

ROMANIA
REVIEW AND APPRAISAL IN THE COMMISSION
ON THE STATUS OF WOMEN IN 2009
ROMANIA 2008

PART ONE – Overview of achievements and challenges in promoting gender equality and women’s empowerment

The history of women in Romania could be interpreted from the point of view of the general dynamic that affected the social, economical and political conditions of the country. Imagined as ‘carriers of tradition’ and confined only to the domestic sphere, Romanian women began to emerge as social actors during the 19th century. The transition to the communist regime seemed to have changed the gender power relations and grant equal opportunities to women and men. But besides the rhetorical level and the equal right to vote that women obtained through the Electoral Code in 1946, women still suffered from the ‘double burden’ and were used as a ‘witness group’. The fall of communism and the passage to the rule of law created new premises for the development of women as social, economical and political actors. In the context of the total reconstruction of the country, the state intervened in order to grant women the legal right to equal opportunities and fight gender discrimination. Important progress was made in order to fight structural and symbolic obstacles that prevent women from really enjoying their rights, but many things are still to be done in the area.

Achievements

One of the most important achievements in the gender field represents adopting of the *Law no.202 /2002 on equal opportunities between women and men*, republished with additional changes in Official Gazette of Romania no.150, 1st of March 2007. This law regulates the measures for promoting equal opportunities between women and men with a view to eliminate direct and indirect gender discrimination, in all fields Romania’s public life. The Law no. 202/2002 defines concepts as: direct and indirect discrimination, harassment and sexual harassment, equal pay for equal work, multiple discrimination. It also prohibits discrimination based on sex in the field of labor, education, health, culture, access to information, participation in decision - making process, the access to and providing of goods and services and establishes the ways to solve the complaints based on sex discrimination. An important provision of this law refers to the setting up of the National Agency for Equal Opportunities between Women and Men (ANES) as a specialized body of the central public administration, having legal status, subordinated to the Ministry of Labor, Family and Social Protection. A major effect of the Law no.202/2002 is the fact that the principle of equal opportunities between women and men was integrated into all social national policies.

The main governmental document on gender policies, it is the *National Strategy on Equal Opportunities between Women and Men 2006 - 2009*, settled by the *Governmental Decision no. 319/2006*, elaborated and implemented by ANES. This strategy contains areas of interventions as: economic life, social life, participation on decision – making process, combating gender roles and stereotypes.

Economic life

- Raising awareness of women’s situation in the labour market
- Supporting equal access of women and men to the labour market
- Work - life balance
- Supporting the principle of equal opportunities between women and men in professional promotion
- Facilitating the insertion on the labor market of women being in social exclusion situation or at social risk

Social Life

- Promoting of equal participation of women and men in the community
- Promoting of equal participation of women and men in the family life
- Men’s involvement in promoting the principle of equal opportunities between women and men
- Supporting measures for preventing and fighting against women trafficking
- Supporting measures for preventing and fighting against gender based violence
- Preventing of sexual harassment

Participation to decision-making process

- Enforcement of legal provisions for ensuring equal participation of women and men in the decision-making process
- Encouragement of equal participation of women and men at all levels of the decision-making process

Gender Roles and Stereotypes

- Ensuring the gender mainstreaming in programming, preparing, implementing and assessing all public policies
- Combating the stereotypes and the gender roles in the educational system
- Promoting the principle of equal opportunities between women and men within culture and mass media

In 2007 a major achievement was the implementation of the **European Year of Equal Opportunities for All** by the **National Agency for Equal Opportunities between Women and Men (ANES)**, as the National Implementation Body. ANES had elaborated the Strategy for implementing the European Year in closer cooperation with other institutions of the central public administration, non - governmental organizations and social partners. 12 specific activities had been developed during the European Year of Equal Opportunities for All -2007: a kick- off conference, an informative campaign for high - school students at national level, a round table with mass media representatives, a seminar on multiple discrimination on the labour market, an ethnographic research on multiple discrimination in Romania, a study regarding multiple discrimination in the labour market, a round table on the role of the religious leaders in promoting tolerance and respect, a Diversity Week, a Diversity Cross Contest and an informative campaign in mass - media. Gender mainstreams all grounds of discrimination, it was important for ANES to understand what are the challenges for people with disabilities, members of the LGBT community, religious groups, Roma people and elderly. According to the 2008 Euro Barometer on Discrimination, related to the visibility of 2007 European Year for Equal Opportunities for All, Romania was placed on the 7-th position within the European states which participated to this campaign.

Since 1st November 2008, **the National Agency for Equal Opportunities between Women and Men (ANES)** has implementing the project „ **The network of pilot centres for women –ETHIA**”, in an amount of 5 mil EUR, co financed from the European Social Fund with the main objective the development of an support network for women. The project focuses on creating three immobile pilot centres in 3 different development regions of Romania and three mobile centres for women. These centres will provide different services as counselling services, vocational counselling, legal counselling, support services for achieving work- life balance, promoting individual autonomy for all women, but with focus on disadvantaged women or women at risk of being marginalised. The target group is estimated to be around 5310 persons, out of which 2000 high school students, 300 students, 300 working women, 60 employers, 300 unemployed women, 100 women with disabilities. The project will unfold for a period of 3 years. The anticipated results of the project are: 6 pilot centres for women- 3 fix centres and 3 mobile centres, 24 new jobs (for those persons that will be employed within these centres), 8 type of services provided within these centres.

Challenges

The actual challenges are:

- the power of gender stereotypes within society
- the low participation of women in decision – making process
- the balancing of the private, family and professional life
- low level of awareness regarding the importance of equal opportunities between women and men in the media
- the inexistence of a coherent methodology of communication between the institutions with responsibilities on gender policies
- the legal provisions on sanctions regarding the infringement of legislation on equal opportunities should be revised to ensure a high level of prevention

PART TWO – CRITICAL AREAS OF CONCERNS of the Beijing Platform of Action:

■ Women and poverty

Statistics:

At-risk-of-poverty rate by gender in 2005:

	total	males	females
whole population	17	17	17
between 16 and 24 years	22	24	21
between 25 and 49 years	16	17	16
between 16 and 64 years	17	17	16
between 50 and 64 years	13	13	13
65 years and over	17	12	21

Source: EUROSTAT. At risk of poverty rate (cut-off point: 60% of median equivalised income after social transfers)

At-risk-of-poverty rate by household type, 2005

Total	Single person	One adult younger than 64 years	One adult older than 65 years	Single parent with dependent children	Single female	Single male
18	26	20	30	27	29	20

Source: EUROSTAT. At risk of poverty rate (cut-off point: 60% of median equivalised income after social transfers)

Inactive population as a percentage of the total population - Distributions for 15 years and over age group, by sex (%), 2006:

Males	Females
29,3	43,4

Source: EUROSTAT

According to the publication “Women and Men – Work and Life Partnership”, 2008, **National Institute of Statistics**, in Romania, for equal working conditions, basic salaries of women and men are the equal. Disparities between salaries for women and men by various economic activities are determined by differences related to the qualification level and hierarchical position at the work place.

The ratio between women-men wages by economic activity branches, registered fluctuations mostly determined by the efficiency of the various economic branches, respectively by the ratio of women employed as managers or women that graduated a higher education level.

The total gender pay gap between average gross salary of women and men is 11% (wages and salaries in the month October). Women are registered mostly in the lower groups of salaries.

Men prevail in salary groups that are over the average gross salary per economy.

Employees with low level of education hold the highest salary disparity by gender. The qualification level differences, hierarchical position at workplace, occupation, influences the level of earnings for women and men who carry out their activity in various sectors of national economy.

In 2006, the higher is the level of education, the higher is the level of average earnings. The highest salary gap is registered for employees with low education level, women registered by 17.1% less than men are.

The highest salary disparity by gender was registered for graduates of higher secondary education (vocational, complementary, or apprentice), women gaining about 3/4 of yearly gross earnings of men (76.6%).

The distribution of yearly average gross earnings by gender and major groups of occupations pointed out that level of earnings for women was under that of men for all the groups, except that of managers and clerks of general government and economic and social units.

Income of households headed by men is sensitively higher than those headed by women.

Total income of population, by category of household:

	Years	Total households	Households headed by :	
			Men	Women
Total income, lei	2005	1212.2	1339.5	832.2
-monthly average per household	2006	1386.3	1538.7	922.5
	2007	1686.7	1865.2	1157.2
Total income, lei	2005	412.6	417.7	389.5
- monthly average per person	2006	473.3	483.2	428.7
	2007	577.7	586.9	537.3

Source: Family budget survey

Population total income, by household category, in 2007:

	Lei monthly per household	
	men	women
Salary income	990.9	495.0
Income from agriculture	54.7	28.5
Income from independent activities	54.3	24.8
Income from social provisions	344.7	300.0
Income in kind	346.4	233.7
Other income	74.2	75.3

Source: Family budget survey, 2007

As in case of social provisions, the weight of income in kind for households headed by women (20.2%) is higher than those where men are the household head (18.6%). (Source of data's - the publication "Women and Men – Work and Life Partnership", 2008, **National Institute of Statistics**)

Legislative framework

The National Plan for Combating the Poverty and for Promoting the Social Inclusion 2006 – 2008 stipulates certain measures such as:

- Encouragement of equal access of women and men on labor market by drawing up of programs regarding the equal access of women and men to initial and continuous professional trainings, programs for promoting the access of women to traditional masculine jobs
- Ensuring of the work - life balance, the development of community social services programs for children and dependent persons, the improvement of legal provisions regarding the flexibility of work time
- Facilitating the insertion on labor market of women being in social exclusion situations or at risks (the women over 45 years, women victims of domestic violence, women victims of trafficking, women with HIV/AIDS, drugs addicted women, women liberated from detention)
- Initiating programs for raising awareness of Roma population on the importance of educational participation and professional trainings of Roma girls and women.

Education and training of women

According to the publication "Women and Men – Work and Life Partnership", 2008, **National Institute of Statistics**:

- Female school age population has the same weight as male one in total population
- Gross rate of girls schooling registered higher values as compared to boys
- The highest enrollment rates in education, both for girls and boys, were constantly registered for age groups 7-10 years and 11-14 years
- Except tertiary education, female teaching staff represent majority in total teaching staff, for all the levels of education
- Girls prefer pedagogical, economic and administrative, theoretical and art profiles in high schools
- Students are registered majority, especially in science, medical-pharmaceutical and economic tertiary education
- Majority of adults have medium level of education and women with low level are more numerous than men
- Female participation rate in continuing vocational training courses exceeds male one
- Average training duration is longer for men

In Romania, education is free of charge for all its levels and law guarantees access to education to all persons no matter of gender, nationality, religion or origin socio-family environment.

Education institutions have to assure the equity between women and men providing equal access to education and training, equity in the education and training process, including to the evaluation under equal conditions of acquired knowledge.

During the period 2002-2007, school drop out rate, both per total primary and lower secondary education, as well as the level of each cycle, registered and upward trend. In this period, value of indicator increased for primary education from 0.9% (during 2002/2003 school year) to 1.7% (during 2006/2007) and for lower secondary education from 1.5% to 2.3% in the same period. Values are higher for boys and especially for rural area.

