



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
22 June 2006

Original: English

**Committee on the Elimination of Discrimination
against Women**
Thirty-fifth session

Summary record of the 736th meeting

Held at Headquarters, New York, on Friday, 26 May 2006, at 3 p.m.

Chairperson: Ms. Manalo

later: Ms. Schöpp-Schilling (Vice-Chairperson)

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06-36506 (E)

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Sixth periodic report of Romania (continued)
(CEDAW/C/ROM/6, CEDAW/C/ROM/Q/6 and CEDAW/C/ROM/Q/6/Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Romania took places at the Committee table.*

2. **The Chairperson** invited Committee members to resume their questions and comments on articles 10 to 14.

Articles 10 to 14 (continued)

3. **Ms. Tan**, referring to article 14, asked what types of activity had been carried out under the campaigns to raise rural women's awareness of their rights mentioned in the report (CEDAW/C/ROM/6, p. 37). With regard to the special literacy and supplementary study courses mentioned in the responses to the list of issues and questions (CEDAW/C/ROM/Q/6/Add.1, para. 16), she asked whether there was an age limit for enrolment in such courses and whether a special effort was being made to enrol single mothers. Development plans for rural areas needed to address the high rate of illiteracy among rural women over the age of 50, single mothers and Roma women.

4. With regard to the Economic Empowerment of Rural Women project, she asked whether the pilot units launched so far would be replicated in all rural areas. She would like to know what percentage of rural women had benefited from the project to date and what impact it had had on their lives. She asked when the project was scheduled to end and what further measures were planned to build on the progress achieved. She also requested more information on the Women Can Do It project and its impact on the lives of rural women and their families.

5. Referring to the campaign of the Ministry of Health to provide health and family planning facilities to rural women, she asked what the campaign involved and how effective it had been. She requested statistics on the number of unwanted pregnancies and the rate of abortion. She also requested gender-disaggregated data on the percentage of rural people that had benefited

from the free distribution of contraceptives to vulnerable groups. Noting that special health centres for women had been opened in a number of cities, she asked whether any such centres existed in rural areas and, if not, whether the Government planned to address that imbalance in the near future.

6. According to a shadow report, 60 per cent of Romanian people had not heard of the National Council for Combating Discrimination. She would like to know whether rural women and girls accounted for a large proportion of those people and what was being done to inform them about using the Council to seek redress. She asked whether the county commissions for equal opportunities between men and women sought input from rural women and girls when evaluating the application of equal opportunities legislation at the local level and when elaborating recommendations for the central authorities.

7. Welcoming the State party's commitment to combating trafficking in human beings, she requested more information on how the measures described in the responses to the list of issues and questions were implemented in rural areas. Lastly, she would like to know whether the Pilot Centre for Protection and Assistance to Victims of Domestic Violence and the Family Information and Consulting Centre had a presence in rural communities and, if not, what measures the Government had in mind to fill the gap.

8. **Ms. Preoteasa** (Romania) said that all the provisions of article 10 of the Convention had been incorporated into the Constitution thereby ensuring equal access to education for all, irrespective of gender. Entry to higher education was dependent on results achieved at school, and girls on the whole did better than boys. Co-education was the norm in Romania.

9. Dropout rates were higher among boys than among girls at all levels of the education system except that more girls seemed to abandon vocational education courses. Secondary education consisted of a combination of general education, which was compulsory, and vocational education, which led to special qualifications. Information and communication technology was now a compulsory subject in the ninth and tenth grades, while entrepreneurship was compulsory in the tenth grade. Dropout rates were higher in rural areas than in urban areas. A national programme had been introduced, funded by a loan

from the World Bank, to improve the quality of rural education by upgrading the school infrastructure and enhancing teachers' qualifications.

10. The illiteracy rate was 3 per cent overall and slightly higher among women. The "second chance" programme in primary education not only offered the opportunity for accelerated progression but also allowed for recognition of competencies not acquired in school. The programme had proved very popular among women, particularly Roma women, and had recently been adapted for secondary education. There was no age limit for admission to the programme.

