

ROMANIA

CEDAW A/48/38 (1993)

144. The Committee considered the initial report and combined second and third periodic reports of Romania (CEDAW/C/5/Add.45 and CEDAW/C/ROM/2-3) at its 209th, 210th and 215th meetings, on 18, 19 and 21 January (see CEDAW/C/SR.209, 210 and 215).

145. In introducing the reports, the representative of Romania stated that the first part of the combined second and third periodic reports gave information on the changes in the political life of the country after the revolution of December 1989 and on the new laws referring to the rights of women. She said that, after the revolution, the country had reverted to a State based on respect for the right and freedoms of all human beings; restrictive legal provisions had been repealed and new laws adopted in accordance with the international obligations that Romania had assumed. Political pluralism was accepted as well as the right of association and the freedom to form trade unions and federations of trade unions. At the same time, Romania had become a party to several international human rights instruments. In order to respond to its obligations under those international instruments, Romania had amended many laws and put into force a new Constitution on 8 December 1991.

146. The representative said however that the actual situation did not match the legal one. There should be measures to guarantee women the right to participate equally in political life. A first step in the process of equal opportunity should be economic independence; however, the economic means were still inadequate to bring women into political life on an equal footing with men. She pointed out the important role being played by trade unions and said that no women had, as yet, been elected to a position of leadership in the trade-union movement. The increased unemployment was in part caused by privatization in certain former State enterprises. On 15 December 1992, more women than men were unemployed and, among them, there were more women in the worker and semi-skilled categories than in the highly skilled professions. Many problems existed in the private sector with regard to the enforcement of social legislation.

147. The representative stated that in Romania, in the case of divergence between human rights and domestic legislation, international regulations took precedence over domestic ones. Women were represented in institutions of the new democracy, such as the judiciary. She said that non-governmental organizations played an increasingly important role and their objectives were to improve the status of women in society and to influence political factors. In the second part of her presentation, the representative enumerated all the legislative provisions in force corresponding to the substantive articles of the Convention and drew attention to the prevailing difficulties and problems.

General observations

148. Members of the Committee expressed their positive appreciation for the fact that Romania had sent a representative to present the reports to the Committee, because it had been waiting for them to be presented for a long time. They welcomed the country's transition to democracy, showed

understanding of the difficulties involved in dealing with women's issues in times of governmental change and hoped that Romanian women would soon become aware of democracy and the importance of their political participation. They were concerned, however, that the Government had complied with neither the time-frame nor the format required for preparing and presenting periodic reports. One member said that after the political change had taken place in Romania, the initial report should have been withdrawn.

149. Concerning questions about the executive and legislative powers, forms of ownership and underlying principles of Romania, the representative referred to the "Basic document concerning Romania" and another document on judicial reform in Romania (both of which were given to the Secretariat), which gave an overview of the structure and principles of the country. She stated that, pursuant to article 1 of its Constitution, Romania was a republic and a social and democratic legal State, in which human dignity and the free development of the individual were the guaranteed supreme values. It was a pluralistic State with the twin chambers of Parliament exercising the only legislative power and independent judicial power.

150. In answer to a question on the extent to which women were part of the technical intelligentsia, the representative gave the following data from 1991; women held 44 per cent of jobs in industry; 56 per cent in telecommunications; 57.2 per cent in education and culture; 44.4 per cent in the health and social sector; 43.3 per cent in administration; and 43.7 per cent in scientific research.

151. Asked why there was so much passivity on the part of women, the representative said that all of the former socialist States had experienced a similar regressive movement of women. Although women were allowed to participate in all economic and social sectors, they were absent from the leading political positions. It was not so much a question of passivity on the part of women but rather the need for society as a whole to become used to the idea of political power-sharing. One could speak of real participation only if women shared political power equally.

152. In response to the remarks by members that the reports did not contain sufficient information about the status of women in practice, the representative replied that the subsequent reports would contain more data about the de facto situation. Members pointed out that Governments that were experiencing difficulties in preparing their reports could ask the Secretariat for assistance.