Drop out rate by gender and level of education, during 2002/2003 ad 2006/2007 school years:

Level of education 2002/2003	Total	Urban	Rural	Level of education 2006/2007	Total	Urban	Rural
<i>Primary</i>	0.9	1.0	0.9	<i>Primary</i>	1.7	2.1	1.4
-female	0.8	0.8	0.8	-female	1.5	1.8	1.2
-male	1.1	1.1	1.0	-male	1.9	2.3	1.5
Lower secondary	1.5	1.4	1.6	Lower secondary	2.3	2.3	2.3
-female	1.3	1.2	1.5	-female	2.1	1.9	2.2
-male	1.7	1.6	1.8	-male	2.5	2.6	2.5
Upper secondary (lyceum)	2.7	2.7	3.7	Upper secondary (lyceum)	3.3	3.3	3.3
-female	2.5	2.4	3.6	-female	2.5	2.5	3.0
-male	3.0	3.0	3.8	-male	4.1	4.2	3.1
Upper secondary (vocational and apprenticeship)	7.9	8.0	7.5	Upper secondary (vocational and apprenticeship)	8.2	8.4	7.4
-female	8.3	8.4	7.8	-female	8.2	8.3	7.8
-male	7.7	7.7	7.3	-male	8.2	8.4	7.2
Post secondary	8.1	7.9	12.7	Post secondary	7.5	7.5	5.8
-female	7.0	7.0	11.9	-female	5.6	5.6	15.4
-male	9.8	9.6	12.9	-male	12.6	13.1	3.1

source: Education statistics

During 2007-2008 school years, almost half of pupils in upper secondary (lyceum) education (44.9%) were registered in theoretical lyceum and colleges, 33.5% in technical lyceum and 13.2% in economic and administrative lyceum. Pupils of agricultural, forestry and veterinary lyceum held low weights. Ratio of girls in total pupils of lyceum education was 51.7%.

Regarding the distribution of school populations by genders in lyceum education, girls were regularly registered in theoretical, economic, administrative, art and choreography and music lyceum, but the highest weights are met in pedagogical (90.3%), economic and administrative (62.0%), theoretical (59.0%) and art profiles (59.7%).

Weight of female pupils was higher in secondary education (73.5%) as compared to that in vocational and apprenticeship education (37.9%).

Female students are majority, especially in science, medical-pharmaceutical and economic tertiary education. In tertiary education, the weight of female students increased from 54.5% during 2002/2003 university year, to 56.2% during 207/2008 university year. Structure of students by profiles was influenced directly by the labour market requirements.

Female students were majority especially in university, medical-pharmaceutical and economic education. Similar trends were also registered in the structure of tertiary education graduates at the end of 2006/2007 university year, total number of graduates increasing, reached 125.5 thou persons, women prevailing (59.9%).

Distribution of students by profiles :

Profile	2002/2003		2005/2006		2007/2008	
	Female	Male	Female	Male	Female	Male
TOTAL	54.5	45.5	55.4	44.6	56.2	43.8
Technical	29.7	70.3	29.4	70.6	30.8	69.2
Economic	62.5	37.5	62.2	37.8	62.8	37.2
Legal	52.9	47.1	49.3	50.7	47.8	52.2
Medical-pharmaceutical	66.3	33.7	69.0	31.0	69.5	30.5
University	66.8	33.2	67.5	32.5	67.4	32.6
Art	53.8	46.2	55.8	44.2	56.0	44.0

Source: Education statistics

Except tertiary education, female teaching staff was majority in total teaching staff, at all levels of education.

During 2007/2008 school/university year, 276.8 assured teaching staff teaching activity. The weight of female staff in total teaching staff increased from 71.8% during 2002/2003, to 72.2% during 2005/2006 and 72.6% during 2007/2008.

Female population prevailed for most of education levels. Female teaching staff ratio ranged from 57.6% (in vocational education) to 99.7% (in preprimary education).

Number of male teaching staff outruns female teaching staff only within tertiary education (56.7% men as against 43.3% women). Although minority, in the last years female teaching staff registered a growth in tertiary education as well, ranging from 41.4% (2002/2003), to 42.8% (2005/2006) and almost 43.3% (2007/2008).

In 2007, lifelong learning (for persons aged 25-64 years) was only 1.5% with a slight difference by gender in favor of women (1.6% as against 1.4% in case of men).

Structure of population aged 25-64 years, by level of education in 2007 :

	Total	Women	Men
Total persons aged 25-64 years (thou persons)	11847	5981	5866
Level of graduated school		-in % against total-	
Higher (short and long term university, including master, Ph. D)	12.0	11.6	12.5
Medium (post high school specialty, high-school including the first level and vocational, complementary or apprentice)	63.0	58.4	67.6
Low (gymnasium, primary and no school)	25.0	30.0	19.9

Source: Household labour force survey, 2007

Global rate of female participation in continuing vocational training courses exceeds male one in activities of financial intermediation (58.2% for women, as against 56.0% for men), in collective, social, personal services (16.3% as against 10.3%) and construction (10.4% as compared to 10.1%) (source: Continuing training survey (CVTS), 2005).

Average duration of training is longer for men. Male continuing vocational training, by means of courses, took place during a longer period of time, average duration of male training per participant (48.0 hours) exceeding by almost one fifth that for women (38.3 hours).

(Source of data's - the publication "Women and Men – Work and Life Partnership", 2008, **National Institute of Statistics**)

Legislative framework

Law 202/2002 on equal treatment and opportunities between women and men stipulates specific provisions as regards the access to education and training, the responsibility of the Ministry of Education on promotion of gender equality matters in educational system.

The National Strategy for Improving the Roma's Situation 2001 – 2010 ensures the nondiscriminatory access of Roma women within protection and educational programs for their children

■ Women and health

Statistics:

(source of dates - the publication "Women and Men – Work and Life Partnership", 2008, **National Institute of Statistics**)

During 2005-2007, women had a life expectancy by 6.97 years more than men did, difference between sexes decreasing as against previous periods.

In 2007, as in the others years, specific death rates by main causes of death continued to register different values for men and women. Female mortality registered upper values as against male one in case of cerebral-vascular diseases and endocrine, nutrition and metabolism diseases.

Women are majority in the structure of medical staff in all categories.

Number of medical-sanitary staff, by category and gender:

	w	m	w	m	w	m
Physicians	32.5	14.9	31.8	15.2	33.3	14.9
Dentists	6.6	3.6	6.8	3.8	7.5	4.2
Pharmaceutical chemists	8.5	0.8	9.2	0.7	10.2	0.9
Medium sanitary staff	112.9	10.6	115.6	11.0	123.6	12.8
Auxiliary sanitary staff	50.5	8.7	50.4	8.7	52.9	9.4

Source Health statistics

Women are more affected by stress, depression, anxiety or strain.

Employed persons exposed to risk factors affecting their mental health, by main factor indicated:

	Men	Women
Pressure or overload of work	83.5	88.0
Physical violence	10.2	4.1
Harassment or physic violence	6.3	7.9

Source : Household labour force survey, second quarter of 2007, module "Accidents at work and work-related health problems".

Employed persons exposed to risk factors affecting their physical health, by main factor indicated :

	Men	Women
Difficult work postures, moving at work, handling of heavy loads	46.2	68.9
Noise or vibration	11.5	9.7
Chemical substances, powders, smoke, steam, gas	12.4	12.3
Accident risk	29.9	9.1

Source: Household labour force survey, second quarter of 2007, "Accidents at work and work-related health problems".

Legislative framework

Law 202/2002 on equal treatment and opportunities between women and men stipulates specific provisions regarding the ensuring of equal access of women and men to the health services.

The National Strategy for Improving the Roma' s Situation 2001 – 2010 stipulates measures as: elaborating and implementing of medical informative programs, medical assistance and family planning for the Roma women

The Strategy on public health, approved by Minister of Public Health in 2004, contains relevant measures for ensuring women' health.

The Governmental Decision 1464/ 2007 for modification of GD 292/2007 for approving the national health programs stipulates within the national program on prophylaxis a specific sub program on women' and child' health.

■ Violence Against Women

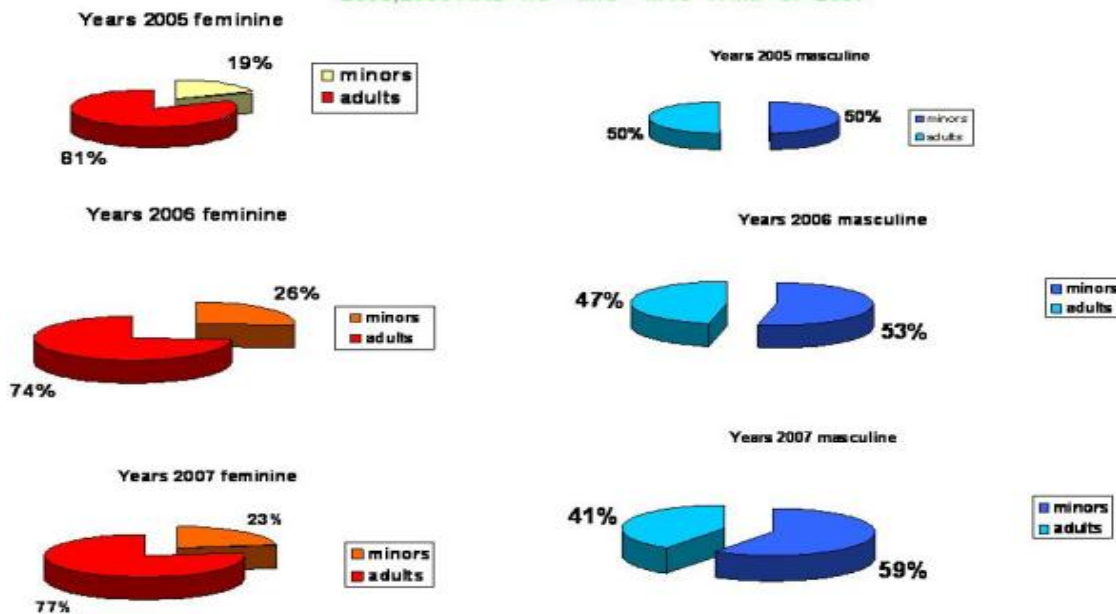
Domestic violence

Statistics :

(Source: statistics of National Agency for Family Protection, 2007)

Domestic violence cases distribution on gender and age:

DOMESTIC VIOLENCE CASES DISTRIBUTION DESENDING ON GENDER AND AGE IN 2005,2006 AND Ird + IInd + III rd TRIM OF 2007



Source – statistics of the National Agency for Family Protection

The deceases situation within domestic violence :

- ▶ **2004:** out of the total number of 84 deceases - 61 are female victims (3 minors and 58 adults), 23 are male victims;
- ▶ **2005:** out of the total number of 169 deceases - 46 are female victims (4 minors and 42 adults), 34 are male victims, and for the rest cases the gender and age are not specified;
- ▶ **2006:** out of the total number of 151 deceases - 67 are female victims (9 minors and 58 adults), 47 are male victims, and for the rest cases the gender and age are not specified;
- ▶ **2007:** on the first 3 quarters from the total number of 103 deceases – 50 are female victims (6 minors and 44 adults), 27 are male victims, and for the rest cases, the gender and age are not specified.

Legislative framework

The fundamental legal framework regarding family protection and, particularly, the prevention and fight against domestic violence, has started in a substantial and coherent form concurrently with the coming into force of the *Law no. 217/2003 on prevention and fighting against domestic violence*. A result of the efforts made by decision-makers, specialists, and the ones in direct connection with the victims of domestic violence, the framework also draws on the ground - breaking work in the field of attending the victims of gender-based violence and of domestic violence in general – started by the Romanian NGOs 10 years ago.

The National Strategy for Preventing and Fighting against Domestic Violence 2005 – 2007, elaborated and implemented by the **National Agency for Family Protection** stipulates specific objectives:

- Improving of the legislative framework in the field of social services for preventing and combating the domestic violence

- Improving the institutional capacity of the central and local public administration in order to develop and implement programs and social services provided to the victims of domestic violence

- Developing of a partnership and social solidarity culture in the field of preventing and combating domestic violence

- Raising awareness of the Romanian society concerning domestic violence

Participation and active involvement of the state in international activities in the field of preventing and fighting against domestic violence

The National Strategy for Improving the Roma's Situation 2001 – 2010 contains provisions for identifying, preventing and solving of the conflict situations raised from domestic violence.

