the principles of the safety of victims and accountability of perpetrators – and are operated either by or in close cooperation with women's rights NGOs;
- To introduce specific policy measures and programmes targeting women victims of multiple discrimination (Romani women, women with disability, girl children, rural women, women asylum seekers etc.); to pay due attention to these groups of women while implementing existing policy documents;
- To investigate promptly and impartially incidents of violence against Roma and prosecute perpetrators of such crimes to the fullest extent of the law, whether they are committed by law enforcement officers or by private parties;
- To improve the situation of Romani women in access to education, employment and other public services; and
- To improve access to healthcare services and the health conditions of Romani women, with special attention to their reproductive health.