



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

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## Committee on the Elimination of Discrimination against Women

### List of issues and questions prior to the submission of the ninth periodic report of Romania\*

#### General

1. Please provide information and statistics, disaggregated by sex, age, nationality, disability, ethnicity, geographical location and socioeconomic background, on the current situation of women in the State party, to enable monitoring of the implementation of the Convention. In accordance with the State party's obligations under articles 1 and 2 of the Convention, and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, as well as in the light of the Committee's previous concluding observations (para. 41),<sup>1</sup> please indicate how the State party intends to improve the collection and analysis of data pertaining to the areas covered by the Convention, so as to support policymaking and programme development and to measure progress towards the implementation of the Convention and the promotion of substantive equality between women and men, including with regard to the specific areas covered in the present document.

#### Women's rights and gender equality in relation to the pandemic and recovery efforts

2. Please describe efforts made and mechanisms put in place to address the coronavirus disease (COVID-19) pandemic and its long-term impact, and ways to apply these in the State party's response to current and future crises, such as armed conflict, food insecurity and the energy crisis. Please provide information on strategies taken to ensure that gender equality and women's empowerment are a fundamental requirement in addressing such crises and in elaborating adequate responses, such as policies, the scope of essential services, assistance programmes, recovery efforts and the application of the rule of law. Please also provide information on measures taken to ensure the equal and meaningful participation of women in these processes and to ensure that such crises will not lead to a reversal of progress made in the protection and promotion of women's rights.

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\* Adopted by the pre-sessional working group on 2 November 2023.

<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the Committee's concluding observations on the combined seventh and eighth periodic reports of the State party (CEDAW/C/ROU/CO/7-8).



### **Women and peace and security**

3. Recalling the Committee's previous recommendations (para. 14), and in line with its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations and Security Council resolution [1325 \(2000\)](#) and subsequent resolutions on women and peace and security, in particular with regard to the extraterritorial obligations of States parties, please indicate whether the State party has adopted a national action plan for the implementation of Security Council resolution [1325 \(2000\)](#) or is taking any steps to adopt such a plan and how the participation of women's organizations in this process is ensured.

### **Visibility of the Convention, the Optional Protocol and the Committee's general recommendations**

4. Please indicate what steps have been taken to integrate the Convention, the Optional Protocol thereto, the Committee's general recommendations and views on individual communications and inquiries and relevant national legislation into legal education and training for all judges, prosecutors and lawyers. Please also describe any efforts to increase awareness among women about their rights under the Convention and the procedures under the Optional Protocol.

### **Access to justice**

5. In the light of the Committee's previous recommendations (para. 11), please describe steps taken to:

(a) Raise awareness about the criminal nature of gender-based violence against women and girls, destigmatize victims, enhance the knowledge of women and girls of their right to seek legal redress and ensure that all reported cases of gender-based violence against women and girls are effectively investigated, that perpetrators are prosecuted and that sentences are commensurate with the gravity of the crime;

(b) Discontinue the publication of names of witnesses and victims in all cases, put in place effective means to protect witnesses during and following court proceedings, provide access to victim and witness assistance and protection programmes for women and girls and put in place other measures to encourage reporting of gender-based violence and discrimination to the relevant authorities;

(c) Provide free legal aid to women without sufficient means, including rural women, women with disabilities and Roma women, so that they can bring claims of violations of their human rights before the courts;

(d) Provide mandatory capacity-building on gender-sensitive investigation methods for all members of the police and the criminal justice system.

### **National machinery for the advancement of women**

6. In the light of the Committee's previous recommendations (para. 15), please indicate the steps taken to:

(a) Allocate adequate human, technical and financial resources to the National Agency for Equal Opportunities for Women and Men and work with civil society to introduce effective monitoring and accountability mechanisms for Act No. 202/2002 at both the central and local levels;

(b) Effectively implement Act No. 202/2002 and impose sanctions for non-compliance;

(c) Give due consideration to the Committee's previous recommendations with respect to the national strategy on promoting gender equality and preventing and combating domestic violence 2018–2021 and ensure its effective implementation;

(d) Ensure that the national strategy on promoting gender equality and preventing and combating domestic violence 2018–2021 included measures to implement the principle of transversality, as defined in Act No. 202/2002.

