

DISCRIMINATION AND VIOLENCE AGAINST WOMEN AND GIRLS IN ROMANIA*

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Abstract:

Raportul prezintă principalele măsuri adoptate de guvernul României privind prevenția în domeniul violenței asupra femeilor și protecția victimelor, dar și principalele provocări și probleme cu care se confruntă toți cei care doresc să implementeze în mod eficient aceste măsuri. Este subliniat faptul că nu există destule adăposturi și centre de consiliere pentru victime; este necesară îmbunătățirea infrastructurii și a serviciilor pentru cele care au suferit agresiuni și abuzuri; ONG-urile care se ocupă de femeile discriminate sau abuzate nu au sedii potrivite pentru activitatea lor și se confruntă cu lipsa de fonduri; este necesară o diversificare și o intensificare a programelor de educație, a serviciilor de consiliere nu numai pentru victime, ci și pentru agresori, precum și schimbarea mentalităților din mediul rural cu privire la condiția femeii; trebuie intensificată combaterea diseminării de către mass media a unor imagini stereotipe și discriminatorii cu privire la rolul femeilor în cadrul familiei și al societății.

Cuvinte cheie: drepturile femeii, nediscriminare, legislație, societate civilă, victime, abuz.

Résumé:

Le rapport présente les principales mesures prises par le gouvernement roumain dans la prévention et la protection des victimes de la violence contre les femmes et les principaux défis et problèmes auxquels sont confrontés ceux qui veulent mettre en œuvre efficacement ces mesures. Il est souligné qu'il n'y a pas assez d'abris et de centres de conseil pour les victimes; il est nécessaire d'améliorer l'infrastructure et les services pour ceux qui ont souffert d'agression et d'abus; Les ONG s'occupant de femmes victimes de discrimination ou abusées n'ont pas des sièges appropriées pour leur travail et sont confrontées à un manque de fonds; il y a un besoin de diversification et d'intensification des programmes d'éducation, de services de conseil non seulement pour les victimes mais aussi pour les agresseurs, ainsi que pour changer la mentalité rurale concernant la condition de la femme; la lutte contre la diffusion par les médias d'images stéréotypées et discriminatoires sur le rôle des femmes dans la famille et la société doit être intensifiée.

Mots-clés: droits des femmes, non-discrimination, législation, société civile, victimes, abus.

Introduction

For 27 years Asociația femeilor din Romania¹ (Women's Association of Romania) has a rich experience in the field of combating violence and discrimination.

In its 27 years of existence, AFR has developed national and international programmes and projects; held training courses and activities in women's support; organized advocacy seminars

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¹ Asociația Femeilor din Romania is the first democratic organization for women and was founded in the days of the Romanian Revolution in December 1989, as a result of the need to organize, represent and to protect the rights of women in Romania. AFR is a leader within the women's movement and it is fighting for a real status for the women in our country. We currently are working in partnership with AFRI TOGETHER, Our mission is to Empowering women and advancing their rights!

and campaigns in the areas of: civic education, health, gender equality, promotion of tolerance and non-violent behavior, elimination of poverty and discrimination, adult education and development of international partnerships.

By its pragmatic approach, our association attracted a wide audience of women working in partnership with a network of other women associations. The activities of AFR are based on voluntary work. The slogan of the Association is **"Help me to help you!"**

We acknowledge that women play a key role in the struggle against poverty, violence and discrimination. But their capabilities remain still unused. They do not have equal access to education, jobs and property that is why the fight against discrimination is among the most important objectives of AFR. We are working in partnership with the Association AFRI TOGETHER by disseminating information in the field and supporting national efforts to advance women's rights and to prevent violence against women.

We have focused on advocating for the harmonization of the national legislation with the provisions of the Istanbul Convention being in contact with local and international NGOs and with the Civil Society in developing continuous education programmes for the elimination of all forms of discrimination against women. We have contributed to better policies on women's rights and gender equality.

One of our key projects is the ANTI-DISCRIMINATION campaign – a permanent campaign with AFRI TOGETHER and RNOFR, the Network of women NGOs.

Although we have laws that guarantee gender equality in principle, discrimination continues to manifest itself at all levels, from social promotion and salary to public mentality. Romania remains a traditional country where women are still discriminated, both in terms of pay as well as in limited access to some professions, which are usually the best paid ones.

Due to the transformations during the transition period, Romania has witnessed an increase in social inequalities, but also a concerted action to combat deep-rooted gender stereotypes that define the roles of women and men in society and influence gender imbalances. Discrimination against women in Romania has been particularly emphasized in terms of blocking women's access to various levels of participation, including politics.

