



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

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**Committee on the Elimination of Discrimination
against Women**

Pre-session working group

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**Responses to the list of issues and questions for
consideration of the sixth periodic report**

Romania

1. Please provide information on the process of preparing the sixth periodic report of Romania. This information should indicate which Government departments and institutions were involved and the nature and extent of their participation, whether consultations were held with non-governmental organizations and whether the report was adopted by the Government and presented to Parliament.

The following authorities were involved in the process of preparing the sixth periodic report and in the regular consultations conducted on the report's issues: Ministry of Justice, Ministry of Labor, Social Solidarity and Family Affairs, Ministry of Culture and Religious Denominations, Ministry of Administration and Interior, National Authority for Child Protection and Adoption, Ministry of Public Information, Ministry of Health, Ministry of National Defense, Ministry of Foreign Affairs, Public Ministry (General Prosecutor's Office), National Institute of Statistics and the Ombudsman. The report has been endorsed by the involved authorities and finally submitted for approval to the Prime-Minister. The internal procedures do not involve the endorsement of the Parliament.

2. The Committee, in its concluding comments of 2001 called for the development of a holistic and integrated policy for the implementation of the Convention and the achievement of equality between women and men, including a timetable to monitor and evaluate progress in this regard. Please provide information on the steps taken in response to this recommendation.

According to the Committee's recommendations and to the recommendations of the European Commission, Romania has undergone major changes meant to harmonize and adapt the national legal framework to the international and European standards.

One important step was the adoption of Law 202 / 2002 which regulates important concepts in the field of equal opportunities between women and men. This law was modified and completed by Government Ordinance no. 86 / 2004, stipulating the establishment of the National Agency for Equal Opportunities between Women and Men (ANES), as the entity in charge with the development of the specific policies in the field of gender equality and gender mainstreaming in all governmental policies and programs.

The agency is the result of the twinning Phare Project RO2/IB/SO-01 “The establishment of the National Agency for Equal Opportunities between women and men” between the Romanian Ministry of Labor, Social Solidarity and Family and the Spanish Ministry of Labor and Social Affairs. The project covered the period 2004 – 2006 and included the organization of specific training activities in the field of gender equality for the Agency’s employees, as well as for civil servants and for labor inspectors.

Another important step was the adoption, by the Government, on the 8th of March 2006, of the National Strategy for Equal Opportunities between women and men for the period 2006-2009 and of the General Action Plan for the implementation of the Strategy. These documents contain specific objectives and actions meant to achieve gender equality in all social areas. The next step will mark the strengthening of ANES’s institutional capacity and the development of territorial structures which already exist aiming at ensuring the efficient implementation of the gender policies promoted by ANES.

Constitutional, legislative and institutional framework and status of the Convention

3. The report states that few actions were brought in justice where the parties claimed a right recognized by an international Convention and that when this has been done, it was usually the European Convention on Human Rights which was referred to. In its previous concluding comments, the Committee invited the Government to provide information in its next report about complaints filed in courts based on the Convention, as well as about any court decisions that referred to the Convention. It also expressed concern about the lack of familiarity among the judiciary about the opportunities for the application of the Convention in domestic judicial decision-making. From the report it is not clear whether any cases have been filed by women who faced discrimination on the basis of sex utilizing the provisions of the Convention. Kindly clarify this question, and also provide information on what measures are in place to improve the dissemination of the Convention and raise awareness among lawyers and judges and the public at large.

The Ministry of Justice does not have any data on complaints submitted to courts of law referring to cases of gender related discrimination. Since the beginning of 2006, the Ministry of Justice is following a statistical indicator regarding cases of domestic violence pending before the courts.

In order to raise awareness among magistrates on issues related to discrimination, since 2003, the National Institute for Magistracy (NIM) included in the curricula for the initial training a module on “Combating discrimination from the perspective of the Romanian judiciary”. In 2004, NIM concluded a protocol of cooperation with the National Council for Combating Discrimination. The objectives of this cooperation refer to the organization of training seminar for magistrates, dissemination of relevant national and international documents and studies, including CEDAW. The topic of combating all

forms of discrimination was included in the agenda of the Summer School for European Magistrates (2004), organized in cooperation with the Council of Europe.

4. The report indicates that Emergency Ordinance No. 137/2000 on preventing and sanctioning all forms of discrimination was endorsed by the Romanian Parliament by Law No. 48/2002. Please provide information on the nature of this ordinance or law, its scope and sanctions in cases of sex discrimination.

The Governmental Emergency Ordinance No. 137 / 2000 represents the main legislative act for preventing and sanctioning all forms of discrimination. It has the value of a law, mandatory for all natural and legal persons. Since 2002, it was further amended through the Governmental Ordinance no. 77 / 2003 and the Law no. 27 / 2004.