153. Referring to the question whether a discrepancy existed between domestic legislation and international regulations, the representative said that, pursuant to its Constitution, Romania was obliged to implement in good faith the provisions of international treaties, that international treaties become part of the domestic legislation and that national laws should be interpreted in accordance with the stipulations in international treaties.

Questions related to specific articles

Article 3

154. Referring to the question whether the mechanism specified by the Committee in its general recommendation 6 (seventh session) 13/ had been set up to facilitate the implementation of a policy of equal opportunity for women and men and, if so, how it worked, the representative replied that

no such central coordinating mechanism existed although several bodies and non-governmental organizations were dealing with gender equality in various fields. The representative noted that, while the need for such a national machinery was recognized, there was concern that it should take a form appropriate to the new political order and not simply adopt the ways of the past.

155. Regarding the preparation of the reports, the representative said that State organs as well as women's organizations were involved in their preparation and many contacts were established in order to identify the problems faced by women.

156. In additional comments, several members of the Committee reported on the experiences of their countries in, and after, establishing national machinery for the advancement of women, as a focal point where the voices of women and non-governmental organizations could be heard and all governmental efforts for the elimination of discrimination could be concentrated.

Article 4

157. The representative said that the statements in the reports to the effect that temporary special measures did not seem necessary, while achieving de facto equality required the fostering of social attitudes to eliminate discrimination, were in no way contradictory. The adoption of temporary special measures would indeed be desirable, especially in order to eliminate social prejudices and to change attitudes. Women's organizations were demanding the adoption of such measures and some special measures had already been introduced in response to actions taken by non-governmental organizations.

Article 5

158. In reply to queries raised concerning violence against women, and the somewhat contradictory statements, in the combined second and third periodic reports, "one cannot say that there is a phenomenon of violence against women" and "domestic violence does occur, particularly in the impoverished social sectors", the representative said that violence was just one of many crimes, but it did not constitute a major national problem. Similarly, domestic violence was not a typical occurrence in Romania although it did exist for some very subtle, cultural reasons. No data on its incidence existed nor on the number of women who had been injured or who had died as a result of violence. So far, there were no shelters for battered women.

159. Asked about the number of complaints about cases of violence, the type of measures taken by the Government of Romania to combat violence against women and the attitude of the police, the representative replied that women were certainly not discouraged from lodging a complaint. Although there was no tradition in such matters, complaints were being lodged. The police intervened only in response to a complaint by the injured party. No statistics were available on

13/ See Official Records of the General Assembly, Forty-third Session, Supplement No. 38 (A/43/38), chap. V.

~~the number of~~ complaints that had been received.

160. Asked whether women's organizations had made the elimination of violence against women

one of their concerns, the representative stated that the priorities of women's organizations were mainly the social and economic rights of women and not the issue of violence.

161. In additional comments, members showed concern over the issue of domestic violence and expressed the hope that the subsequent report would give more exhaustive information on the Government's interest in the issue and on the measures being taken to combat the problem.

Article 6

162. Asked whether the laws prohibiting traffic in women and the exploitation of the prostitution of women had led to a reduction in, or the elimination of, those offences, the representative said that the laws were being enforced. As a result of the changes in Romania, prostitution had started in spite of its prohibition; however, no statistics were available on its incidence or on the number of offenders that had been taken to court.

Article 7

163. Referring to the question why the number of women reported to be in top positions was much lower in the combined second and third reports than it had been in the initial report, in particular in the Cabinet and Parliament - whether it was because of fewer suitable candidates, a changed attitude on the part of the Government, a reduced interest of women in politics or the result of the new norms and policies - the representative said that the initial report had been prepared under the totalitarian regime and contained figures imposed by it. Women were, indeed, interested in politics: they had participated in the revolution. The Government had not adopted a new attitude towards the political participation of women nor had the conditions been changed, but they could no longer be imposed. The only measures that the State could take to encourage more women to be interested in politics would be juridical and administrative ones. There was no real explanation why women did not hold leading positions, but it was to be hoped that, after the achievement of economic power, the desired changes would follow at the political level.

164. The electoral system was universal and by secret ballot without any discrimination as to sex, race or religion. It was the same for the parliamentary and the presidential elections. There was no quota regulation for women.