The National Development Plan 2007 - 2013 stipulates certain provisions in view to decrease the forms of domestic and social violence against women.

Women trafficking

Statistics:

Compared with the year 2006, in Romania, the number of women victims has registered a decrease in numbers, from 1701 victims registered in 2006 to 960 victims registered in 2007, and 400 victims registered on the first semester of the year 2008.

The most vulnerable categories of women to the phenomenon of human trafficking are with ages between 18 - 25 years old, most of them victims of sexual exploitation.

In 2007 and 2008, a great number of women victims come from the rural area - 48% during the year 2008 and 56% during 2008 and from the urban area – approximately 50% - during the year 2007, 44% - during the year 2008.

Women remain vulnerable to promises made by acquaintances, friends and relatives accepting job offers and assuming unknown risks. Thus, they easily become victims of sexual exploitation for commercial purposes, suffering physical and emotional traumas that have dramatic consequences on long and medium term.

Legislative framework

The National Strategy for Fighting against the Human Trafficking 2006 – 2010 developed by the **National Agency for Fighting against the Human Trafficking**, contains specific objectives:

- Raising awareness and information campaigns for the general public regarding associated risks of human trafficking

- Decreasing the vulnerability of groups at risk – especially women

- Providing the efficiency of the prevention activities of human trafficking

- Decreasing of the demand for sexual exploitation of women

- Providing the efficiency of activities for assisting and protection of the victims of human trafficking

- Combating of the tertiary victimization

- Social inclusion and reinsertion of victims of human trafficking

In order to prevent such a widespread phenomenon, the Agency carried out several campaigns during 2007/2008, such as:

- during the year 2007, the Agency organised in cooperation with the NGO's several campaigns: an informative campaign for the general public and for the high - school students regarding the risks associated with human trafficking – “ Human trafficking is inhuman”(there were 2300 beneficiaries); the campaign “Stop children trafficking”, a raising awareness campaign developed in schools for the rural area (1500 beneficiaries); “The Campaign of 16 days of fighting against violence against women” - a raising awareness campaign on women trafficking in all it's forms (700 beneficiaries),

- during the year 2008, the Agency organised an informative campaign “ 18 October – The European day for fighting against discrimination; the campaign “ Human trafficking exists.....Decide today, not tomorrow!”, the objectives of the campaign were raising the awareness and providing information's for the public from the seaside area; prevention campaign “Beware of <<perfect>> occasions with <<perfect>> jobs”; “Campaign against labour exploitation” and “Campaign against sexual exploitation of children” both of the campaigns were focused on raising the awareness of the general public on the importance of this phenomenon

■ Women and armed conflict

Statistics:

- the percentage of women in Romanian army in 2007: 6,5% from military positions, 53% from civilian positions (source: statistics of National Defense Ministry)
- the percentage of Romanian women in international missions in 2007 - 4,46% (source – statistics of National Defense Ministry)
- the percentage of women at command positions in 2007: 2,44% from military command positions, 52,8 % from civilian command positions (source – statistics of National Defense Ministry)
- number of diplomats in 2007: 66 women and 58 men (source – statistics of Foreign Affairs Ministry)

Legislative framework and policy development

The legislation in gender field provides measures in view to respect and promotion of human rights and gender equality in order to prevent direct and indirect gender discrimination.

The Law no.202/2002 on equal opportunities between women and men guarantees gender equality for the staff in both the civilian and the military positions.

Subsequent to this general framework, the military legislation ensures gender equality and treatment in the concrete work relations and professional activity by promoting and sustaining a gender balanced occupancy of executive and leadership positions. As an example, the access to the military career is regulated by the *Law concerning the Military Personnel Status*, which also entails provisions on gender equality. Moreover, the Romanian Defense Minister delivered an *Order for the implementation of the National Action Plan concerning Gender Mainstreaming in the activities of the Ministry of National Defense*.

Expanding the military missions and making professional the armed forces have led to an increase in the number of women engaged in operations conducted abroad. Several administrative measures were taken in order to encourage women to serve in the military and to participate in crisis management operations, such as: public information on the specific nature of the military profession, the role of the armed forces in international crisis management, the benefit obtained from women's engagement in the military activities, as well as improving work in the recruitment centers.

There are no formal restrictions and limitations for women to attend the courses in the military high schools, military academies and National Defense University. Starting with 2008, women are allowed to enroll as professional soldiers, too. The Romanian Ministry of National Defense encourages young women to join the armed forces. The Romanian Ministry of National Defense encourages the participation of the female personnel in peacekeeping operations. The professional criteria are the same for men and women. The only difference consists of physical standards that are adapted consequently. If a man or a woman military meets the professional operational criteria, than women military will be preferred.

There are some specific problems in recruiting women for international civilian and military assignments. For instance, women are not so eager to go abroad in an international mission for a long period. They are more concerned about their family and children education. Furthermore, it is not so easy to persuade women to go in the countries where there are significant customs and cultural differences in respect with the role of women in society. The main obstacle to enforce gender mainstreaming and to transpose theory into practice is to find good motivation and incentive for women to take part in such difficult and dangerous operations abroad. Even if there are no formal restrictions and the military authorities encourage women to go in peacekeeping operations, a small number of women are interested to participate in peacekeeping operations.

Romania contributes to the promotion of international initiatives of education on women and armed conflicts, in particular those organized by UNIFEM, UNICEF and UNHCR.

There are no formal-appointed gender advisers, but the Romanian Minister of Defense has experts on gender issues in the Romanian civil-military cooperation (CIMIC) units that have tasks to deal with gender issues, including those related to sexual violence and sexual abuses against women and girls in field-based operations.

The *Romanian Defense Minister's Order for the implementation of the National Action Plan concerning Gender Mainstreaming* states that the annual command training plans for each military structure should take into consideration the gender issues. Meanwhile, the educational curricula in the military education establishments should encompass briefings/courses on gender related issues. During their pre-deployment training stage, all the personnel is trained by experts. Usually, they are informed about specific gender issues, customs, traditions, habits of the local inhabitants, religion, etc.

The Romanian Ministry of Defense participates to the Annual Conference of the NATO Committee of Military Women.

Romania is following on the European Parliament recommendations on the situation of women in armed conflicts and their role in the reconstruction and democratic process in post-conflict countries (2005/2215(INI)).

The Romanian Office for Immigrations, subordinated to the Ministry of Internal Affairs and Administrative Reform is the authority in charge with the reception and integration of refugees. During the reception of refugees, the needs of women and men are properly addressed by taking into consideration the gender perspective. According to the Romanian Asylum Law, during processing an application, a victim of gender-based persecutions can be included in the category of persons that are victims of persecutions on the reason of belonging to a certain social group.

Romania should overcome the following constraints in order to obtain results that are more effective: the low level of women's participation in political life, the low level of women's participation in military positions.

■ Women and the economy

Statistics

(source of dates - the publication "Women and Men – Work and Life Partnership", 2008, **National Institute of Statistics**)

Economically active population (employed and unemployed) was 9994 thou. Persons in 2007, over half of them being men (55.2%). Employment was 9353 thou. Persons, 45.3% of them were women.

Women prevail among non-economically active population aged 15 years and over, of total 8254 thou. Non-economically active persons, 3/5 were women (60.1 %)

In 2007, the activity rate of working age population (ratio of economically active population aged 15-64 years in total population aged 15-64 years) was 63.0% being superior in the case of men: 70.1% as against 56.0% in the case of women.

In 2007, the weight of women was 58.5% in total number of the pensioners and 52.2% in that of pupils and students aged 15 years and over. In comparison with 2002, in 2007 a growth took place for the number of women aged 15 years and over being in the training process (by 12.3%), as well as female pensioners (by 3.1%).

In 2007, the employment rate of working age population (ratio of employment aged 15-64 years in total population aged 15-64 years) was 58.8% being with 12.0 percentage points lower in the case of women as compared to men (52.8% as against 64.8%).

The gap between employment rates by gender points out that the employment rates registered for men are significantly higher than those for women for all age groups are.

Analysis by level of education reflects that employment rate of working age persons (15-64 years) with superior level of education (short term and long term university, including master and PhD) was 85.8% in 2007, without significant differences by gender (+2.2 percentage points in the favor of men).

Were employed 63.9% of persons with medium level of education (post high school specialty, high school, including the first level and vocational, complementary or apprentice), men employment degree (69.0%) being in this case superior to women's (58.2%).

Regarding persons with lower level of education (gymnasium, primary and no school), only 40.3% of them were employed, in this case being registered the highest discrepancy (11.8 percentage points) by gender: men employment rate was 46.9% as against only 35.1% in the case of women.

Employment persons with university studies represent 13.8% of employment, 48.5% of being women; 6.6% of employment persons had primary or no level of education graduated, the weight of women in this category being 53.6%.

Out of the total female employment, 14.8% graduated university education (as against 13.0% in case of men), 57.6% had medium level of education (as compared to 64.4% registered by men) and 27.6% were persons with low level of education (as against only 22.6%, registered for men).

In 2007, women represented 71.8% of contributing family workers, 45.5% of employees and 29.5% of self-employed. The highest discrepancy by gender is registered among employers, the number of women in this category being by 3.7 times less than men's are. In 2007, activities with a pronounced feminization degree of employment were those of health and social assistance (77.6%), education (74.4%), financial intermediations (70.1%), hotels and restaurants (65.9%) and trade (53.9%).

In the group of managers and senior officials in public administration and economic and social units, the number of men was in 2007 by 2.5 times higher than the number of women.

Women prevailed in the groups of administrative clerks (71.9%), operative workers in services, trade and assimilated (64.6%), technicians, supervisors and assimilated (61.2%) and experts with intellectual and scientific occupations (51.2%).

Structure of employment by gender and groups of occupations, in 2007:

	Women	Men
Members of legislative, executive, senior officials of public administration, managers and clerk of economic, social and political units.	71.8	28.2
Experts with intellectual and scientific occupations	48.8	51.5
Technicians, foremen and assimilated	38.8	61.2
Administrative clerks	28.1	71.9
Operative workers in services, trade and assimilated	35.4	64.6
Framers and workers skilled in agriculture, forestry and fishing	50.5	49.5
Artisans and skilled workers in handcrafts, machinery and equipment regulation and maintenance	75.0	25.0
Other categories of occupations	65.2	34.8

Source: Household labour force survey (AMIGO)

If the difference between the actual average duration of working week for men and women is 2.1 hours (40.7 hours/week for men, as against 38.6 hours/week for women), regarding the category of employees with full-time working program, the difference between the two genders is only 0.8 hours (42.1 hours/week for men as against 41.3 hours/week for women).

In 2007, ILO unemployment rate (ratio of ILO unemployed in economically active population) was 6.4%. Women registered an unemployment rate of 5.4%, lower than male one (7.2%).

The gap between unemployment rates for the two genders by level of education, expressed in percentage points, decreases as the level of education increases. Thus, women with medium level of education registered an unemployment rate of 6.3% by 1.0 percentage points lower than for men and women who graduated superior education registered a rate of 3.1% by 0.3 percentage points more than men.

Long-term unemployment prevails among women (50.1% as compared to 49.9% in case of men).

Legal framework and policy development

The Law no. 202/2002 on equal opportunities and treatment between women and men stipulates specific provisions in what is regarding equal opportunities in the labour market.