11. The school dropout rate among Roma children was higher than the national average. However, a special programme on access to education for disadvantaged groups, including Roma, had been introduced and would eventually be extended across the country. It aimed to ensure access to preschool education for disadvantaged groups and to reduce the school dropout rate among such groups. Trained mediators, many of them women, were used to liaise between schools and families with a view to ensuring enrolment in school, the initial results had been very encouraging. Efforts were also being made to improve the educational attainment of Roma children.

12. All minorities had the right to education in their own language, if possible. However, there was only one school where Roma children could be taught entirely in the Romany language. There was no segregation of Roma pupils in most schools because all subjects except Romany were taught in the Romanian language. However, geographical segregation did exist because, in areas predominantly populated by Roma, most pupils were Roma. In addition, segregation occurred within some schools because of ingrained attitudes towards Roma and for reasons linked to health, employment and poverty. A regulation had been issued prohibiting segregation, and inspectorates were responsible for ensuring equal access to quality education for all children.

13. *Ms. Schöpp-Schilling (Vice-Chairperson) took the Chair.*

14. **Ms. Grosu** (Romania) said that the Decade of Roma Inclusion (2005-2015) focused on the areas of education, housing, employment and health and was harnessing the power of the media to combat stereotypes and discrimination. Although the action plan for the Decade had not yet been given final

approval by the Government, measures were already being taken to increase the rate of enrolment of Roma girls in school and to create special centres to help Roma women with the particular health and social problems they faced. Most Roma health mediators were women. Under the national strategy for improving the situation of Roma, 50 per cent of the experts on Roma problems were women. Women also accounted for more than half of the staff of the National Agency for Roma.

15. **Mr. Verman** (Romania), responding to the question about the segregation of Roma mothers in hospitals, said that in the east of the country, there were Roma with Muslim beliefs. Roma women from that area were therefore usually in separate rooms because of their beliefs. In other areas of the country, however, segregation was unacceptable and the Ministry of Health monitored the situation and was in constant communication with Roma NGOs and the National Agency for Roma.

16. Turning to abortion and maternal mortality, he said that rates were indeed falling. In 2004, there had been around 135,000 abortions, compared to over 1 million in the 1990s. The maternal mortality rate had been 24 per 1,000 live births and was expected to fall to 17 per 1,000 live births in 2006.

17. The Ministry of Health had a whole structure dedicated to the health of mother and child, and it had developed a national programme to address issues relating to women and children. In 2006, it had provided the programme with funds to the tune of €20 million. One of the Ministry's main objectives had been to improve family planning in rural areas in order to bring down abortion rates. The fact that women had started using new contraceptive methods was one of the main achievements of the programme. The effort to provide free contraceptives through family practitioners had been launched in 2000. Currently, over 2,500 family practitioners were offering free contraceptives in rural areas. As a result, the number of abortions and children abandoned in hospitals had fallen and the number of women using family planning services had increased.

18. The Ministry was also trying to promote good reproductive health in high schools. In partnership with the Ministry of Education, it had developed a health education curriculum, which included a specific

chapter on family planning, sexually transmitted diseases and sexual life.

19. Turning to the question about health centres in rural areas offering treatment for breast cancer, sexually transmitted diseases and other health issues, he said that, given Romania's current level of development, few rural areas were able to have a family practitioner. That was why the Ministry of Health had developed a strategy of community medical nurses who had been trained to provide basic medical services and counselling, and acted as an interface between specialist doctors and people living in rural areas, particularly poor people who were not registered with a family practitioner.

20. Regarding centres for domestic violence victims in rural areas, he said that the strategy of developing such centres was still in its early stages. Every county now had a department dealing with domestic violence. In some of those counties, NGOs or other institutions were now working. Networks had also been established. The idea was gradually to spread good practice from county towns to smaller towns and, finally, to rural areas. The centres located in county towns were working to intervene in domestic violence cases in rural areas, through cooperation with local mayors and the rural police.