165. Questions were asked about the rate of voting for women and men and the percentage of women and men in the electoral lists at the most recent elections.

166. The representative said that whether women candidates appeared on the electoral lists depended on the political parties, not on the electoral system. The National Women's Council had been abolished and a new, similar body, but in an improved form, was being created. The three women's associations listed in the report did not constitute an exhaustive list; there were many more women's organizations in different fields.

167. Replying to an additional request by a Committee member for comparative statistics on the withdrawal of women from political life in the former socialist countries, the representative referred to a meeting that the United Nations Educational, Scientific and Cultural Organization (UNESCO)

had held at Prague in 1991, during which that common phenomenon had been noted. Other members stated that women ought to be made aware of the importance of playing an active role in the political life of their country. The representative explained that their current reticence was a reaction to the fact that, under the former regime, women had been forced to occupy certain positions.

Article 10

168. Asked about the number of women who worked as teachers in secondary schools and about the difficulties that the Government was experiencing in the process of setting up an educational system that eliminated discrimination, the representative referred to the information given in the combined second and third reports. She said that the new Government maintained the same positive attitude as the former one regarding education. Schooling was free of charge at all levels, and scholarships were available.

169. Regarding the question why within one minority group, the Roma, the drop-out rate from schools was the highest and whether any programmes existed for their benefit, the representative said that the State was giving much support, training teachers and carrying out programmes for their overall integration into society; however, it was a matter of trying to reorient the way of thinking of that group.

Article 11

170. Regarding questions relating to the equal access of women to professional posts, their representation in positions of responsibility at all levels and the proportion of women workers in decision-making positions in labour unions, the representative explained that women did, indeed, have equal and egalitarian access to professional posts. They were strongly represented at the expert level and were members of trade unions. Yet in no field had they achieved positions of power or leadership. As examples, the representative cited research jobs or the judiciary, where women constituted almost 50 per cent of the employees.

171. Working hours for both women and men were eight hours a day, five days a week. Women who worked under difficult conditions were allowed to work for only six hours a day, and mothers of children below the age of six could opt for part-time work.

172. In reply to requests for statistics on the number of hours a day that women doing paid work outside the house dedicated to domestic tasks, and the extent of men's sharing of the domestic burden with women, the representative said no such data were available. Women certainly worked longer hours and were also burdened by the lack of adequate social assistance.

173. The law in Romania stipulated the principle of equal pay for work of equal value. During the transition period to a market economy, salary negotiations were being held with private enterprises. Asked about existence of a system for assessing the value of different jobs, statistics on the wages of women and men in similar jobs, the income levels of women in general and the participation rate of women in the labour force, the representative promised that such data would be included in the subsequent report.

174. When members pointed out that the connection between extended maternity leave and the reduction of infant mortality would seem to make women who preferred to continue working and not take a long maternity leave solely responsible for infant mortality, the representative said that was not the case. It was the women's choice to take extended maternity leave or not. While taking extended maternity leave and working shorter hours did affect the careers of mothers of children below the age of six, no figures were provided on the extent to which women availed themselves of those possibilities. In order to reduce infant mortality, the State had been providing health and social welfare measures. The representative made clear that maternity leave amounted to 112 days, not 11.

175. The representative said that women were very well represented in professions related to the arts, where they constituted 57.2 per cent of the employees.

176. In spite of the different retirement ages for men and women, women had the same pension entitlements as men. Regarding statistics on the unemployment rate of men and women, the representative referred to the data provided during the presentation of the report. Unemployment benefits depended on the age of the person, the professional sector and the number of years that he or she had worked. Currently, an appropriate level was being worked out that should allow women to maintain a minimum standard of living. The training of women for new jobs was one of the means to reduce unemployment, for which appropriate funds were earmarked in the unemployment fund, which received contributions from State and private enterprises.

177. Asked whether the situation of women in the workforce had changed in law or in practice after the revolution of 1989, the representative said that there were sufficient laws from the time before the political change. The only new law dealt with professional competence. However, the Government was trying to find adequate resources for putting the laws into practice.

178. Dealing with questions regarding a ban on night work for pregnant women and nursing mothers, or for women in general, and possible negative consequences for women's careers, the representative said that there was no such general interdiction and that specific jobs could be performed at night.