The National Strategy for Equal Opportunities for Women and Men is unfortunately to a lesser extent applied in practice. Previous analyses of gender policies in Romania have already identified important gaps between gender equality legislation and policies, and their implementation. This missing link is related to how gender or equal opportunities for women and men were integrated into national policy and oversight.

Romania has signed and adopted a series of international treaties². There are numerous

² The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979, was signed by Romania in 1980 and ratified in 1982, and the Istanbul Convention (Convention on the Prevention of and Fight against Violence Against Women and Domestic Violence) Adopted by the Council of Europe in 2011, was signed by Romania in 2014 and entered into force in September 2016. Beijing Declaration of 1995 and the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community 2007 were also signed by Romania.

state actors that have to implement the relevant public policies on gender equality and education: the National Agency for Equal Opportunities for Women and Men (ANES) coordinated by the Ministry of Labor and Social Justice, the National Commission for Equality of chances (CONES) coordinated by ANES, the National Council for Combating Discrimination (CNCD), the Commissions for Equal Opportunities for Women and Men, in the Chamber of Deputies and the Senate, coordinated by the Parliament, commissions at the level of County Councils and the City Council of Bucharest activating in the field of Equal Opportunities for Women and Men (COJES) to mention just some of them.

But, civil society feels the need for a more effective partnership for respecting and applying the principle of non-discrimination to the benefit of the community.

Last year, the National Agency for Equal Opportunities for Men and Women ANES was re-established under the pressure of women's organizations, with the intention to be in dialogue with civil society, in order to achieve the objectives of the Government Program – Chapter 9 “Respect and dignity for women”, by recognizing the importance of civil society, NGOs and other actors' involvement in the fight against discrimination and violence against women.

We and all the other women NGOs are still waiting ANES to build a strong partnerships with us to promote together gender equality, to prevent and combat domestic violence. We have a lot to do TOGETHER.

Information on the real situation of women

- The equality of opportunities between women and men is recognized by the Romanian legislation, but tradition still places the woman in a lower position as compared to the man. Unfortunately, Romania ranks the last in the EU and ranked 72nd in the world, according to World Economic Forum statistics when it comes to equality between women and men.

- Women in Romania continue to be preferred in poorly paid jobs and sectors, and their salary continues to be statistically lower than that of men employed on similar posts. Data provided by the National Institute of Statistics in 2013 show that women still earn 8% less than men. In addition, women in Romania often face a refusal

to be employed because of their age, regardless of youth or maturity.

- With regard to mobbing at the workplace/sexual harassment: although many women are discriminated at work or in the recruitment process, few come to claim the various situations of discrimination and harassment they face.

- We notice that only 11.81% of the country's legislators in the Romanian Parliament, are women. On September 1, 2015, out of the 383 deputies, only 53 were women and of the 167 senators, only 12 were women.

- One of the worst forms of inequality encountered in Romania affects housewives who, due to the lack of a functional social protection system, have to stay home to care for and support the elderly or younger members of the family. This makes their social and professional life difficult, restricts their freedoms and opportunities, and leads them to depression, loneliness and low self-esteem. Moreover many married women have difficulties in balancing their careers with family life.

- Violence and discrimination against women: gender violence, especially among women, costs Romania 10 billion euros annually, or 6% of its GDP.

National legislation on women's rights

Law No. 202/2002 on Equal Opportunities between Women and Men. This is the key legislative tool and stipulates the following areas as priorities: equal opportunities and treatment for women and men in the labor market; equal opportunities and treatment for women and men in the field of access to education, health care, culture and information; equal opportunities and treatment for women and men in decision-making processes.

Law No. 217/2003 on the Prevention and Sanctioning of Domestic Violence. We lobbied for the modification of Law 217/2003 regarding victims of family violence, especially campaigning for a highly needed Emergency Protection Order in cases of family violence.

Access to material and financial resources, to education, to the labor market and to decision-making are closely linked and influence each other.

Related to the national development plans in Romania addressing women's development

and advancement 40,3% of the Romanian population is at risk of poverty, the figure for women is higher than that for men in the same situation (42,06% and 39,42% respectively).

The vulnerable gender equality gaps identified in the strategy are as follows: low awareness of public policy and media outreach policies, lack of coherent provisions on dealing with complaints regarding gender discrimination and violence.

What is to be done?