21. **Mr. Bunoaica** (Romania), responding to the question concerning the way in which complaints of discrimination were investigated and sanctions applied, said that the National Council for Combating Discrimination received complaints and carried out the necessary investigations. Both parties had a right to present their views, either in writing or during a hearing. When all the necessary information was in place, the Council's Steering Board decided whether discrimination had in fact occurred in which case it could apply a sanction. The Council had been operational only since 2003, and few Romanians were aware of its existence. However, it was working to raise its profile in Romanian society.

22. **Ms. Rusu** (Romania), responding to the question on women's participation in the labour market and the pay gap between men and women, said that, in 2005, the National Agency for Employment had organized six job fairs, one of which had focused specifically on women; there had been over 27,000 jobs for women at that fair. Other measures included awareness campaigns, particularly among rural women, special

measures to increase the participation of women in sectors where they were traditionally underrepresented, and measures targeted at special groups, such as elderly women, Roma women, women with disabilities and single mothers. In order to close the pay gap between men and women, observance of the principle of equal opportunities in professional promotion was encouraged by ensuring a transparent promotion process.

23. **Ms. Mota** (Romania), responding to the request for data on partnership programmes with NGOs, said that no such data was currently available.

24. Turning to the question concerning the existence of campaigns aimed at rural women, she said that the National Agency for Equal Opportunities between Women and Men (ANES) had organized an exhibition of paintings by rural women, as part of a twinning project with Spain. In addition, the County Commissions for equal opportunities between women and men (CCEO) had taken account of rural women and would continue to do so.

25. Lastly, she was pleased to report that there was no problem regarding access to State allowances in Romania, as all people, including those living in rural areas, had equal access to such allowances.

26. **Ms. Dairiam** expressed concern at the delegation's statement that girls were reluctant to pursue a vocational education, opting instead for a general education.

27. She said that she would like more information about the recent comprehensive law reforming the entire health-care system mentioned in the delegation's introductory statement and details regarding the pattern of women's diseases and the steps being taken to deal with those diseases.

28. **Ms. Manalo** expressed concern at the delegation's earlier comment that marital rape was included under threats and abuses to family members. Marital rape specifically referred to a husband demanding sex with his wife against her will, thereby denying her freedom of choice as a human being. She very much hoped that the Romanian Government would review its definition of marital rape under the Penal Code.

29. **Ms. Šimonović** said that she would like to know why the number of cases of gender-related discrimination was so low and how women decided

whether to use the Ombudsman or the National Council for Combating Discrimination. She would also be grateful if the reporting State could indicate how many shelters there were for victims of domestic violence and how many shelters were funded by the Government. She wished to know whether it was possible to obtain a protection order in Romania and whether the delegation had any statistics relating to domestic violence.

30. **Ms. Simms**, returning to the issue of stereotypes and discrimination, said that while she was encouraged by the important work being done by the Ministry of Education, particularly in terms of educating the Roma population, she was not convinced that the National Council for Combating Discrimination and its protocol for reporting and investigating complaints was sufficient, as women from racial minorities could not access systems in the same way that mainstream women could. Special measures were needed.

31. According to information received from NGOs, there were documented cases of the police raiding Roma homes, particularly at night, and being very abusive to Roma women and children. She wondered if the delegation was aware of such happenings. Even with a protocol in place, Roma women did not have the power to challenge the security forces. She therefore wished to know whether the Government had any special ways of dealing with violence against minority women by the security forces.

32. **The Chairperson**, speaking in her personal capacity, asked whether information technology was taught separately to boys and girls in schools, since research conducted in other countries suggested that between the ages of 12 and 16, girls found it difficult to acquire computer-literacy skills when taught alongside boys.

33. It would be interesting to know whether Romania's reproductive health education programmes empowered girls to refuse sexual intercourse. This was particularly important in view of the fact that research suggested that the availability of contraceptives made girls appear "available" in the eyes of young boys.