179. Referring to the good network of crèches and kindergartens for both urban and rural women that had existed formerly, the representative stated that it still existed, but it was undergoing a transformation because of a change in its financing system.

180. The representative explained that women working in the private sector benefited from the same employment legislation as women working in the public sector, and the former discriminatory system under which certain jobs were earmarked for women or for men had been abolished.

Article 12

181. Replying to a request for an explanation of the "barbarous means" by which women were forced to give birth, the representative said that the former law banning abortion was barbarous as some women had preferred to die rather than bring their babies to full term. The law revealing the ban on abortion had been put into force immediately after the revolution, which had made the

number of abortions rise sharply. Asked whether women had access to contraceptive methods other than abortion, the representative stated that contraceptive means existed, but they were too scarce and fairly expensive. She referred to the mass media as the main source of education on the use of contraceptives. Some family planning units existed, but they were run mainly by non-governmental organizations. Statistical data on the incidence of abortions in public and in private clinics would be submitted in the subsequent report.

182. The representative explained that the former pro-natalistic policy had been abandoned for appropriate economic measures, including a draft bill on the allocation of State subsidies for children. The new allocation for children was no longer paid automatically to the father; it could be paid for all children, without any differentiation, to the mother until the child had attained the age of 16. She said that the number of abandoned children was decreasing, and that there were plans to increase child allowances and scholarships.

183. The immunization of babies was obligatory and free of charge.

184. The representative stated that general statistics on the number of cases of HIV/AIDS were not available. Data on the numbers of children affected by HIV/AIDS would be included in the subsequent report. Asked what preventive and educational measures existed for dealing with the problem of AIDS, she said that programmes had been set up with the help of the United Nations, and special AIDS clinics had been created.

185. The major causes of female mortality and morbidity were cancer (on account of the Chernobyl accident) and cardiovascular and other stress-related diseases; tuberculosis was decreasing. Statistical data would be included in the subsequent report.

186. Asked whether medical assistants had the necessary medical knowledge to care for their patients, the representative replied that the medical training system was extremely good and provided specialized training for medical personnel.

187. In subsequent remark, concern was expressed by one of the Committee members about the scarcity of contraceptive means. The scarcity of contraceptives might lead to repeated abortions, which usually involved health hazards for women.

Article 14

188. Explaining why it had been stated in the initial report that women were doing most of the rural work, the representative said that under the old regime there had been agricultural cooperatives in rural areas. As practically nothing had been paid for the work done, the men had migrated to jobs in industry, whereas women had stayed behind to work on the land. Currently, the land was being given back to the former owners so that the whole family, women, men and children, was again sharing agricultural and domestic work.

189. In rural areas also, schooling was compulsory up to the end of secondary school; however, youths in rural areas received no higher-level training. Young women emigrated mainly to industrialized areas. As far as retirement benefits were concerned, urban women were discriminated

against as rural women could retire at the age of 57 and, unlike urban women, widowed women in rural areas were entitled to the retirement benefits of their late husbands.

190. Regarding the value of the participation of rural women in the national economy, the representative said that rural women contributed by working the land and supplying agricultural produce, as in other market economies.

191. Asked for comparative data on the current mortality rate of urban and rural women, the percentage of recipients of pre- and post-natal services and the enrolment figures for primary and secondary schools, the representative explained that health measures were identical for rural and urban women.

Article 15

192. The representative said that the rights set out in article 15 of the Convention were implemented not only by law but also in practice.

193. Regarding questions on the number of cases of discrimination that had been brought to the courts, the representative said that no exact data were available, but that the number was very small because women were not sufficiently educated to defend their rights.

Article 16

194. Asked for a clarification of the current legal situation and about the practice regarding the choice of family name, the representative explained that each spouse could either keep his or her own name or the couple could decide on a common name, either that of the husband or of the wife.

195. Regarding de facto unions, the representative stated that they were not governed by law but that, under a ruling of the court, the children of such unions had equal rights to those of the children of registered marriages.