Specific objectives of our draft Action Plan for the following years:

- introducing the gender perspective in formal and non-formal education, combating gender stereotypes in the education system,
- reducing gender pay gap, encouraging reconciliation of family and professional life,
- promoting gender perspective in the social life,
- raising awareness on the principle of gender equality,
- balanced participation of women and men at all levels of decision-making,
- implementation and monitoring indicators developed under the Beijing Platform for Action,
- evaluating the Action Plan for the implementation of the National Strategy by all institutions with responsibilities in the field.

Related to the percentage of national development plans budget for the development and advancement of women AFRI's perspective is that the allocated budget does not provide enough for developing NGOs' activities. There is not enough training on gender equality and antidiscrimination.

We consider that there is a low interest in projects for empowering rural women, disabled women, migrant women, minority women, refugee women and marginalized women.

We are still waiting for the government to involve women NGOs in its strategy related to violence and discrimination against women in our country. The dialogue between civil society and the Romanian authorities remains limited especially on women's issues and gender equality.

Thus, there is a poor transfer of knowledge from NGOs and academia to politics and public decision makers.

There is a lack of transparency in the way civil services are provided and there are issues of corruption and weaknesses in gender equality policies within the national machinery.

Related to negative perceptions of women and stereotyping of women's roles within the family and the society, by acting to eliminate gender stereotypes, we have acted for equal opportunities between men and women. Unfortunately we are still far from achieving this goal. For example the way in which women are treated and portrayed by the media brings serious prejudice to their image and dignity.

In contemporary society, many gender stereotypes are still reproduced and transmitted. Thus, there is a need to overcome the tradition of outdated models and to think outside the box by an educational approach that can be genuinely useful for individual development.

In this context, one of the most important projects of our association is the ANTI-DISCRIMINATION campaign, a permanent campaign developed with AFRI TOGETHER and RNOFR Network of Women NGOs.

Concerning governmental policies or programmes implemented to change prevailing discriminatory mind sets among the population. It can not be said that we have completely eliminated from the social life opportunity and treatment inequalities, discrimination, intolerance, the lack of understanding and respect for the wishes and needs of those around us.

Obviously, gender equality is a complex social process, determined in time and conditioned not only by objective factors (of which the economic ones are the most important) but also by subjective socio-cultural factors, among which traditions, habits and gender stereotypes remain the most prominent.

That is why we can only welcome any initiative aimed at bringing to public attention opinions and facts regarding the problems and challenges faced by women and take into account any proposed viable solutions to solve them.

Violence and discrimination against women in Romania. Gender violence, especially among women, costs Romania 10 billion euros annually, or 6% of its GDP! In Romania, in a society marked by violence, this phenomenon seriously affects family life. 1 woman out of 10 in Romania is affected by domestic violence each

year, regardless of her age, civil status, ethnicity, religion or socio-economic background.

Ignored or officially unrecognized during the period of totalitarianism, violence has not only been revealed, but has also grown nowadays, amid declining living standards and increasing economic insecurity (the crisis).

In Romania specific detailed statistics are available especially for cases of violence in the family. According to the Romanian General Police Inspectorate, during the first six months of 2016 there were 9,000 cases of abuses and violence.

The Police recorded a number of 8,926 complaints of family violence cases. Most of the victims were women (79%) with the aggressors being mainly men (92,3%). During the same period there were 81 cases of rape within the family (36% of rapes occurred in the urban area, while 64% in the rural one).

In 21% of the cases the victim is the aggressor's partner, and in 44,4% of cases the victim is either a son or a daughter, sometimes a step son or a step daughter. All of these aggressors were men. It is obvious that the unreported cases remain unknown due to the victims' lack of confidence in the authorities and to the fact that they are also afraid of the consequences they might face from their aggressors after reporting the violence.

There are many associations and organizations which lobby for an Emergency Protection Order that should be issued within 24 hours since the aggression. In the period January – June 2016, 440 minors were victims of aggressions or abuse, out of which 46% were boys and 54% girls.

We consider that it is vital to identify in partnership more good practices and initiatives to combat multiple and convergent forms of discrimination and violence against women and girls, Romania needs a better strategy to combat violence against women which represents one of the most serious violations of human rights being a problem of the entire community.

We must take action in partnership because it's the only way to make a difference and bring a positive and long-lasting change in mentality. More worrying is that more than half of the Romanian citizens (almost 60%) tolerate violent behavior in the family and even consider it justified, women are still beaten, even killed! In Romania various NGOs act in the field of combating gender violence, dealing with case resolutions, victim

protection and / or post-traumatic counseling. In our project **“Stop the violence in the family”**, we have taken into account the fact that many victims have reported the lack of reaction of the specialists with attributions in the field in preventing and combating acts of domestic violence, as well as the lack of information regarding the services that can be accessed by victims of intra-family violence.