It establishes the legal definitions of direct and indirect discrimination, multiple discrimination, victimization, harassment based on different criteria, including sex.

It establishes the principle of equality among all citizens without discrimination on grounds of race, nationality, ethnicity, language, religion, social status, beliefs, sex or sexual orientation, age, handicap, chronic non-infectious disease, HIV/AIDS or belonging to a disfavored category, as well as sanctioning the discrimination deeds.

The main areas covered by the anti-discrimination law are the following:

- a) - equality in the economic activity, in terms of employment and profession;
- b) - access to legal, administrative and public health services, to other services, goods and facilities;
- c) - access to education;
- d) - freedom of movement, choice of residence and access to public places;
- e) - the right to personal dignity.

The discrimination criteria covered by this piece of legislation are: race, nationality, ethnicity, language, social status, religion, belief, gender, sexual orientation, age, disability, chronicle non-contagious disease, HIV/SIDA infection, and disfavored category.

The implementation of this legal act is supervised by the National Council for Combating Discrimination, which may investigate allegations of discrimination and impose administrative sanctions. The sanctions applied consist in warning or an administrative fine in the amount of 200 to 2000 RON if the victim is an individual and of 400 to 4000 RON if the victims is a group of persons or a community.

5. Please describe the role and functions of the National Council for Combating Discrimination including its competencies to address discrimination against women (direct and indirect) in line with article 1 of the Convention. Please also provide statistical information on the number of such cases and information on sanctions for such discrimination.

The role of the National Council for Combating Discrimination is to inform the Romanian society for eliminating all forms of discrimination, to investigate and sanction the discrimination deeds, contributing to a general social climate of trust and respect in the light of a democratic and European society.

The National Council for Combating Discrimination, aiming at the implementation of the principle of equality among citizens and preventing, as well as combating the discrimination deeds, has in view the achievement of its goals:

- a) - preventing discrimination;
- b) - sanctioning the discrimination deeds;
- c) - cooperation;
- d) - monitoring discrimination deeds;
- e) - specialized assistance for discriminated persons.

The functions of the National Council for Combating Discrimination are the following:

- a) - proposes the establishment, under the law, of certain actions or special measures for the protection of the disadvantaged persons and categories that are either in a position of inequality as compared to the majority of the citizens due to their social origin or a handicap, or are confronted with attitudes of rejection and marginalization, when not benefiting from the equality of chances;
- b) - proposes the Government to initiate new legislative acts in the field;
- c) - endorses the draft legislative acts regarding the exercise of rights and freedoms, in conditions of equality and non-discrimination;
- d) - co-operates with public authorities with prerogatives in the field in order to ensure the approximation of the domestic legislation with international regulations on non-discrimination;
- e) - co-operates with public authorities, legal and natural entities in order to prevent, sanction and eliminate all forms of discrimination;
- f) - supervises the application and observance of the legal provisions on preventing, sanctioning and eliminating all forms of discrimination by public authorities, legal and natural entities;
- g) - receives petitions and complaints regarding violations of the legal provisions concerning the principle of equality and non-discrimination from individuals, NGO's with activities in the field of the protection of human rights, other legal entities, public institutions; analyses the respective petitions and complaints, adopts the appropriate measures and answers within the term provided under the law;
- h) - co-operates with NGO's with activities in the field of human rights protection;
- i) - elaborates studies and researches on the observance of the principle of equality and non-discrimination that are presented to the Government and made public;
- j) - issues publications in this domain;
- k) - investigates and sanctions the contraventions provided under the Government's Emergency Ordinance no 137/2000;
- l) - co-operates with similar foreign NGO's active in the field of the protection of human rights, as well as with international organizations in the field;

m) - carries out any other functions settled by the Government or by the Parliament, through normative acts, regarding the prevention, the sanctioning and the elimination of all forms of discrimination.

Since 2002, the Steering Board of the National Council for Combating Discrimination, the body in charge with solving the complaints, investigated 53 cases of alleged discrimination against women. The complaints mainly referred to discrimination against women in employment (refuse to hire because of the age, retrograding because of pregnancy, refusal to hire because of pregnancy or because of a disease (breast cancer), firing because of pregnancy, sexual harassment etc). The Steering Board applied sanctions (warnings and fines) in 23 cases where discrimination deeds were ascertained.

6. The Government adopted, in May 2002, Law No. 202 on Equal Opportunities and Treatment for Women and Men. Kindly describe the impact of this law, including remedies it provides and any cases where women benefited from the law and its remedies.

Law 202 / 2002 regarding equal opportunities between women and men, amended in 2004, regulates the measures for promoting gender equality and for eliminating direct and indirect discrimination based on sex, in all spheres of public life in Romania.

In Chapter I, are presented, the general dispositions, the measures which are necessary and the areas in which the law applies (labor, education, health, culture and information, decision making, etc.), as well as definitions of key terms which help better understand the document.