196. No statistical data were available on the age at which divorce was most frequent, but it was said that divorce was more frequent among couples who had married at a very young age. Under the Family Code, the normal marriageable age was 16 years without parental consent. However, the usual age for marriage was 20 years.

197. The representative said that the social welfare services for mothers and children implemented under the former regime were being maintained and amplified by some new services, such as compulsory doctor's visits for children under one year of age, which were free of charge, and the supply of certain free medicines.

Concluding observations

198. Members of the Committee commended the representative of Romania for her exhaustive replies. The representative welcomed the sharing by members of their experiences in setting up national machinery and emphasized the Government's firm will and commitment to the

implementation of the provisions of the Convention with the help of all women and men.

CEDAW A/55/38 (2000)

278. The Committee considered the combined fourth and fifth periodic reports of Romania (CEDAW/C/ROM/4-5) at its 481st and 482nd meetings, on 23 June 2000 (see CEDAW/C/SR.481 and 482).

Introduction by the State party

279. Introducing the report, the representative of Romania informed the Committee that the Government adhered to all major international human rights instruments and reporting procedures, and had withdrawn its reservation to article 29 of the Convention ratified in 1981. Specific institutional and legislative steps for the promotion of the human rights of women and equal opportunities for men and women had been made following the adoption of the Beijing Declaration and Platform for Action. She also noted that in addition to the positive aspects of the democratic transformation of Romania since 1989, the economic and social costs of the transformation had created some difficulties in the full implementation of the Convention.

280. The representative informed the Committee that efforts were being made to harmonize national legislation with international norms, and that the constitution and existing laws in Romania contained provisions providing equal rights irrespective of gender, including in the areas of marriage, social life and employment, as well as stipulations for paternity leave. Amendments to the Criminal Code to introduce penalties for domestic violence were also being prepared.

281. The representative informed the Committee that institutional structures had been created to promote policies for women in areas such as employment, human rights, social status, family, domestic violence, gender equality and gender mainstreaming. She noted that improved coordination among all public authorities responsible for women's issues were still needed to ensure equal opportunities for women and men, but that an Office of the Advocate of the People, with a Human Rights Ombudsman had been created.

282. The representative informed the Committee that although a high percentage of party members were women, women were not yet equally represented in the higher levels of political decision-making. She noted that only 5.3 per cent of the Members of Parliament were women, and that a draft law regarding equal participation of women at high levels of political parties had been rejected by the Parliament and that measures were still necessary to promote the political participation of women.

283. The representative informed the Committee that domestic violence was an area of special concern, and that although there were no specific legal provisions regarding domestic violence, such offences were covered under several articles of the Criminal Code and under Law No. 61/1991. Other measures to combat domestic violence had included the creation of centres for family counselling and assistance to victims and a study on domestic violence. Further actions would include studies on the causes and effects of violence against women, legislative improvements to include criminal, civil and administrative penalties for domestic violence and

protection of victims, training programmes for police and lawyers and support for civil society in preventing domestic violence.

284. The representative drew attention to the problems of prostitution and international trafficking in women and girls, indicating that although there were no specific legal provisions addressing trafficking in women, proposals to amend the Criminal Code had been submitted to Parliament. Romania was also cooperating with other countries to combat the problem of trafficking in women, and a Regional Centre for Preventing and Combating Transboundary Crime had been set up in Bucharest.

285. The representative informed the Committee that many women were involved in the education system, both as students and teachers, and noted that the enrolment rate of women in higher education had increased. However, few women held top management and administrative positions in education, and the female illiteracy rate was still high: 4.6 per cent in 1997 (compared to 5.0 per cent in 1992). To raise awareness of gender issues, Romania had introduced gender training programmes in the curricula of various universities.

286. The representative informed the Committee that the ongoing economic reforms had had an adverse impact on women because of a rise in unemployment and a reduction in social security. Between 1998 and 1999, the female unemployment rate had increased from 10.5 per cent to 11.4 per cent, and as of April 2000, it was 11.2 per cent. The main areas of employment for women, such as health care, social assistance, education, agriculture and trading, were often lower paid than other sectors. Positive developments had occurred in the private sector, in which an increased number of women were employed. Women were increasingly involved in sectors such as financial, banking and insurance services, which were better paid. The representative indicated that in 1999, women held only one third of the top administrative and business positions and the Ministry of Labour and Social Welfare had taken steps to improve the employment conditions of women, including the promotion of equal opportunities for women, support for unemployed women, reintegration into the labour market and assistance for the diversification of women's economic activities.