It is particularly useful to continue the implementation of information campaigns targeting these categories of specialists, to prepare them in the field of providing the necessary information and guidance to the victims.

Legislation is in force to protect women against various forms of violence. Law No. 217/2003 on the Prevention and Sanctioning of Domestic Violence has been improved!

With the order of protection, the court can set several measures, there are about ten, among them being not to let the aggressor approach the victim from a certain distance or to be in certain places where the victim is going.

35% of homicides are committed in the family. In 2014, there were approximately 250 protection orders in Bucharest and almost 1,900-2,000 domestic violence complaints. The following year, the number of crimes doubled, with 3800 family violence offenses and 260 protection orders.

There are women who submit complaints and withdraw them afterwards. The victim can only request help from the court or the prosecutor. The policeman is just investigating the case as particular offense. The law that was amended earlier this year provides that the courts are required to deliver the protection order for the victims within three days from the aggression. The victims are afraid to make a request for the protection order to be issued according to the idea “it is better to stay and endure”. It is far more difficult for a woman than for a man in Romania to have a good and safe life, a good job, or to build a solid career.

In this sense the Women’s Association of Romania in partnership with AFRI TOGETHER is developing a national campaign, “STOP Violence in the family”. Prevention is an important factor and therefore women should be offered the appropriate tools to avoid becoming victims of violence.

One of these tools remains continuous training and education by organizing a series of conferences, workshops and roundtables dealing with gender stereotypes and discrimination, combating the domestic violence and last but not least to raise awareness of the public and of the authorities about this phenomena.

Romania must build a less violent society. We encourage women and men to work together and to involve the entire community in order to bring about lasting change in attitudes and behaviors. We try to convince women that it is not normal to be hit, humiliated, abused, isolated from family and friends, without access to money or not allowed to make their own life decisions. Unfortunately, many of them still choose to keep quiet!

We need to change the mentality. It is necessary to act TOGETHER to eliminate gender violence, to act for equal opportunities between men and women!

Unfortunately, the budget allocated for this purpose is insufficient for associations and organizations dealing with this issue. Our association AFR has conducted a national campaign to stop domestic violence at its own expense, with its experts and in some cities with the support of volunteers and of local authorities.

With regard to other preventive and protective measures adopted by the government to eradicate violence against women, we constantly monitor and evaluate how these measures are effectively implemented and we identified the following challenges and weak points:

- there are still not enough shelters and counseling centers for victims;
- there is still not enough infrastructure and there is a need for better support services available for women who are victims / survivors of aggression or abuses;
- there are not adequate locations for NGOs, to enable them to develop their activities appropriately in order to prevent violence against women, to educate the community in the spirit of nonviolence, to offer support to the victims of violence;
- there are very few funds for women’s organizations or for projects to prevent and combat violence against women;

- there is a need for women education programs, more and better support and encouragement should be provided to organizations willing to take over and develop services for victims, to counsel the aggressors;
- it is imperative to change the mentality with regard to women in rural areas.

Proposals and recommendations

- it is important to develop a strong, non-profit, public partnership
- to convince the business environment to support the NGOs;
- promote through the media information relating to domestic violence, focusing on preventive intervention and not on presenting shocking cases with the aim to achieve greater audience from the public;
- raise awareness on the existence of domestic violence and the importance of stopping the abuse;
- increase the degree of financial independence for women to achieve personal autonomy that would make the partner's violence less bearable and acceptable;
- increase the financial support offered by financing programs to NGOs of women that carry out projects for the purpose of combating domestic violence;
- combating the marginalization and social exclusion of abused women;

- social integration in micro and macro groups of women with a high degree of social risk;
- strengthen the self esteem of an "abused woman" and increasing the responsibility degree and social commitment of the community;
- organize debates, workshops, exhibitions and other activities whereby both public educational institutions and non-governmental organizations can jointly promote human rights through interactive methods that can lead to change and shift of mentalities;
- to obtain funds online for awareness-raising and information campaigns.

We need to create a world where women and girls are safe from violence and exploitation; to align human-rights defenders, politicians, the business environment and the diplomatic community to identify and implement viable and creative solutions.

There is a need to involve and empower more the women movement to make its voice heard publicly in order to enable it to better prevent any discrimination against women and to contribute and support the authorities in the implementation of the gender equality law and of preventing all forms of discrimination against women.

Together, we can overcome gender based violence and create a better world for ourselves and for future generations.