The National Development Plan 2007-2013 stipulates certain provisions in gender field:

- facilitating access for women to economic sectors that were less accessible to them - facilitating access to professional development, counseling, support for managing independent activities, promoting the modern employment methods, especially by means of using the IT technologies, studies and analysis on the situation of women on the labor market, identifying and eliminating the prejudices with regard to traditional professional
- the decreasing of the salary gap and the other differences between men and women
- the professional and family life re-conciliation activities – the importance of development of the childcare services
- elimination of sexual harassment in the workplace

The National Strategy on Employment 2004 - 2010 stipulates the development of policies regarding equal opportunities in view to combat the gender pay gap. Also, it has specific objectives as:

- raising of the women' employment level in all economic fields – deadline 2010
- active measures for the women' employment in IT field
- measures regarding the work life balance– deadline 2010
- implementing of monitoring indicators system, for identifying the basic reasons for gender pay gap

The National Program 2005 - 2008 for the Development of the Entrepreneurial Culture of the Women Manager was a program, elaborated and implemented by the Ministry for Small and Medium Enterprises in view to promote an informational and training system for providing women's mobility on the labor market and to develop of their entrepreneurial abilities in order to involve them in the private economic field, by means of:

- Stimulating self-employment and raising the number of the women entrepreneurs in the business community
- Developing the entrepreneurial abilities of women
- Efficient using of human resources of potential women entrepreneur
- Improving of economic performances of the existing enterprises managed by women by raising the professional level of their staff
- The equal access to economy based on knowledge
- Exchange of experiences and good practices between women entrepreneur and managers
- An improved civic participation of women entrepreneur

Since 1-st November 2008, ANES has implementing a project with European cofinance from European Social Fund „**Women and Men – same opportunities on labor market**” which has as general objectives: the promotion of the principle of equal opportunities between women and men on labour market and the raising awarness on gender issues within local and central public administration, civil society and general public. The project in amount of 1,5 mil EUR during 3 years, it has an estimative total target by 25.600 of beneficiaries (representatives of public administration institutions, employees, 12000 of employed women at national level, 12000 high-school students).

■ Women in power and decision making

Statistics

(source – National Agency of Equal Opportunities between Women and Men)

Governmental level

2007 – on the first decision making level after the ministerial one (state secretary, general secretary positions) –27,8% positions were occupied by women

2007 - on the second decision making level after the ministerial one (positions of director) - 41,9% positions occupied by women

2008 - no woman holds the position of ministry

2009 – 16% positions of minister hold by women

Parliamentary level

2004 – 2008 – within Senate - 9,48% positions hold by women,

- within Chamber of Deputies - 10,54% positions hold by women

2009 - within Senate - 5,83% positions hold by women

- within Chamber of Deputies - 10,77% positions hold by women

Local administration level – 2004 – 2008

- within the county councils - 15,67% positions hold by women

- within the local assemblies - 11,55% positions hold by women

- within institution of prefect - 9,5% positions of prefect hold by women and 12% positions of adjunct prefect hold by women

Legislative framework

Romanian Constitution stipulates that Romanian state guarantees the equal opportunities between women and men in what is regarding the access to civilian and military public positions.

The *Law no.202/2002 on equal opportunities and treatment between women and men* contains a set of articles on equal opportunities between women and men as regards the participation in the decision making process.

The *Law no.334/2006 regarding the financing of the actions of political parties and of the election campaigns* stipulates that an affirmative measure for increasing the number of women in decision making process “for those political parties that promote women on the election lists, the allocated amount granted from the state budget will be increased proportionally with the number of mandates achieved by the women candidates in the elections”.

The National Strategy on Equal Opportunities between Women and Men 2006 - 2009 and the Action Plan have specific measures on participation to decision-making process.

The Governmental Program 2008 – 2012 takes into account the political need of promotion of active participation of women in decision - making process and within public representative structures by settling of a minimum participation quota for women on parliamentary and governmental levels.

■ Human rights of women

Romanian Constitution stipulates equal rights both for women and for men.

■ Women and the media

The *Law no.202/2002 on equal opportunities and treatment between women and men* stipulates that “the cultural sources shall ensure in a non-discriminatory manner the conditions necessary to manifest and assess skills of women and men and their equal treatment in the field of cultural creation; gender based advertisements that negatively affect the respect for the human dignity, bringing prejudice to the image and honour of a person in his/her public and/or private life is forbidden.

The National Strategy on Equal Opportunities between Women and Men 2006 - 2009 and the Action Plan have specific measures on promoting the principle of equal opportunities between women and men in culture.

The National Council of Audio-Visual has specific responsibilities in monitoring and sanctioning the presence of gender stereotypes in media.

■ Women and the environment

There is a large percentage of women taking part in environment protection and ecologist NGO in Romania.

■ The girl-child

Segregated dates on girl – child, there are used in educational and health system.

The Romanian legislation does not stipulate different provisions for girls and boys.

Referring to the existence of media literacy about the girl child, conform to the dates provided by the Ministry of Education, during 2004-2006, there were certain programs /projects/campaigns at the national level (financed or co-financed by the government) stimulating the awareness of the role of the media in the society, and the media related skills targeted at children/girls aged 6-18: 1 national program on journalism and editing, 1 national program on media and culture, 3 national programs on media and human rights.

In addition, there are programs/projects/campaigns at the national level providing the general knowledge on internet usage, targeted at children or girls separately.

In the period 2004 - 2006, there were programs/projects/campaigns at the national level stimulating the awareness and knowledge on the media construction of gender roles targeted at children/girls.

Also, during 2004 – 2006, there were programs and projects at the national level for vocational training of specific social groups of children/girls in basic and secondary education (for refugee or for migrant children after graduating the course of learning the official language, ethnic minority, poor, disabled).

In 2007, the Ministry of Education has developed seven programs related to reproductive and sexual health and rights, 3 of them in basic education, 4 in secondary education.

PART THREE: INSTITUTIONAL DEVELOPMENT

Romania has a developed institutional system in the gender field, based on a closed cooperation and partnership between all stakeholders.

The National Agency for Equal Opportunities between Women and Men (ANES) is settled by *the Law No 202/2002 on equal treatment and opportunities between women and men*, with additional changes, republished in 2007. ANES is the specialized body of the central public administration, under the subordination of the Ministry of Labour, Family and Social Protection. ANES started its activity in March 2005 within the framework of an institutional twinning project Romania – Spain, financed with PHARE funds.

The main responsibility of the Agency is to promote the principle of the equal opportunities and treatment between women and men and to ensure active gender mainstreaming in all national policies and programmes. ANES fulfils the following duties:

- coordinates and enforces the Government strategy and policies in the field of equal opportunities and treatment between women and men;
- approves, on request of the Ministry of Labour, Family and Social Protection normative acts initiated by other authorities with a view to integrate and observe the principle of equal opportunities and treatment between women and men;
- prepares reports, surveys, analyses and forecasts on the enforcement of the principle of equal opportunities and treatment between women and men into all fields of activity;
- prepares, proposes and implements projects and partnership programs with internal and/or external financing;
- represents the Romanian Government in European and international bodies in the field and cooperates with similar structures from other countries;
- receives complaints/grievances on infringement of legal provisions regarding the principle of equal opportunities and equal treatment between women and men and gender based discrimination from natural persons, legal persons, public and private institutions

In order to fulfil its duties, the Agency can request information from the central and local public administrative authorities, from other public institutions and authorities, commercial companies to which the State is shareholder or associate, employers' and trade-union organizations representative at national level, all these having the liability to supply the requested data.

The Agency has a total number of 67 positions, 25 persons employed at central level and 42 county representatives. The financial resources allocated were: in 2005 – 599.230RON, 2006 – 1.064.000, 2007 – 2.842.000 RON, 2008 - 2.494.000 RON

The President of the Agency coordinates the activity of the National Commission in the field of Equal Opportunities between Women and Men – CONES. CONES is formed of representatives of the ministries and other specialized bodies of the central public administration, in subordination of the Government or of autonomous administrative authorities, trade unions and employers' organizations representative at national level, as well as of representatives of non-governmental organizations in gender field. CONES coordinates the activities of the 42 county and Bucharest commissions in the field of equal opportunities between women and men (COJES).

There are also other public institutions with specific responsibilities in ensuring the equal opportunities between women and men:

- The National Agency for Employment of Labour Force ensures the implementation of measures aiming at the observance of equal opportunities and treatment between women and men in the field of employment and vocational training services as well as in the field of social protection of the unemployed persons;

- The National House of Pension and other Social Insurance Rights ensures the implementation of measures aiming at the observance of equal opportunities and treatment between women and men in the field of administration and management of the public system of pension and other social insurance rights;

- The Labour Inspection controls the enforcement of the Law no.202/2002 in the field of labour relations and occupational safety and health, both in the public and private sector,

- The National Council for Adult Vocational Training, autonomous administrative authority with an advisory role, ensures the implementation of measures aiming at the observance of equal opportunities and treatment between women and men in drafting policies and strategies on the vocational training of adults.

- The National Institute of Scientific Research in the Field of Labour and Social Protection and the National Institute for Research-Development for the Labour Protection, coordinated by the Ministry of Labour, Social Solidarity and Family are

responsible for promoting and ensuring equal opportunities and treatment between women and men in their specific fields of activities and for providing available data and information necessary for preparing strategies and policies in the field.

- The Ministry of Education, through territorial school inspectorates, controls the addition in education plans and in other curricula, as well as in the current activity of the education institutions of measures for observing the equal opportunities and treatment between women and men.

- The Ministry of Health, through the public health directorates of counties and of city of Bucharest exercises control of the implementation of measures for observing the equal opportunities and treatment between women and men in the field of health, as regards the access to medical services and its quality, as well as health at workplace.

- The Ombudsman cooperates with the Agency to settle all complaints regarding equal opportunities and treatment between women and men, to fight against the gender based discrimination in the fields regulated by this law.

- The National Institute for Statistics supports the activity of and cooperate with the Agency in order to develop gender statistics

- The Social and Economic Council, through the Commission for equal opportunities and treatment, supports, integrates the principle of equal opportunities and treatment between women and men within the legislation on social and economic matters

The National Agency for Family Protection is a central public institution subordinated to the Ministry of Labour, Family and Equal Opportunities. Its activity started in February 2004 on the grounds of the Law no. 217/2003 on preventing and fighting against domestic violence. The Agency's main object of activity consists of preventing and fighting against domestic violence, the role of the Agency being the one of coordinating the measures stipulated in its National Strategy, by the means of an Action Plan. The Agency is being lead by a president which benefits from the support of a Consultative Council formed of representatives of the Ministry of Labour, Family and Social Protection, Ministry of Public Health, Ministry of Education, Research and Youth, Ministry of Interior and Administration Reform, Ministry of Justice, National Authority for Child Protection and National Authority for People with Disabilities. In the methodological coordination of the Agency, at the level of each county and of Bucharest City, within the County Directorates of Labour and Social Protection, respectively of the Bucharest City, a compartment with responsibilities in fighting against domestic violence was set up. A Pilot Centre for the Assistance and Protection of the Victims of Domestic Violence and the Centre for Family Information and Consultancy are operating in the subordination of the Agency.

In Romania, the institution that has as main attributions the prevention and fighting against the phenomenon of human trafficking is the National Agency for Fighting Against Human Trafficking. The Agency was established in 2007 and has as main attributions the coordination and evaluation of all the activities carried out in order to prevent human trafficking and the monitoring of the assistance provided to the victims of the phenomenon. At the same time, the Agency is the inter agent between victims of human trafficking and the police or prosecutor's office, as well as between the victims and the NGO's that offer assistance to the victims.