287. The representative informed the Committee that the life expectancy of women was higher than that of men, but that heart disease and cancer were the most common causes of death among women. The maternal mortality rate had dropped since the legalization of abortion in 1989, although the increased number of abortions constituted a concern. The Ministry of Health had established a national family planning programme in 1992 and a National Strategy for the Promotion of Reproductive Health to inform the population about modern birth control methods and healthy sexual practices. From 1997, the health care system had undergone reforms, and a number of mother and child protection measures had been adopted. In addition, a National Multi-Sectoral Anti-AIDS Commission had been created to find solutions to HIV-associated problems and an action plan on women's rights to health and reproductive health was to be implemented in cooperation with trade unions. A legal guide on the protection of pregnant employees at the workplace was also being prepared.

288. To protect children, including the girl child, Romania had adopted a strategy on child welfare for 2000-2003, establishing general principles as well as concrete objectives and

activities for protecting the child. The representative also informed the Committee that a National Agency for the Protection of Children's Rights had been established.

289. The representative informed the Committee that there was an increased number of non-governmental organizations, including women's organizations, in Romania, and stressed the importance of collaboration between the Government and civil society in promoting the advancement of women and gender equality. The representative reaffirmed the Government's commitment to the full implementation of the Convention, and indicated that it had been inspired by the new initiatives for the advancement of women adopted at the twenty-third special session of the General Assembly held in June 2000. She also informed the Committee that Romania had started the domestic procedures for the signature and ratification of the Optional Protocol to the Convention.

Concluding comments of the Committee

Introduction

290. The Committee expresses its appreciation to the Government of Romania for submitting its combined fourth and fifth periodic reports. It commends the Government for the comprehensive written replies to the Committee's questions, which also included data disaggregated by sex, and its oral presentation, both of which provided additional information on the current situation of the implementation of the Convention. It appreciates the manner in which the State party identified areas requiring further progress.

291. The Committee commends the Government of Romania for having sent a high-level delegation, headed by the Secretary of State, Ministry of Labour and Social Welfare, including officials from several branches of Government and representatives of non-governmental organizations. The Committee appreciates the open, frank and sincere dialogue that took place between the delegation and the members of the Committee.

292. The Committee welcomes the Government's statement that the domestic procedures for the signature and ratification of the Optional Protocol to the Convention have already started, and looks forward to the early completion of these procedures by the State party.

Positive aspects

293. The Committee commends the Government for the efforts undertaken, in particular since the 1995 Fourth World Conference on Women, to implement the Convention and to harmonize Romanian law and policy on gender equality and women's equal opportunities with the provisions of the Convention.

294. The Committee welcomes the entry into force, in December 1999, of the law on paternal leave aimed at strengthening the principle of sharing of responsibilities in the family and society.

295. The Committee expresses its appreciation for efforts under way to reform the Romanian legislative framework with a view to eliminating remaining legislative gaps and discriminatory

provisions and achieving equality between women and men. It welcomes in particular the Government's efforts to prepare a law on equal opportunities for women and men, and to seek amendments to the Criminal Code with regard to domestic violence and trafficking in women.

296. The Committee welcomes the establishment, in 1998, of the Office of the Advocate of the People with the functions of human rights ombudsman, empowered to protect the human rights of women and children including in the family.

297. The Committee welcomes the Government's open and cooperative attitudes towards the ever-increasing number of non-governmental organizations and the joint efforts undertaken between the Government and actors of civil society to promote implementation of the Convention.

Factors and difficulties affecting the implementation of the Convention

298. The Committee notes that the political and economic transformations which Romania has been undergoing since 1989 continue to pose major challenges to the full implementation of the Convention, especially in the areas of employment and health.

Principal areas of concern and recommendations

299. The Committee, while noting the reforms and plans already in place, is concerned at the overall pace of legislative and policy change in the State party since the consideration of the third periodic report in 1993.