### **National human rights institution**

7. In the light of the Committee's previous recommendations (para. 13), please explain what steps have been taken to ensure that the Romanian Institute for Human Rights is in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

### **Gender stereotypes**

8. In the light of the Committee's previous recommendations (para. 17), please provide information on:

(a) Efforts to revise school textbooks to remove discriminatory gender and ethnic stereotypes, include mandatory modules on gender education in school curricula, and provide gender training to teachers;

(b) Measures in the national strategy on promoting gender equality and preventing and combating domestic violence 2018–2021 to eliminate discriminatory stereotypes concerning the roles and responsibilities of women and men in the family and in society and encourage the media to promote equality between women and men in public and private life, and whether a new strategy for 2022 onwards is being considered and how the above-mentioned measures will be integrated;

(c) Steps taken to amend the national audiovisual policy to prohibit degrading portrayals of women in the media.

### **Harmful practices**

9. In the light of the Committee's previous recommendations (para. 17), please indicate whether a study has been carried out on the scale and consequences of forced marriage, early marriage and child marriage. Please describe what steps have been taken, including awareness-raising activities on the negative impact of such marriages on girls, to prevent such forms of marriage, in line with joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices. Please also indicate what steps have been taken to amend legislation to remove exceptions allowing marriage under the age of 18 years and to prosecute and adequately punish the perpetrators.

### **Gender-based violence against women**

10. In the light of the Committee's previous recommendations (para. 19), please provide disaggregated data on cases of gender-based violence and discrimination against women brought before the courts and on the number of protection orders accorded. Please also indicate what steps have been taken by the State party to:

(a) Address the continued underreporting of violence against women and domestic violence, in particular in cases of sexual violence;

(b) Broaden the scope of legislation to address all forms of gender-based violence, including violence occurring in marriages and de facto unions, in particular

marital rape, and in public and private life, and specifically address violence against Roma women;

(c) Introduce police-issued protection orders, provide a legal basis for their issuance and apply them to both marriages and de facto unions, ease the burden of proof on victims requesting police- or court-issued protection orders, ensure the implementation of those orders by the police and the courts, guarantee access to free legal aid in proceedings in relation to protection orders, reinforce collaboration between police officers and social workers in investigating gender-based violence against women and girls and take measures to efficiently prevent trespassing and stalking;

(d) Implement police initiatives to prevent the withdrawal of complaints by victims, introduce *ex officio* prosecution for offences of gender-based violence against women and ensure that cases of gender-based violence against women, including domestic violence, are never addressed under mediation procedures;

(e) Introduce mandatory capacity-building for judges, prosecutors, lawyers, police officers, social workers and health professionals on the strict application of legislation criminalizing violence against women and on protocols for dealing with victims in a gender-sensitive manner and make public the standard procedures relating to gender-based violence against women;

(f) Ensure that women and girls who are victims of gender-based violence have full access to medical and psychological support, safe shelters within a reasonable distance and counselling and rehabilitation services in all areas of the State party.

### **Trafficking and exploitation of prostitution**

11. In the light of the Committee's previous recommendations (para. 21) and its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, please outline the measures taken to:

(a) Ensure that the national strategy against trafficking in persons 2018–2022 prioritized measures to eliminate the vulnerability of women and girls to trafficking by improving their social and economic situation, including by identifying potential victims and facilitating their reintegration;

(b) Focus on vulnerable groups, such as refugee women, in particular Ukrainian refugees, rural and Roma women, undocumented women migrant workers and girls exploited by begging rings, including girls who are victims of sexual exploitation;

(c) Guarantee anonymity and protection for both victims of trafficking and witnesses who testify in trials, investigate all reports alleging involvement of public officials and ensure that perpetrators are adequately punished;

(d) Provide capacity-building on trafficking, victim identification and gender-sensitive ways of dealing with victims for judges, prosecutors, police officers, border guards and labour inspectors and introduce proactive inspections for the identification of trafficking victims in workplaces and recruitment agencies;

(e) Adequately fund the national referral mechanism, guarantee access for victims to shelters, temporary residence permits and legal, medical and psychosocial assistance and provide financial and other forms of support to civil society organizations that work with women who are victims of trafficking;

(f) Raise the awareness of judges and police officers of the criminal nature of exploiting women in prostitution.