The National Agency for Roma People, subordinated to the Government, it has been developing programs regarding the enforcement and social protection of Roma women and girls.

In subordination of the Parliament, there is the National Council for Combating Discrimination (CNCD). It is settled by the Governance Ordinance no.137/2000 on prevention and sanctioning of all forms of discriminations, republished with additional changes in 2007. The Council is the state authority in matters of all forms of discrimination. CNCD has as main responsibilities: drawing up and implementation of policies in discrimination field and it has a major role in prevention, mediation of conflicts, investigating, observing and sanctioning of discriminatory facts, monitoring and providing specialized assisting to victims of discrimination.

At parliamentary level there are functioning 2 permanent commissions on equal opportunities between women and men: since 1993 one within the Senate, and since 2003 the one of the Chamber of Deputies.

PART FOUR: MAIN CHALLENGES AND ACTIONS TO ADDRESS THEM

- Drawing up and implemented an inter institutional plan of constant monitoring of Beijing Platform for Action
- Improvement of participation of women in decision – making process
- Improvement of policies regarding the conciliation between private, family and professional life
- Combating of gender stereotypes within society and mass – media
- Identifying specific measures for women elderly, women in rural areas

Annex to Romanian report

Law no 202/2002 on Equal Opportunities Between Women And Men¹

CHAPTER I

General Provisions

Art. 1. – (1) The law hereunder regulates the measures for promoting equal opportunities between women and men, with a view to eliminate direct and indirect gender discrimination, in all fields Romania's public life.

(2) For the purpose of this law, by *equal opportunities between women and men* is understood the consideration of abilities, needs and goals of women and men and their equal treatment.

Art. 2. – The measures for promoting equal opportunities between women and men and for eliminating direct and indirect gender discrimination are applied in the field of labour, education, health, culture and information, decision-making process, as well as in other fields regulated by specific laws.

Art. 3. – The provision of this law does not apply to religious cults and do not interfere with the private life of citizens.

Art. 4. – For the purpose of this law, the terms and expressions bellow have the following meanings:

a) by *direct discrimination* it is understood the less favourable treatment of a person based on gender, as referred to the treatment applied to another person;

b) by *indirect discrimination* it is understood the situation in which apparently neutral regulations, criteria or practices, would create a disadvantage for a person of certain gender, in comparison with persons of opposite gender, excepting the situation in which the enforcement of such regulations, criteria or practices can be justified by an objective purpose, and the means for achieving that respective purpose are adequate and necessary;

c) by *harassment* it is understood any undesirable gender-based behaviour, which is intended to negatively affect the dignity of person and/or to create a degrading, intimidating, hostile, humiliating or offensive environment;

d) by *sexual harassment* it is understood any undesirable sexual-related behaviour – verbal, nonverbal or physical – which is intended to negatively affect the dignity of person and/or to create a degrading, intimidating, hostile, humiliating or offensive environment;

e) by *incentive measures or positive discrimination* it is understood those special measures adopted for a temporary period in order to accelerate *de facto* achievement of equal opportunity between women and men and which are not considered discriminatory actions;

f) by *work of equal value* it is understood the paid activity that shows, when compared with another activity and using the same indicators and units of measure, that similar or equal knowledge and professional skills were used and that similar amounts of intellectual and/or physical effort were exerted.

Art. 5. – In the field regulated by this law, the dispositions set out in art. 4 prevail to any other provisions of other regulations and, in case of conflicts in the field, the mentioned provisions shall prevail.

Art. 6. – (1) Gender based direct or indirect discrimination is forbidden.

(2) The following shall not be considered discriminations:

a) special measures under the laws on maternity, birth and nursing protection.

b) temporary incentive measures for protection of certain categories of men or women;

c) skills requirements for activities where gender particularities represent a decisive factor due to specific conditions and the manner in which those respective activities are carried out.

CHAPTER II

Equal Opportunities And Treatment Between Women And Men In The Field Of Labour

¹ Reissued on the basis of art. V of the Government Ordinance no. 84/2004 for amendment and supplementation of Law no. 202/2002 on equal opportunities between women and men, published in the Official Gazette of Romania, Part I, no. 799 of 30 August 2004 and approved, with subsequent amendments, by Law no. 501/2004, published in the Official Gazette of Romania, Part I, no. 1.092 of 24 November 2004, giving text a new numbering.

Law no. 202/2002 on equal opportunities between women and men was published in the Official Gazette of Romania, Part I, no. 301 of 8 May 2002.

Art. 7. – (1) By *equal opportunities and treatment between women and men in labour relations* it is understood the non-discriminatory access to:

- a) the choice or free exercise of a profession or activity;
- b) employment in any position or job vacancy and at all levels of the professional hierarchy.
- c) equal income for equal work value.
- d) information and vocational counselling, initiation, qualification, improvement, specialization and professional reconversion programs.
- e) promotion at any hierarchical and professional level.
- f) working conditions that observe the occupational safety and health provisions, according to the applicable law;
- g) benefits, other than salaries, as well as social security;
- h) employers' organisations and professional bodies, as well as benefits granted by them.

(2) In accordance with paragraph (1), all workers, including self-employed persons and those who work in agriculture, benefit from equal opportunities and treatment between women and men in the field of labour.

Art. 8. – (1) Employers have the obligation to ensure equal opportunities and treatment of employees, women and men, within labour relations of any kind, inclusively by introducing provisions in the regulations of organization and operation and in internal order of companies, that forbid the discrimination.

(2) Employers have the obligation to regularly inform employees, including by posters in visible places, on their rights to the observance of equal opportunities and treatment between women and men in labour relations.

Art. 9 – (1) It is forbidden the discrimination by the use by employers of practices that disfavour persons of a certain gender, in respect of the labour relations, relating to:

- a) advertising, organizing, contests of exams and selection of candidates to occupy the vacancies in the public and private sector;
- b) termination, suspension, modification and/or ceasing of the legal labour relation or service
- c) setting up or modification of attributions in the job description;
- d) determining remunerations;
- e) benefits, other than salary-related, as well as social security;
- f) information and vocational counselling, initiation, qualification, improvement, specialization and reconversion programs;
- g) assessment of individual professional performances;
- h) professional promotion;
- i) application of disciplinary measures;
- j) the right to join a union and to access the facilities afforded by it.
- k) other conditions of work performance, in accordance with the applicable law.

(2) The provisions of paragraph (12), letter a) shall not apply to workplaces where, due to the particularities of those respective professional activities or to the special working conditions, gender particularities are decisive and authentic professional requirements, provided that the objective sought is legitimate and the requirement proportional.

(3) All instructions to discriminate a person based on gender is considered *discrimination*.

Art. 10. – (1) Maternity cannot be a reason for discrimination.

(2) It is forbidden to request a candidate to take a pregnancy test with a view to her employment.

(3) The provisions of paragraph (1) do not apply to workplaces forbidden to pregnant and/or nursing women, due to the nature or special working conditions

Art. 11. – (1) The harassment and sexual harassment of a person by another at the workplace or at the place where an activity is carried out is considered gender-based discrimination. It is forbidden to adopt decisions regarding a person based on acceptance or rejection by the respective person of a harassment or sexual harassment behaviour.

(2) It is considered gender-based discrimination any behaviour defined as sexual harassment, intended:

- a) to create at the workplace an intimidating, hostile or discouraging environment for the affected person;
- b) to negatively influence the situation of an employee as regards the vocational promotion, remuneration or revenues of any nature or the access to vocational training or retraining, in the case of his/her refusal to accept an undesired, sexually related behaviour.

Art. 12. – In order to prevent and eliminate all behaviours defined as gender-based discrimination, employers have the following obligations:

- a) to include disciplinary sanctions in internal regulations, in the conditions of the law, for employees infringing the personal dignity of other employees, by creating degrading, intimidating, hostile, humiliating or offensive environments by committing the discriminatory actions defined in art. 4 letters a) to d) and in art. 11;
- b) to ensure notification of all employees on the prohibition of harassment and sexual harassment at the workplace, including by posting in visible places the internal regulations to prevent any act of gender-based discrimination.
- c) to inform, immediately after receiving a complaint, the public authorities qualify to implement and control of the enforcement of the legislation on equal opportunities between women and men.
- Art.13. – (1) It is considered discrimination and it is forbidden the unilateral modification by the employer of labour relations and working conditions, including the dismissal of the person who submitted a complaint at company level, in accordance with the provisions of art. 43, paragraph (2), to the qualified courts of law, with a view to apply this law and after the court decision remained definitive, excepting justified reasons, not related to the case.
- (2) The provisions of paragraph (1) shall be accordingly applied also to the trade union members or employees' representatives who are qualified to offer support for solving situations at work place in accordance with art. 43, paragraph (1).
- Art. 14. – In order to prevent gender based discriminating actions in the field of labour, at the negotiation of the collective labour agreement at national level, as well as the negotiation of the collective labour agreement at company level, the contracting parties will set up clauses prohibiting discrimination acts and, respectively clauses on the manner of solving the intimations/complaints filed by persons affected by such acts.

CHAPTER III

Equality Of Opportunities And Treatment

As Regards The Access To Education, Health, Culture And Information

- Art. 15. – (1) It is forbidden any gender based discrimination as regards the access of women and men at all levels of education and vocational training, including the apprenticeship at work place, retraining and, generally, lifelong education.
- (2) Public and private education institutions, social factors involved in educational process, as well as the other providers of training and retraining services, authorized under the law, shall include measures for observing equal opportunities and treatment between women and men in their curricula, analytical programs and in other curricular instruments.
- (3) The institutions mentioned in paragraph (2) shall include in their current activity measures of promoting the equal opportunities and treatment between women and men.
- Art. 16. – (1) The Ministry of Education and Research shall ensure through specific means, education and training in the spirit of equal opportunities between women and men.
- (2) The Ministry of Education and Research shall promote those schoolbooks, university courses, guidelines for application of analytical programs that will not contain aspects of gender based discrimination, nor role models and stereotypes of negative behaviour regarding the role of women and men in public and family life.
- Art. 17. – It is forbidden any gender based discrimination as regards the access of women and men to all levels of healthcare and programs of disease prevention and health promotion.
- Art. 18. – The public health directorates of the counties and of Bucharest shall create conditions for enforcing the measures of observing equal opportunities and treatment between women and men in the field of health, as regards the access to medical services and their quality, as well as the occupational health.
- Art. 19. – (1) Cultural public institutions, as well as all other structures that promote any form of cultural actions have the obligation to create conditions to afford access to cultural production to all persons without gender based discrimination.
- (2) The cultural sources mentioned in paragraph (1) shall ensure in a non-discriminatory manner the conditions necessary to manifest and assess skills of women and men and their equal treatment in the field of cultural creation
- Art. 20. – Gender based advertisements that negatively affect the respect for the human dignity, bringing prejudice to the image and honour of a person in his/her public and/or private life is forbidden.
- Art. 21. – (1) Public institutions, as well as governmental and non-governmental organizations, shall allow the access to information in their fields of activity, within the limits of the law, to applicants, men or women, without discrimination.

(2) Information disseminated by media shall observe the equal opportunities and treatment between women and men and shall not contain, promote or provoke any form of gender based discrimination.

CHAPTER IV

Equal Opportunities Between Women And Men As Regards The Participation In The Decision Making Process

Art. 22. – (1) The local and central public authorities, social and trading companies, as well as political parties and other non-profit organizations, carrying out their respective activities on the basis on their own regulations, shall promote and support the balanced participation of women and men to the management and the decision making process.

(2) The provisions of paragraph (1) apply also to appointment of members and/or participants in any council, group of experts and other managerial and/or consultative lucrative structures.