34. Regarding shelters for victims of domestic violence, she asked whether there was an overall time frame for the extension of coverage to the whole country, including rural areas. Lastly, the State party should indicate whether the Government planned to

assess female-dominated public employment sectors to ensure that they were not undervalued in terms of pay.

35. **Ms. Preoteasa** (Romania), responding to the question regarding vocational education, said that reluctance to pursue vocational training was manifest not only among girls. Vocational education was generally regarded as less prestigious than high school education and entailed early entry into the labour market. However, pupils who had completed vocational training were now able to opt for a supplementary year of general education, thereby raising their level of qualification. They could then either enter employment or continue their studies at a higher level. The Government was working to encourage young persons to consider opting for vocational courses. The choice between vocational and general education did not affect employment prospects, although girls tended to perform better in high school, and from that point of view had a greater chance of entering university and finding better paid employment. Concerning information and communications technologies (ICTs), boys and girls were not taught separately.

36. **Mr. Pastrascu** (Romania) said that marital rape was defined under criminal law as a sexual act of any nature committed by a husband in imposing his will on his wife, taking advantage of her lack of defence or disregarding her will, and was punishable with imprisonment for a term of five to 18 years and forfeiture of certain rights.

37. **Mr. Bunoaica** (Romania), referring to gender-based discrimination, said that the number of cases given in the report was low because it was based on the number of cases in which a penalty had been applied. A large number of complaints had been investigated, but either no penalty had been applied or the case had been referred to another institution. While both the National Council for Combating Discrimination and the Ombudsman were competent to investigate and, where appropriate, to punish acts of discrimination, all cases were reported to the National Council for Combating Discrimination.

38. **Mr. Verman** (Romania), referring to the question regarding shelters for victims of domestic violence, said that the aim was to set up at least one shelter in each county; it was estimated that the network of shelters would be extended nationwide within five years. Although each county was required by law to

have a shelter, it was the responsibility of the local authority to make that service available. Analysis of statistics on domestic violence showed that levels of domestic violence in Romania were in line with the international average, and that female victims sought assistance, in the first instance, from the police, non-governmental organizations and, in cases of extreme violence, went directly to hospitals.

39. **Ms. Ratu** (Romania), referring to cases of alleged ill-treatment of Roma women by police officers, said that Roma women were known to have protested physically and otherwise to arrests by police officers, refusing to respect the authority of police officers. All such cases were investigated. A series of programmes had been organized to train police officers to deal with such situations. Regular meetings and seminars had been held at the level of local communities, with the participation of police officers and representatives of Roma communities and local authorities, focusing on enhancing dialogue and identifying and eliminating problems at that level.

40. **Mr. Pastrascu** (Romania) said that the Government had adopted a specific measure to train police officers to deal with situations of conflict, particularly those involving women. Regarding access to employment in the police force, limits no longer applied to the number of women permitted to join the police academy.

41. **Ms. Grosu** (Romania) said that community development programmes were being organized to raise awareness of Roma culture and to encourage better relations between the police and Roma communities. Since the problem was manifest primarily at the local level, the Government was planning to train police officers at that level in how to deal with situations involving Roma communities.

42. **Ms. Mota** (Romania) said that the process of accession to the European Union had balanced access to employment, thus leading to a decrease in the pay gap.

43. **Mr. Verman** (Romania), responding to the question raised regarding the new health legislation, said that the Government was shifting emphasis from the role of specialists and hospitals to that of general practitioners in offering medical assistance, with a view to strengthening preventive medicine by empowering family practitioners to raise public awareness of health issues. Under the Government's

plans to develop a national network of health services for all, the Ministry of Health was expanding its recruitment of community nurses to form a national network that would operate in poor communities and communities where there was no family practitioner. Patterns of disease among women were the same as those worldwide, and drugs to treat those diseases were available free of charge.