12. Please also describe efforts to:

- (a) Collect and analyse data on the exploitation of women in prostitution;
- (b) Harmonize provisions on prostitution in the Civil Code and the Criminal Code in order to legalize prostitution and suspend the imposition of administrative fines on women in prostitution;
- (c) Build the capacity of law enforcement officers, including judges, prosecutors and police officers, as well as social workers and local administrations, on the new provisions of the Criminal Code and other norms applicable to women in prostitution;
- (d) Issue directives to ensure that women in prostitution have access to identity documentation and punish non-compliance;
- (e) Address the root causes of the exploitation of women and girls in prostitution and provide women with alternative income opportunities and education programmes to enhance their literacy, together with exit programmes for women who wish to leave prostitution.

### **Participation in political and public life**

13. In the light of the Committee's previous recommendations (para. 25), please describe efforts to:

- (a) Adopt and implement legislative initiatives, such as the so-called "zipper system", to introduce statutory quotas in Parliament, in accordance with the Committee's general recommendation No. 23 (1997) on women in political and public life;
- (b) Study the root causes that prevent women, in particular women belonging to ethnic minority groups, from participating in public and political life and design strategies to overcome such barriers;
- (c) Implement the provisions under chapter 4 of Act No. 202/2002 and accelerate the increase in women's representation in high-level positions in the public administration at the national and local levels, including by providing training for women on leadership skills and adopting measures, such as temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures;
- (d) Introduce incentives and sanctions to ensure compliance with the legal provisions in place to accelerate the participation of women in political and public life and reinforce the monitoring role of the National Agency for Equal Opportunities for Women and Men in this regard.

### **Education**

14. Please describe the measures in place to ensure the full and effective implementation of the recently adopted Pre-University Education Law and University Education Law, including the allocation of human, financial and material resources. In the light of the Committee's previous recommendations (para. 27), please provide detailed information on the measures taken to:

- (a) Improve school infrastructure in rural areas, including where Roma communities and economically disadvantaged communities live, abolish classroom segregation and enhance opportunities for inclusive learning;
- (b) Reinforce lifelong education programmes, such as the "Second Chance" programme;

(c) Enhance training for teachers on women's rights and gender equality;

(d) Review and revise school textbooks to ensure that the historic roles and contributions of women, including Roma women, to Romanian culture and science are adequately reflected;

(e) Eliminate traditional stereotypes and structural barriers that may deter girls and women from choosing traditionally male-dominated fields of study, such as science, technology, engineering and mathematics and information and communications technology.

15. Please explain how, in view of the revised national strategy on parenting education 2018, in which any references to the term "gender" are removed, the concept of gender equality is integrated into school curricula.

### **Employment**

16. In the light of the Committee's previous recommendations (para. 29), please describe any complaint mechanisms put in place to address sexual harassment and provide data on the number of reported cases, the number of investigations and prosecutions and the penalties imposed on those responsible.

17. Please specify what measures have been taken to adopt the European Union directive on pay transparency (Directive (EU) 2023/970) to reduce and eradicate the gender pay gap and ensure equal pay for work of equal value.

18. Please explain what steps have been taken to create more opportunities for women to gain access to formal employment, especially in rural areas, ensure their participation in the pension system, accelerate the implementation of plans to promote equal sharing of domestic and family responsibilities between men and women and increase the number of affordable and high-quality childcare facilities throughout the State party.

19. Please provide information on steps taken to:

(a) Adopt the 2022 European Union directive on improving the gender balance on corporate boards (Directive (EU) 2022/2381);

(b) Combat vertical and horizontal occupational segregation;

(c) Ensure that single mothers, including Ukrainian refugee mothers, are provided with adequate and timely child and family allowances and that women engaged in unpaid work or in the informal sector, in both rural and urban areas, have access to such allowances;

(d) Enhance women's access to loans and credit.