Art. 23. – In order to accelerate the achievement of equal opportunities between women and men, the central and local public authorities shall adopt incentive measures to afford fair and balanced representation of social partners within the decision-making authorities, observing competency criteria.

CHAPTER V

The Public Authorities Qualified To Enforce And Control The Implementation Of The Legislation On The Equal Opportunities And Treatment Between Women And Men

Art. 24. – (1) The National Agency for Equal Opportunities between Women and Men (NAEO), named hereinafter the *Agency*, in capacity of legal, specialized body of the central public administration, under the subordination of the Ministry of Labour, Social Solidarity and Family, financed by the State budget through the budget of the Ministry of Labour, Social Solidarity and Family, with the headquarters in Bucharest.

(2) The Agency promotes the principle of the equal opportunities and treatment between women and men and ensures active gender mainstreaming in all national policies and programmes.

Art. 25. – The Agency has the following functions:

- a) strategic – to ensure the substantiation, preparation and implementation of the Government strategy and policies in the field of equal opportunities and treatment between women and men;
- b) to harmonize the legal framework of its field with the European Union regulations;
- c) representative – to ensure, on behalf of the Romanian state, the internal and external representation in its field of activity;
- d) State authority – to ensure the active and visible gender mainstreaming into all national policies and programs, to control the implementation and observance of the regulations in its field of activity and the operation of the bodies under its subordination and coordination.

Art. 26. – (1) In order to exercise its functions set out in art. 25, the agency fulfils mainly the following duties:

- a) coordinates and enforces the Government strategy and policies in the field of equal opportunities and treatment between women and men;
- b) proposes to the Ministry of Labour, Social Solidarity and Family bills, National Plans for Action on Equal Opportunities between Women and Men and ensures their enforcement;
- c) approves, on request of the Ministry of Labour, Social Solidarity and Family, bills initiated by other authorities with a view to integrate and observe the principle of equal opportunities and treatment between women and men;
- d) prepares reports, surveys, analyses and forecasts on the enforcement of the principle of equal opportunities and treatment between women and men into all fields of activity;
- e) prepares, proposes and implements projects and partnership programs with internal and/or external financing;
- f) coordinates and/or implements the European Commission Gender Equality Programs;
- g) is represented in structures that coordinate or manage funds or programs carried out in Romania by the European union, with the view to observe the gender equality principle, when resources are granted;
- h) represents the Romanian Government in European and international bodies in the field and cooperates with similar structures from other countries;

- i) receives complaints/grievances on infringement of legal provisions regarding the principle of equal opportunities and equal treatment between women and men and gender based discrimination from natural persons, legal persons, public and private institutions,;
- j) cooperates with central and local authorities, with education and research institutions, with non-governmental organizations;
- k) supports the training of public servants and the employees of institutions and public or private bodies, as regards the enforcement of the principle of equal opportunities and of equal treatment between women and men;
- l) prepares, prints and disseminates, within the country and abroad, informative materials on governmental policies in the field.

(2) Additional duties of the Agency shall be set through the Statutory Regulation of the National Agency for Equal Opportunities between Women and Men, which shall be approved by Government Decision.

(3) In order to fulfil its duties, the Agency can request information from the central and local public administrative authorities, from other public institutions and authorities, commercial companies to which the State is shareholder or associate, employers' and trade-union organizations representative at national level, all these having the liability to supply the requested data.

Art. 27. – (1) The Agency is managed by a President, assimilated, from the remuneration point of view, to the position of the General Director of the Ministry, appointed by the Minister of Labour, Social Solidarity and Family, in accordance with the law.

(2) The President represents the agency in its relations with the Government, ministries and other public administrative authorities, organizations, as well as in the relations with Romanian or foreign, natural and legal persons.

(3) In the exercise of his/her duties, the President issues orders, norms and instructions. The orders, norms and instructions having legal character shall be published in the Official Gazette of Romania, Part I, in accordance with the law.

(4) The President is secondary credit chief accountant.

Art. 28. – (1) The organizational structure of the Agency shall be set in the Statutory Regulation of the National Agency for Equal Opportunities between Women and Men, approved by Government Decision.

(2) The coordination and the duties of the departments within the Agency shall be set in the organization and operation regulation, approved by Order of the President.

Art. 29. – (1) The Agency shall be established on 1 January 2005 and shall begin operations on 1 March 2005, with 30 positions of public servants and contractual personnel and with at least 1 position in each County and Bucharest Directorates for Dialogue, Family and Social Solidarity, established on the basis of the Government Decision no. 285/2004 on implementation of the National Plan for Action in the field of equal opportunities between women and men, positions to be redistributed from the number of positions approved for the Ministry of Labour, Social Solidarity and Family.

(2) The remuneration of the central staff of the Agency shall be made in accordance with the legal provisions applicable to the personnel employed by the specialized bodies of the central public administration.

(3) The Agency coordinates the activity of equal opportunities between women and men specific structures set out in paragraph (1).

Art. 30. – (1) The Agency can benefit from donations and sponsorships under the law.

(2) Reimbursable and non-reimbursable external funds may be used for financing the activity of the Agency.

Art. 31 – The Agency ensures the observance and exercises the control over the enforcement of this law.

Art. 32 – (1) It is established the National Commission in the field of Equal Opportunities between Women and Men – CONES, whose activity shall be coordinated by the President of the Agency. CONES shall take over, on the date of its legal establishment, the duties of the Inter-ministerial Consultative Commission in the field of equal opportunities between women and men (CODES).

(2) Additional CONES duties are set out in its Organization and Operation Regulation, to be drafted by the Agency and approved by CONES and to be published in the Official Gazette of Romania, Part. I.

(3) CONES is formed of representatives of the ministries and other specialized bodies of the central public administration, in subordination of the Government or of autonomous administrative authorities, trade unions and employers' organizations representative at national level, as well as of representatives of non-governmental organizations, having activity recognized in the field, consensually designated by former.

(4) The President of the Agency shall propose the CONES structure, within 30 days as from his/her appointment, upon consulting the public authorities, organizations and associations set out in paragraph (3), structure which shall be approved by decision of the Prime Minister. CONES is duly established at the date of Prime Minister's approval of its structure.

(5) CONES ensures the coordination of the activities of County and Bucharest Commissions in the field of equal opportunities between women and men (*COJES*).

(6) CONES meetings shall be quarterly convened at the Agency's headquarter. CONES secretariat shall be ensured by the department established by order of the President of the Agency

Art. 33 – In each county and in Bucharest, shall be established a commission of that county, respectively Bucharest, in the field of equal opportunities between women and men (*COJES*) with a view to enforce the provisions of Government Decision no. 285/2004, coordinated by the person responsible with the enforcement of this law in the County and Bucharest Directorate for Dialogue, Family and Social Solidarity.

Art. 34 – The Agency ensures the observance and exercises the control over the enforcement of this law in its field of activity, by means of institutions coordinated or subordinated to the Ministry of Labour, Social Solidarity and Family that have the responsibility to implement measures for promotion of equal opportunities and treatment between women and men and for eradication of direct or indirect gender-based discrimination, as follows:

a) The National Agency for Employment ensures the implementation of measures aiming at the observance of equal opportunities and treatment between women and men in the field of employment and vocational training services as well as in the field of social protection of the unemployed;

b) The National House of Pension and other Social Insurance Rights ensures the implementation of measures aiming at the observance of equal opportunities and treatment between women and men in the field of administration and management of the public system of pension and other social insurance rights;

c) The Labour Inspection ensures the control of implementation of measures aiming at the observance of equal opportunities and treatment between women and men in the field of labour relations and occupational safety and health.

d) The National Council for Adult Vocational Training, autonomous administrative authority with an advisory role, ensures the implementation of measures aiming at the observance of equal opportunities and treatment between women and men in drafting policies and strategies on the vocational training of adults.

Art. 35. - The National Institute of Scientific Research in the Field of Labour and Social Protection and the National Institute for Research-Development for the Labour Protection, coordinated by the Ministry of Labour, Social Solidarity and Family, are responsible for promoting and ensuring equal opportunities and treatment between women and men in their specific fields of activities and for providing available data and information necessary for preparing strategies and policies in the field.

Art. 36. – The Labour Inspection controls the enforcement of this law, according to art. 34 letter c), both in the public and private sector, through territorial labour inspectorates.

Art. 37. – The Ministry of Education and Research, through territorial school inspectorates, controls the addition in education plans and in other curricula, as well as in the current activity of the education institutions of measures for observing the equal opportunities and treatment between women and men.

Art. 38. – The Ministry of Health, through the public health directorates of counties and of city of Bucharest exercises control of the implementation of measures for observing the equal opportunities and treatment between women and men in the field of health, as regards the access to medical services and its quality, as well as health at workplace.

Art. 39. - The Ombudsman cooperates with the Agency and, until 1 March 2005, with the Ministry of Labour, Social Solidarity and Family to settle all complaints regarding equal opportunities and treatment between women and men, to fight against the gender based discrimination in the fields regulated by this law.

Art. 40. – The National Institute for Statistics shall support the activity of and cooperate with the Agency and, until 1 March 2005, with the Ministry of Labour, Social Solidarity and Family in order to develop gender statistics and to implement in Romania the gender indices promoted by the European Commission.

Art. 41. - The Social and Economic Council, through the Commission for equal opportunities and treatment, supports, according to its attributions the integration of the principle of equal opportunities and treatment between women and men in the pieces of legislation affecting the social and economic life.

Art. 42. – (1) The trade union confederations appoints in companies' trade unions organizations, representatives with attributions in ensuring the observance of the equal opportunities and treatment between women and men at the work place.

(2) The trade union representatives appointed receive complaints/notifications from persons who consider that were discriminated based on gender, apply procedures for solving them and request the employer to solve the employees' claims, according to the provisions of article 43 paragraph (1).

(3) In companies where there is no trade union, one of the elected representatives of the employees has the duty to ensure the observance of the equal opportunities and treatment between women and men at the work place.

CHAPTER VI

Settlement Of Notifications, Complaints Regarding The Gender-Based Discriminations

Art. 43. – (1) Employees are entitled, whenever they consider themselves to be discriminated based on gender, to file notifications or complaints to the employer or against it, if the latter is directly involved, and to request the support of the trade union or the employees' representatives in the company to settle their situation at the workplace.

(2) If such notification/complaint was not settled at company level through mediation, the employee who submits factual elements that lead to the assumption of a direct or indirect gender-based discrimination in the field of labour, under this law, is entitled to send the notification/complaint to the Agency and to file a complaint to the qualified court of law, namely to the departments specialized in labour conflicts and litigation or to social insurance departments responsible for the area in which the employer or the perpetrator carry out their activity or, as the case may be, to contentious-administrative courts, but not later than a year as from the deed.

(3) If a person who considers him/herself harmed under this law and who sends an notification/complaint to the Agency, the President of the Agency issues, within 10 days, a Consultative Notice on the possibility to sanction the discrimination deed, hereinafter named *Notice*.

(4) If the qualified court of law, as defined in paragraph (2), considers necessary for case solving, it can ask a report from the Agency.

(5) The court decision shall be notified to the Agency.

(6) In the complaint filed in accordance with paragraph (2), the employee considering himself/herself to be discriminated based on gender is entitled to request material and/or moral compensations and/or the removal of the consequences of discriminatory acts from the perpetrator.

Art.44.- (1) The person who submits factual elements that lead to the assumption of a direct or indirect gender-based discrimination in other fields than the labour is entitled to file a complaint to the qualified court of law, in accordance with the law.

(2) In the complaint filed in accordance with paragraph (1), the employee considering himself/herself to be discriminated based on gender is entitled to request material and/or moral compensations and/or the removal of the consequences of discriminatory acts from the perpetrator.