44. **Ms. Ratu** (Romania) said that the Ministry of Administration and the Interior, which was responsible for ensuring that all citizens had proper documentation, had, to ensure the documentation of Roma citizens, entered into an ongoing partnership with the Ministry of Labour, Social Solidarity and Family Affairs and with Romani-CRISS, the national non-governmental organization that promoted Roma rights and provided social services to the Roma community. The strategy was for Romani-CRISS to work at the local level with the support of local officials and establish a registry of Roma citizens, sensitize them to the need for proper documentation — a prerequisite, for example, in the case of marriage — and help them apply for papers. The public information campaign among the Roma had already begun to show results.

45. **Ms. Grosu** (Romania) said that the programme to ensure that all Roma citizens obtained proper identification and civil status papers would be launched in that summer.

46. **Mr. Verman** (Romania) said that Parliament had deliberately chosen to restrict the definition of violence to domestic violence in order to act on the most pressing need, the protection of women in the family. As soon as that situation was normalized, the Legislature intended to enact a more extensive definition of violence that would encompass the other forms included in the WHO definition. The Domestic Violence Act covered physical or verbal aggression against one family member by another that caused physical pain or material damage and that violated the human rights of women. It specifically governed relations between partners in common-law unions as well as between spouses in marriages.

47. The National Agency for Family Protection planned in 2006-2007 to set up 10 units in which the perpetrators of domestic violence could be placed for the purpose of rehabilitation, the ultimate aim being reintegration into the family.

48. **Ms. Belmihoub-Zerdani** observed that Romanian law, by establishing the minimum age for marriage at 18 for boys but at 16 or even lower, for girls, was in violation of the Convention. The Government should comply with the Committee's earlier recommendation — bring the two into line.

49. **Mr. Pastrascu** (Romania) said that the new framework Bill revising the Family Code, which would soon be adopted, did indeed set the same legal age for marriage for both men and women.

50. **Ms. Bokpé-Gnacadjá**, referring to article 2, observed that Emergency Ordinance No. 137/2000 whose broad provisions were outlined in the report sought to safeguard vulnerable minorities and social categories of various kinds, and to guarantee equality before the law. She asked whether the Ordinance had been widely publicized, and whether its provisions were included in the training of judges; if it translated into equal access to justice for complainants for whom language or cost might be a barrier; and if judges themselves could invoke it on behalf of a minority litigant.

51. **Mr. Bunoaica** (Romania) said that the Ordinance was part of Romania's legal system and, as the basic legal framework for discrimination cases, would necessarily be the reference for any judge dealing with such cases. During the Government's legal information campaigns, its provisions had been publicized and the people had been made aware of their rights in the matter and the remedies available under the Ordinance. Equal access to justice was, of course, guaranteed not only by the Ordinance but by the Constitution and other basic laws. Regarding the training of judges, there was an agreement between the National Council for Combating Discrimination and the National Institute for Magistrates that special courses on anti-discrimination legislation were to be included in the curriculum for judges, as well as courses on international and domestic legislation in the field.

52. **Mr. Pastrascu** (Romania) said that the regulations governing the conduct of court proceedings stipulated that in districts where the majority of the population belonged to a minority, cases could be heard in the language of the minority, and that in all other districts, minorities should be provided with the services of an interpreter. The Procedural Code also set out clearly the conditions for providing the services of a lawyer free of charge.

53. **Ms. Mota** (Romania) thanked the Committee for the close attention with which it was monitoring equality in Romania and reaffirmed her Government's commitment to enforcing equal rights. Her agency would ensure that all institutions working in the field kept women's rights on their agenda.

54. **The Chairperson** drew the delegation's attention to the Committee's general recommendations, and especially to the definition of violence in general recommendation No. 19. She also hoped that the next report would give attention to the special problems of the elderly and the disabled, providing disaggregated data according to gender and rural/urban area. Government institutions at all levels in Romania must continue to scrutinize the multiple and multisectoral forms of discrimination experienced by women. There had been much laudable legal reform and many impressive new institutions. The results they produced needed to be integrated into a sustainable political environment that would encourage the society to adopt as its own the principles of gender equality and women's rights.

The meeting rose at 5.15 p.m.