### **Health**

20. In the light of the Committee's previous recommendations (para. 33), please provide information on the measures taken to:

(a) Ensure access to affordable and high-quality health care and family planning and sexual and reproductive health services, especially in rural areas, for pregnant women, older women, women with disabilities, migrant women and Roma women;

(b) Take adequate measures to carry out a national survey on reproductive health, implement the national strategy for reproductive health and sexuality and the national programme for family planning and introduce mandatory age-appropriate education on sexual and reproductive health and rights in school curricula;

- (c) Address the persistently high rate of teenage pregnancy, which in some areas is increasing;
- (d) Ensure unimpeded and adequate access to legal abortion and post-abortion services for all women in the State party, raise awareness of means of contraception and reproductive and health rights and guarantee the availability and accessibility of modern forms of contraception to all women and girls, including those from disadvantaged groups.

### **Rural women**

21. In the light of the Committee's previous recommendations (para. 35), please provide information on efforts to:

- (a) Enhance efforts to ensure that rural women have adequate access to safe drinking water and sanitation, as well as to social, health, transportation and other basic services, and develop income-generating activities that are aimed specifically at women in rural areas;
- (b) Develop specific awareness-raising programmes aimed at rural women, men, girls and boys about the importance of the equal participation of women and girls in public and political life, with the aim of overcoming discriminatory gender stereotypes and eliminating violence against rural women.

### **Refugee, asylum-seeking and migrant women**

22. In the light of reports that, as of September 2023, the State party hosts approximately 78,000 Ukrainian refugees, the majority of which are women and children, please provide information on measures taken to ensure that Ukrainian refugee women have access to basic rights, as well as to specialized health services and childcare facilities, as appropriate. In particular, please describe efforts to overcome obstacles, such as language barriers and administrative requirements, that affect the ability of refugee women to fully understand and gain access to their human rights.

### **Women facing multiple and intersecting forms of discrimination**

23. In the light of the Committee's previous recommendations (para. 37), please provide information on the steps taken to:

- (a) Ensure access to education, social services, health care and insurance for Roma women, migrant women, women with disabilities and women living with HIV/AIDS, with a view to accelerating the realization of substantive equality for those groups, which continue to face intersecting forms of discrimination in the State party;
- (b) Effectively implement the strategy for Romanian citizens belonging to the Roma minority 2017–2021 with a clear gender perspective and adequate funding;
- (c) Revise Act No. 448/2006, in line with the Convention on the Rights of Persons with Disabilities, to move its focus to the independent living and inclusion of women and girls with disabilities, reform the health-care and social protection system to prevent their institutionalization, build the capacity of health personnel to eliminate discrimination against women with disabilities and facilitate reporting of cases of violence and abuse.

### **Marriage and family relations**

24. In the light of the Committee's previous recommendations (para. 39), please describe:

- (a) Measures put in place to prevent unregistered marriages;

- (b) Whether legislative reforms have been undertaken with a view to protecting the economic rights of women in de facto unions;
- (c) How the specific needs of women and children are taken into consideration in the determination of child custody in cases involving gender-based violence in the domestic sphere;
- (d) Whether a mechanism has been set up to take into consideration disparities in the earning capacity and human potential between the separating spouses.

**Additional information**

25. Please provide any additional information deemed relevant with regard to legislative, policy, administrative and any other measures taken to implement the provisions of the Convention and the Committee's concluding observations since the consideration of the previous periodic report ([CEDAW/C/ROU/7-8](#)) in 2017. Such measures may include recent laws, developments, plans and programmes, recent ratifications of human rights instruments or any other information that the State party considers relevant. Please also provide information on the measures taken to integrate a gender perspective into all efforts aimed at achieving the Sustainable Development Goals. Please note that, further to the issues raised herein, the State party will be expected, during the dialogue, to respond to additional questions relating to areas covered by the Convention.

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