Art. 45. – While enforcing this law, the qualified court of law can order ex officio that the responsible persons cease the discriminatory situation within an established term.

Art.46. – (1) The court of law can order the guilty party to pay compensations to the person who considers him/herself to be discriminated based on gender and who claims its requests before a court of law in an amount reflecting accordingly the prejudice suffered.

(2) The amount of the damages will be set up by the court according to the common law.

Art. 47.- (1) The employer reintegrating in the company or at the workplace a person, on the basis of a definitive court decision, in accordance with the provisions of this law is obliged to pay the remuneration lost due the unilateral modification of the labour conditions or labour relations, as well as all contributions to the state budget and to the state social insurance budget due by employer and employee.

(2) If the reintegration in the company or at the workplace is not possible for the person for which the court decided that the labour conditions or labour relations were unilateral modified, the employer shall pay to the employee damages equal to the real prejudice suffered by the employee.

(3) The amount of the damages will be set up by the court according to the law.

Art. 48. – (1) The persons who consider themselves to be discriminated based on gender can submit complaints/notifications to Agency or can file complaints directly to the qualified courts of law.

(2) The burden of proof lays with the person against whom the complaint/notification was submitted or, as the case may be, the file to court have been submitted for facts that allow the assumption of a

direct or indirect discrimination and who has to prove the non-infringement of equal treatment principle.

(3) The complaints of submitted to the qualified courts by persons who consider themselves to be discriminated based on gender are exempted from stamp tax.

(4) The Agency, trade unions and NGO's operating in the field of human rights protection, as well as other legal persons with a legitimate interest in observing the equal opportunities and treatment principle are entitled to legally represent the discriminated persons and to assist them within the administrative procedures framework, at their request.

CHAPTER VII

Sanctions

Art. 49. - The infringement of the provisions of this law entails disciplinary, material, civil, contravention, or penal responsibility of the guilty persons.

Art. 50. – (1) The breach of art. 9, paragraph (1), art. 10, paragraphs (1) and (2), art. 11, art 13 and art. 15 to 21 represent offences and sanctioned with fine from 15,000,000 lei to 150,000,000 lei.

(2) The ascertainment of contraventions under this law shall be made by:

a) labour inspectors within the territorial labour inspectorates responsible with the areas in which is located the headquarters or, as the case may be, the domicile of the employer and respectively, of the empowered staff of the National Agency of Civil Servants, in the case of contravention related to the breach of art. 9, paragraph (1), art. 10 paragraph (1) and (2), art. 11 and art. 13.

b) inspectors of school inspectorates of the counties and of city of Bucharest, in the case of contravention related to the breach of art. 15 and 16;

c) inspectors of public health directorates of the counties and of city of Bucharest, in accordance with the sanitary regulations in force, in the case of contravention related to the breach of art. 17 and 18;

d) the empowered staff of the territorial inspectorates for cultures and cults, National Authority for Consumers' Protection or/and within the authorities of the local public administration, in the case of contravention related to the breach of art. 19 - 21.

(3) The reports on contraventions shall be immediately sent to the Agency, for approval.

(4) In order to implement the sanctions, the Agency shall send the approval within the term set out in art. 43, paragraph (3), to the National Council for Fighting Discrimination.

CHAPTER VIII

Final Provisions

Art. 51. - The provisions on contraventions under this law are supplemented by those of the Government Ordinance no. 2/2001 on the legal status of contraventions, approved with subsequent amendments and supplements by Law no. 180/2002, with subsequent amendments and supplements.

Art. 52. – The present law becomes effective within 30 days as from its publication in the Part I of the Official Gazette of Romania.

Art. 53 – This law transposes the Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions, published in the Official Journal of the European Communities no. L 39 of 14 February 1976, with the amendments and supplements brought by Directive 2002/73/EC of the European Parliament and of the Council, of 23 September 2002 amending Council Directive 76/207/EEC published in the Official Journal of the European Communities no. L 269 of 5 October 2002.

NOTE:

We quote in the following the provisions of art. II, III, IV and VI of the Government Ordinance no. 84/2004, which were not included in the reissued text of the Law no. 202/2002 and which are still enforced as orders of the Government Ordinance no. 84/2004, approved with subsequent amendments by Law no. 501/2004.

“Art. II. – The Statute of the National Agency for Equal Opportunities between Women and Men is prepared by it and approved by Government resolution within 60 days as from the appointment of the President of the Agency.

Art. III. – The organization, operation and duties of county commission and of that of Bucharest in the field of equal opportunities between women and men (COJES) is approved by Government

resolution within 90 days as from the date the National Commission in the Field of Equal Opportunities Between Women and Men is duly established.

Art. IV. – On 15 April 2005 is repealed the Government Resolution no. 967/1999 on the establishment and operation of the Inter-ministerial Advisory Commission in the field of equal opportunities between women and men (CODES), issued in the Official Gazette of Romania, Part I, no. 583 of 30 November 1999, with subsequent amendments.

.....

Art. VI. – The present Ordinance becomes effective within 3 days as from its issuance in the Official Gazette of Romania, Part I.”

RESOLUTIONS OF THE GOVERNMENT OF ROMANIA

THE GOVERNMENT OF ROMANIA

DECIDES

on approval of the national strategy on equal opportunities between women and men for the period 2006-2009 and of the General Plan for Implementation of the National Strategy on Equal Opportunities Between Women and Men for the Period 2006-2009

On the basis of art. 108 of the Constitution of Romania, reissued,

The Government of Romania adopts the resolution hereunder.

Art. 1. – It is approved the National Strategy on Equal opportunities between women and men for the period 2006-2009, presented in Annex no. 1, as well as the General Plan of Action for Implementation of the National Strategy on Equal Opportunities Between Women and Men for the period 2006-2009, presented in Annex no. 2.

Art. 2. – Annexes no. 1 and 2 are integral part of the resolution hereunder.

Prime Minister

CALIN POPESCU TARICEANU

Countersign:

Minister of Labour, Social Solidarity and Family,

Gheorghe Barbu

for Minister of Education and Research

József Kötő,

Secretary of state

Minister of Administration and Interior,

Vasile Blaga

Minister of Public Finances,

Sebastian Teodor Gheorghe Vlădescu

Bucharest, 8 March 2006.

No. 319

ANNEX I

NATIONAL STRATEGY

On Equal Opportunities Between Women And Men For The Period 2006-2009

I. Overview

1. Premises

Romanian Law guarantees its citizens equal rights in participating to economic and social life, in preparing and training for certain professions, in employment, promotion and participation to distribution of benefits, in enjoying social protection under certain circumstances. Notwithstanding, professional segregation of women yet persists and it is proved by existence of gender differentiated occupational models, which causes inconsistencies in incomes, even if the principle "equal pay for work of equal value" is legally established.

Departing from the principle of equal opportunities between women and men, as defined in Law no.

202/2002 on equal opportunities between women and men, reissued, which supposes taking into consideration various abilities, necessities and goals of men and women, as well as their equal treatment, at the present moment, it is essential for Romania that women be actually ensured equal opportunities of access to education, to professional training and to a work place, to founding families and participating in public and political decision-making processes, feature characterising democratic and developed societies. For this goal, Romania makes significant efforts to adapt the principle of non-discrimination of genders to the Community law.

Romanian background shows us that women in labour field suffer a series of discriminations. They are caused by the fact that there are economy fields in which men are the majority. This leads to a gender

based segregation of occupations, being noticeable the fact that the feminized professions are, in general, worst paid.

In what the level of salary is concerned, it was established that in the past 11 years, salary differences between male employees and female employees was reduced by 7 per cent, reaching 14% in 2004 (against 21% in 1994), according to the survey made by Eurostat, the Bureau of Statistics of the European Union. Salary differences are calculated by reference to the gross salary earned by employees in an hour.

We also underline that the employment rate of women comprised in the age group 15-64 years was in 2004 of 52.1%, a value inferior to the 60% target established in the Strategy of Lisbon as European objective for 2010 and significantly lower than that registered in men, respectively of 63.6%. The unemployment rate for women was of 6.9% in 2004. An increase in the employment rate of women is possible by implementing measures aiming at vocational training in general, continuous vocational training for women, training in fields that aim at promoting women in decision-making positions and in the political life (decision-making positions, political media, entrepreneurship), as well as by means of campaigns raising women's awareness in the field of equal opportunities between women and men, especially in the rural environment.

General elections in 2004 did not bring significant changes in women representation in parliamentary and governmental structures. Of the 469 parliamentary seats, women hold 50 seats (10.66%). In the Chamber of Deputies, women represent 11.14% and in the Senate 9.48%. In the Government formed after the elections of 2004, of the 15 ministries and 25 ministers, 3 ministries were entrusted to women (12%). By the end of 2004, staff in the public administration was of 159.4 thousand persons, of which 59.3% women (94.5 thousand persons).

Notwithstanding the progresses made, especially in the fields of education and employment, women are still facing obstacles in attaining real equality, including in relation with reconciling family life with vocational life. For real equality to be an achieved goal, it is required not only an improvement in legislation, in the sense of integrating the equality principle, but also, and moreover, a change in attitude and behaviour, in life styles and in the social structures that prevent women from freely developing personality and from actively participating in all fields of life: economy, culture, politics, etc.

For these objectives to be actually effective, it is required a strategy that should establish actions to be taken, respectively actual measures, as well as achievement deadlines, so that it should be possible to assess the results obtained and, at the same time, to appoint those bodies responsible with their implementation.

The National Strategy on Equal Opportunities Between Women and Men aims at establishing a series of measures and guarantees designed to eliminate all forms of direct and indirect discrimination and to allow the exercise of human freedom and fundamental rights based on the principle of equal opportunities and treatment for women and men.

The Ministry of Labour, Social Solidarity and Family, through the National Agency for Equal Opportunities Between Women and Men (ANES), in cooperation with other authorities and public institutions, with trade unions and employers' associations, as well as with non-governmental organizations that carry out programs in the field of equal opportunities for men and women, shall enforce the National Strategy on Equal Opportunities Between Women and Men and shall achieve all the functions of encouragement and coordination of the measures set out in it.

Central and local public administration authorities in their respective fields of activity, under the coordination of ANES, shall adopt those measures necessary to enforce the present strategy in all actions taken at the level of each county and at the level of Bucharest City.

The development of a policy on equal opportunities between women and men not only that favours thoroughness and consolidation of democracy, but at the same time contributes to a rational and more effective use of human resources.

II. Areas of intervention

1. Legal Framework

Objective: Harmonization of the national legislation with the international one, especially with the European framework in the field of equal opportunities between women and men

Continuing the process of harmonization of the Romanian legal framework with Community regulations in field of equal opportunities between women and men is an essential objective and, at the same time, a legal obligation deriving from the European Agreement that establishes a partnership between Romania on one hand and the European Communities and their Member States on the other, ratified by Law 20/1993.

Harmonization of the national legislation with the Community *acquis* is all together one of the commitments that Romania undertook by means of position papers on adoption of fundamental legal acts in the field of equal opportunities between women and men.

Moreover, it is important for Romania to ratify and adopt the protocols and norms of international organizations such as United National Organization in the field of equal opportunities between women and men.

2. Institutional Capacity

Objective 1: Strengthening ANES institutional capacity

Consolidation of ANES institutional capacity is important in order to ensure effective implementation management of the National Strategy on Equal Opportunities Between Women and Men.

Objective 2: Specializing human resources involved in implementation at all levels on the principle of equal opportunities between women and men.