300. The Committee calls on the Government to recognize the urgency of the needed legislative and policy changes, and to place the highest priority on the adoption of the proposed legislation on equal opportunities and on domestic violence and trafficking in women. It also calls on the Government to make gender equality a priority and to develop a holistic and integrated policy for the implementation of the Convention and the achievement of equality between women and men, including a timetable to monitor and evaluate progress in this regard. It urges the Government to consider the adequacy and funding of the national machinery for the advancement of women in leading this effort, including coordination within the Government and with organizations of civil society, awareness-raising and mobilization of public opinion in favour of equality measures and elimination of stereotypes.

301. The Committee is concerned that stereotypical attitudes about the roles of women and men in the family and society are reflected in women's low level of representation in decision-making at all levels and in all areas.

302. The Committee calls on the Government to increase its efforts at combating stereotypical attitudes. It urges the Government to implement temporary special measures, in accordance with article 4, paragraph 1, of the Convention, to increase the number of women in all decision-making posts, including in Government and Parliament. It invites the Government to place priority on the review and revision of teaching materials, textbooks and curricula, especially for primary- and secondary-level education.

303. The Committee is concerned at the continuing stereotypical and sexist portrayal of women in the media, especially in advertising. The Committee calls on the Government to encourage the media to contribute to the societal effort at overcoming such attitudes, to create opportunities for a positive, non-traditional portrayal of women and encourage and facilitate the use of self-regulatory mechanisms in the media to reduce discriminatory and stereotypical portrayals of women.

304. The Committee, while welcoming the fact that in accordance with article 20 of the Constitution, the Convention is integrated into domestic legislation and takes precedence over such legislation, is concerned that there is a lack of familiarity among the judiciary about the opportunities created by article 20 of the Constitution for the application of the Convention in domestic decision-making.

305. The Committee encourages the Government to ensure that law school curricula and continuing judicial education include the Convention and its applicability at the domestic level. It invites the Government to provide information, in its next report, about complaints filed in courts based on the Convention, as well as about any court decisions that referred to the Convention.

306. The Committee, while noting the Government's recognition of the problem, expresses its concern about the increase in violence against women. It is concerned about the absence of legislation criminalizing domestic violence, including marital rape, and the recognition of the defence of a so-called "reparatory marriage" in the Criminal Code, which eliminates criminal liability of a rapist if the rape victim consents to marry him. It is also concerned that there is no legislation concerning sexual harassment.

307. The Committee calls on the Government to make violence against women in all its forms and in the light of the Committee's general recommendation 19 on violence against women a crime adequately punishable by law. In particular, the Committee urges the Government to collect statistical data disaggregated by age on the incidence and type of such violence, including domestic violence. It recommends legislation and measures to ensure that women victims of domestic violence have immediate means of redress and protection. It also calls on the Government to expand its zero-tolerance campaign on violence against women so as to make such violence socially and morally unacceptable. It also recommends that measures be taken to ensure that law enforcement officials, the judiciary and health-care providers are aware that violence against women, including domestic violence, constitutes an infringement of the human rights of women under the Convention that must be prosecuted with the seriousness and speed it deserves.

308. The Committee, while appreciating the Government's efforts at combating trafficking in women, notes with concern that trafficking has expanded in Romania as a country both of origin and of transit.

309. The Committee recommends that urgent further steps be taken by the State party to prevent and eliminate trafficking in women, especially through a firm anchoring of this crime in legislation. This should include increased cross-border and international cooperation, especially

with recipient countries, to eliminate the incidence of trafficking and to prosecute traffickers. It also recommends that the State party focus on the causes of trafficking through measures aimed at poverty alleviation and women's economic empowerment. It encourages the Government to assist victims through counselling and reintegration. It also recommends that the Government pay due attention to article 6 of the Convention in the ongoing debate about the legislative approach to prostitution.

310. The Committee expresses its concern at the high rate of illiteracy of women over 50 years of age and the extremely wide gap in illiteracy between the urban and rural population, as well as the high dropout rates for girls at secondary level. The Committee is also concerned that, while the number of women working in the education sector is high, the percentage of women in administrative and decision-making positions in this sector is low.