Initial and continuous vocational training of the staff with powers in the field of equal opportunities between women and men is vital for the development of a joint approach at national level of the implementation and monitoring of the policies on equal opportunities between women and men and with a view to build institutional capacity to absorb European structural funds.

Objective 3: Developing relations with international bodies in the field of equal opportunities between women and men

By developing and consolidating dialogue, partnerships with international bodies operating in the field of equal opportunities between women and men it is sought to develop initiatives and to complete ANES institutional competencies, mutual exchange of knowledge, techniques, expertise and organization of joint actions in the field of equal opportunities between women and men.

3. Economic life

One of the manners in which *de facto* gender equality can be reached is by balanced participation to economic activities, which should ensure women autonomy and financial independence.

Objective 1: Improving awareness of women's situation in the labour market

In order to attain better awareness of economic and social realities, to fundament programs on equal opportunities between women and men in labour market, to prepare and monitor social policies, statistics prepared within an integrated and comparable framework are required. Gender statistics must be prepared by including the "gender" variable in all statistical researches of the kind.

Objective 2: Supporting equal access of women and men to the labour market

As regards the level of salary in general, equal positions and employment conditions, women and men's employment salaries are equal. The disparities between the salaries earned by women and men in various economic activities are determined by differences in the level of qualification and hierarchical position at the workplace, as maternity and the legal period of leave for raising and attending a child act as a rupture in women's carrier development. Predominantly feminine occupations, such as: administrative servants, operative workers in services and trade and assimilated, chief engineers and assimilated and specialists in intellectual and scientific fields, but also economic activities with lower average salaries for women: hotels, restaurants, trade, processing industry—show that women are, in general, less paid. Equal access

to labour market supposes the introduction and development of programs of information on equality of rights on the labour market for women and men alike, as well as stimulation of interest for continuous vocational training, with a view to facilitate access in all activity sectors. For this purpose, implementation of special vocational reconversion programs for the feminine labour force in activity sectors in which they are traditionally less represented, especially in those sectors using training and information technologies are required.

Objective 3: Reconciling family life with vocational life

Reconciliation of the family life with the vocational life represents an aspect of great interest for women and men alike. Obstacles women, and especially mothers, have to face in their search for paid jobs, stereotypes perpetuating the idea that women are responsible for attending family, as well as cultural expectations are aspects that worsen gender inequality. Men's involvement in reconciliation of the family life with the professional life represents an essential, yet difficult issue. It is very important, as without men's participation there cannot be equal division of responsibilities, and difficult as it supposes a change in society and in the mentality of each woman and man.

Objective 4: Observing the principle of equal opportunities between women and men in vocational promotion.

Development of cooperation between economic partners and social partners contribute to achieving gender equality in labour relations and especially to ensuring transparency along all levels of the promotion process.

Objective 5: Facilitating the introduction into the labour market of women in situation or danger of marginalization

In order to assert the principle of equal opportunities between women and men, it shall be south to integrate gender perspective in programs for social protection of family and in those for preventing and fighting marginalization, aiming especially at women and Roma communities, at elder women and at those without education, etc.

4. Social Life

"Equality" in the social life means that women and men alike have the same rights, responsibilities and opportunities. A society equal from viewpoint of gender cannot be attained unless women and men cooperate to transform the realities that govern the current society.

Objective 1: Promoting equal participation of women and men in the community

The objective of the present strategy takes into consideration the issue of women's access to social life on the principle of promotion of values, so that there should be balance in society. It is important to take actions to inform women and men alike, with a view to reassess the traditional way of life, in which

active participation into the community is a men's attribute.

Objective 2: Promoting equal participation of women and men in the family

Men's participation to family responsibilities is considered necessary by the majority, regardless whether women have or have not a job. Although there is a certain awareness of the fact that family responsibilities should be divided, its putting into practice is confronted with difficulties.

There are great inconsistencies between the values that the two partners give to their involvement in carrying out domestic duties and in attending children (women are those who experience more intensively the fact that they have certain domestic duties, while men believe that those duties are made together, which leads to different valuations). Men must also undertake responsibilities in attending children and sick relatives. The new generations are bearers of equalitarian gender roles, as referred to the old generations. This fact also depends on women's education level.

Objective 3: Men's involvement in promoting the principle of equal opportunities between women and men

It is required that more men be involved in activities of implementation of the principle of equal opportunities in all fields of social life, as both points of view are needed in order to initiate public policies.

Objective 4: Supporting measures for preventing and fighting women trafficking

The fight against the trafficking of persons for the purpose of sexual exploitation must be directed towards: prevention, assistance and victims' protection measures and annihilation of trafficking networks.

Objective 5: Supporting measures for preventing and fighting gender based violence

Gender related violence in an infringement of the fundamental human rights. Moreover, it represents a manifestation of traditional power relations between women and men, which leads to domination and discrimination of women and which prevented the development and participation of women in the society. Gender related violence at the level of all social classes is oriented against all women, regardless their age or social condition.

Objective 6: Preventing sexual harassment

Sexual harassment is still a major problem of Romanian society. It is necessary to afford more attention to this type of violence, and legal dispositions and punishments should have a greater impact.

5. Participation to decision-making process

Balanced participation of women and men in all aspects of the social, political and economic life is more than necessary in order to attain competitiveness and long-lasting development, as well as to achieve and consolidate a real democracy. For this purpose, it is required:

Objective 1: Regulation of balanced participation of women and men in the decision-making process

Balanced participation of women and men in decision-making bodies represents a central objective in a democratic society. Both genders should be represented at all levels of the decision-making process.

Objective 2: Encouragement of balanced participation of women and men in all levels of the decision-making process

Ensuring balanced representation of women and men in the decision-making process can be achieved by legal interventions, by awareness-raising and information campaigns, by positive action for women and men alike and by mobilizing the civil Society. The essential objective is to make sure that women and men equally exert power and influence and that women are not limited to subordination positions in the decision-making process.

6. Gender Roles and Stereotypes

This sector aims at gender stereotypes and at the necessity to modify behaviour, attitude, norms and values, taking into account the evolution of roles that women and men have in the society.

Actions set out for this purpose aim at replacing cultural models that reflect gender stereotypes at society level and at integrating the gender equality principle, especially in policies related to education, science, media, youth and sports.

The policies of equal opportunities between women and men in education, culture and media are structured according to three objectives:

Objective 1: Gender mainstreaming in programming, preparing, implementing and assessing all public policies

In order to achieve this objective, it shall be first taken into consideration the use of indexes and tools that allow gender mainstreaming in public policies. At human resources level, it shall be sought to mainstream gender modules in training courses for all individuals who participate in managing and carrying out public policies.

Objective 2: Fighting stereotypes and gender roles in the education system

Education should be one of the fundamental ways of correction of social inequalities and, certainly, of the gender-related one, thus contributing to building a free and democratic society. Changes in the gender policy in education is a continuous process, and actions regarding the adjustment of certain components of teacher training and content of schoolbooks and curricula being gradually enforced.

As regards teacher-related policies, it shall be emphasized the gender balance in educational management, teachers and professors' training for gender emancipating strategies, seeking, at the same time gender balance in the body of teachers. On the other hand, curricular policies shall be oriented towards changing education subjects by adding elements that envision education as gender partnership and which modify cultural models that

reflect gender stereotypes in schoolbooks, at all levels of education. Moreover, these policies shall encourage the principle of affording equal opportunities to women and men, with regard to the access to all forms of education, vocational and public life, being permanently sought to eliminate latent discrimination, practices or negative gender-related approaches in the educational process and to promote partnership-oriented education for the private life. But not all education inequalities are originated in the system itself. Many of them are originated in the social system in general, and specifically in the manner in which women and men are treated in the media. In order to obtain real equality, measures must be adopted to fight stereotypes and gender role transmitted by advertisements and the media in general.

Objective 3: Promoting the principle of equal opportunities between women and men in cult

This objective can be achieved by involving the media in raising awareness with regard to the principles that lay at the basis of the National Strategy on Equal Opportunities Between Women and Men, with a view to respect human dignity by presenting images of women and men and by encouraging the use of non-discriminating discourse. By means of shows and cultural activities, it shall be sought to highlight women's roles and contribution to Romanian history and culture. At the same time, while training specialists in culture and media, it shall be sought to raise awareness of gender perspective and to afford the tools necessary for integrating this principle in their every day life.

7. Monitoring and assessing the General Plan of Action for Implementation of the National Strategy on Equal Opportunities Between Women and Men

Result orientation represents a priority for ANES. In this sense, mechanisms for monitoring and assessing the National Strategy on Equal Opportunities Between Women and Men and the General Plan of Actions were added.

The monitoring of implementation of the National Strategy on Equal Opportunities Between Women and Men and of the General Plan of Actions, as well as their assessment shall be carried out by ANES.

Objective 1: Creating a set of assessment indexes

By the end of year 2006, ANES shall prepare a set of general and specific indexes for assessment of actions included in the General Plan of Actions for implementation of the National Strategy on Equal Opportunities Between Women and Men (2006-2009).

Indexes shall be used along the assessment process and shall measure the degree of achievement of the fundamental objectives. During the implementation of the national Strategy on Equal Opportunities Between Women and Men and of the General Plan of Actions, these indexes shall be reviewed and improved for a better assessment of results.

Objective 2: Annual reporting on the stage in achieving the actions included in the General Plan of

Action for implementation of the National Strategy on Equal Opportunities Between Women and Men by each authority or public institution responsible

Each authority or public institution responsible with implementing the actions included in the General Plan of Actions for implementation of the National Strategy on Equal Opportunities Between Women and Men shall prepare and transmit on annual basis, by the end of October, a report presenting the stage in achieving actions, on the basis of a report model to be communicated by ANES.

Objective 3: Assessment of the stage of implementation of the actions included in the General Plan of Action for implementation of the National Strategy on Equal Opportunities Between Women and Men

The assessment of the progress made in implementing the National Strategy on Equal Opportunities Between Women and Men shall be prepared on annual basis by ANES and shall be transmitted to the other authorities and public institutions responsible with its implementation.

The assessment shall observe the deadlines set out for each individual action, as well as the assessment indexes established by ANES.

Objective 4: Recommendations regarding the implementation of the General Plan of Actions for implementation of the National Strategy on Equal Opportunities Between Women and Men

On the basis of the annual assessment, ANES shall make recommendations for improvement of the process of implementation of the National Strategy on Equal Opportunities Between Women and Men.

Objective 5: Final assessment of the General Plan of Actions for implementation of the National Strategy on Equal Opportunities Between Women and Men

ANES shall prepare an analysis of the final assessment of the degree of achievement of the objectives and actions included in the General Plan of Actions for implementation of the National Strategy on Equal Opportunities Between Women and Men in September 2009.

ANES shall communicate the other authorities and public institutions responsible with implementation of the National Strategy on Equal Opportunities Between Women and Men the results of the final assessment of the degree of achievement of the objectives set out.

8. Financing

Initiation, development and enforcement of the National Strategy on Equal Opportunities Between Women and Men require financial resources that should guarantee the achievement of objectives set out in this document.

Financial resources:

1. funds allotted from the state budget, obtained from the budget of the ministries and institutions responsible, with competencies in the field;
2. own incomes, in accordance with the applicable law;
3. external reimbursable and non-reimbursable funds, in the conditions of the law;

4. donations, sponsorships, in compliance with the legal provisions.

The implementation of the strategic objectives set out in this document requires consistent financial support. Therefore, all authorities and public institutions involved in implementation of the National Plan of Actions shall include in their own plans of

actions the main structured strategic aspects in the field of equal opportunities between women and men.

Along with the forecasted economic growth, an increase in public financing of actions aiming at ensuring equal opportunities between women and men is expected in all public and private fields.