311. The Committee recommends that measures be taken to increase the literacy levels of older women, and to reduce the literacy gap between urban and rural women. Efforts should also be made to ensure that education, including continuing education and adult literacy programmes, are targeted to women and include training in new information and communications technologies to provide women and girls with the skills required in a knowledge-based economy.

312. The Committee is concerned about the situation of women in the labour market, especially women's higher unemployment rates, the decrease in women's share in the economically active population and the concentration of women particularly in low-paid occupational areas and sectors. The Committee is also concerned about the high percentage of women working as unpaid family workers, especially in rural areas.

313. The Committee recommends that the Government's labour market and employment policies explicitly address the situation of women workers in order to ensure that women do not carry a disproportionate share of the burden of the transition to a market-based economy. It recommends that urgent targeted measures be put in place to facilitate women's entry into new growth sectors of the economy, including women's entrepreneurship, and to ensure that women's health and retirement benefits are protected. It also encourages the Government to ensure that women can take full advantage of jobs created by foreign investment, ensuring non-discriminatory protection of their rights. It recommends that the Government seek the adoption, as a matter of priority, of a forward-looking equal opportunities law that extends to the private sector and includes the creation of a specific office of ombudsman for equal opportunities for women, with powers to receive complaints of violations of the laws on equal opportunities and to investigate discriminatory situations experienced by women.

314. The Committee expresses its concern about the health situation of women, especially women's reproductive health. While appreciating recent declines in maternal and child mortality rates, these indicators are still high compared to other countries in the region. It is especially concerned about the abortion rates and the use of abortion as a means of fertility control. It is also concerned about the increase in HIV/AIDS infection rates and in sexually transmitted diseases. The Committee expresses its concern about the situation of the environment, including industrial accidents and their impact on women's health.

315. The Committee, while commending the Government for maintaining a system of universal free health care, recommends that increased efforts be placed on improving women's reproductive health. In particular, it calls on the Government to improve the availability, acceptability and use of modern means of birth control to avoid the use of abortion as a method of family planning. It encourages the Government to include sex education systematically in schools, including vocational training schools. It also urges the Government to target high risk groups for HIV/AIDS prevention strategies and strategies to prevent the spread of sexually transmitted diseases. It encourages the Government to increase its cooperation with non-governmental organizations and international organizations in order to improve the general health situation of Romanian women and girls. It also requests that the Government provide in its next report detailed information on women's tobacco use and statistics on their alcohol, drug and other substance abuse.

316. The Committee is concerned about the growing number of elderly women living in poverty.

317. The Committee, while appreciating the adoption of the law on pensions and the law on assistance for the elderly, calls upon the Government to seek, without delay, the adoption of the proposed Social Security Code, which will include social assistance for persons without pension benefits, mostly elderly women in need.

318. The Committee is concerned at the different age of marriage established in the Family Code for boys and girls, and that marriages of girl children can be legalized in contravention of article 16 of the Convention. The Committee is also concerned that despite the decrease in marriages and a growing incidence of cohabitation, the rights of women in cohabitation are not protected by the legal system.

319. The Committee recommends that the Government take action to bring its legislation on the marriage age for women and men into full conformity with the Convention, taking into consideration the Committee's general recommendation 21. The Committee invites the Government to consider how women's rights, including with regard to alimony and child custody, can be protected following dissolution of domestic partnerships.

320. The Committee encourages the Government to accept the amendment to article 20, paragraph 1, of the Convention concerning the time of meetings of the Committee.

321. The Committee requests that the Government respond in its next periodic report to the specific issues raised in these concluding comments. It further requests the Government to provide in its next report an assessment of the impact of measures taken to implement the Convention.

322. The Committee requests the wide dissemination in Romania of the present concluding comments, in order to make the people of Romania, and particularly government administrators and politicians, aware of the steps that have been taken to ensure de facto equality for women and further steps that are required in that regard. It also requests the Government to continue to disseminate widely, and in particular to women's and human rights organizations, the

Convention, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the results of the twenty-third special session of the General Assembly, "Women 2000: gender equality, development and peace for the twenty-first century".