Chapter II brings under regulation equal opportunities and treatment on the labor market. This means non-discriminatory access to choosing or free exercising of a profession or activity, employment in all positions, equal pay for equal work, professional information and counseling, promotion at all professional levels, working conditions which respect health and security labor regulations, benefits, protective measures and social assurances.

Chapter III makes reference to equal opportunities and treatment regarding access to education, health, culture and information. Media must not contain, promote or provoke any form of discrimination based on sex.

Chapter IV brings under regulation equal opportunities and treatment regarding decision making. Public authorities, local and central, economic and social units, as well as political parties and other non-profit organizations, which develop their activity on the basis of a proper statute, promote and sustain balanced participation of women and men to leadership and decision.

Chapter V, titled "*Public authorities responsible with the application and control of legislation regarding equal opportunities and treatment between women and men*", brings out the establishment of the National Agency for Equal Opportunities between women and men and of the National Commission for Equal Opportunities between Women and Men (NCEO).

NCEO is composed of ministries' representatives and of other specialized bodies of central public administration, subordinated to the Government, or of autonomous administrative authorities, of trade unions' and entrepreneurs' organizations which have a national representation, as well as of non-governmental organizations which developed a well known activity in this field. The president of the Agency coordinates the activity of the Commission.

In every county and in Bucharest are established County Commissions for equal opportunities between women and men (CCEO). Their organization, functioning and attributions were approved through Government Decision No. 1054 / 2005.

CCEO has the following attributions:

- a) promoting gender mainstreaming in order to eliminate gender inequalities and discrimination based on sex;
- b) including the principle of equal opportunities between women and men in the elaboration and application of local policies through the institutions represented in the Commission;
- c) evaluating the application of the legislation in this field at local level;
- d) elaboration of recommendations for central public authorities as to apply specific policies and programs in the field of gender equality;
- e) promoting the exchange of practices regarding the actions taken in this field;
- f) promoting proposals for the local strategy for equal opportunities;
- g) offers the local media information regarding positive and negative experiences in preventing and fighting against discrimination based on sex and about the application of the principle of equal opportunities;
- h) elaborates reports regarding the way policies in this field are put into action in different areas at local level, communicates them to the NCEO, as well as to the local and central public administration authorities.

Chapter VI, VII and VIII make reference to sanctioning the complaints regarding the discrimination on grounds of sex, the amounts of these sanctions (administrative sanctions between 150 to 1500 RON) and final dispositions. An important element in this Law is the reverse of the burden of proof. Therefore, as to article 48, 2nd paragraph "The burden of proof is to the one against the complain or intimidation was made or, if it is the case, the request to bring in justice, for reasons which permit the presumption that a direct or indirect discrimination act has occurred, who has to prove that there was no offence against the principle of equal treatment". Also, the requests of persons which consider themselves discriminated against are absolved of paying the judicial tax.

Violence against women

7. The report indicates that Law No. 197 of 2000 on domestic violence and child abuse modified and completed the Penal Code regarding domestic violence. It also draws attention to Law No. 217 on prevention and combating domestic violence. Please provide details about these amendments and the new Law. In particular, clarify whether Law 217 provides immediate means of redress, protection and prevention from renewed violence to women victims of sexual and domestic violence, such as protection orders, and whether witnesses of domestic violence who testify before a court are offered protection.

Law No. 217/2003 to Prevent and Combat Domestic Violence, as subsequently amended and supplemented, comprises measures to protect victims, and sanctions, as follows:

CHAPTER VII

Measures to protect the victims of domestic violence

Article 26. *-(1) During criminal prosecution or trial, any time there is evidence or there are sound clues as to a family member having committed an act of violence causing physical or emotional suffering to another member, the law court may ordain either at the request of the victim or of office, provisionally, one of the measures provided in [Articles 113](#) and [114](#) of the Criminal Code, as well as the measure of interdiction to return to the family home.*

(2) The measures in paragraph (1) shall cease when the danger that determined them disappears.

Article 27. *-(1) The measures in Article 26 shall be ordained by the court of law through a reasoned order.*

(2) A copy of the order shall be handed to each of the parties, and where a party is absent, the order shall be posted at the door of the family home.

(3) Such order of the court may be appealed against separately on points of law, within 3 days from its handing down for those present and from service for those absent. Appeal on points of law shall not suspend execution of the order.

Article 28. *– The person who was imposed one of the measures in Article 26 may at any time during the criminal proceedings request that the court that is competent to adjudicate on the merits of the case revoke the measure, if the reasons that called for it to be imposed have ceased.*

CHAPTER VIII

Sanctions

Article 29. *-(1) The following acts shall be minor offences if they are not offences under criminal law, and shall be sanctioned by a fine from ROL 10.000.000 to ROL 50.000.000:*

a) refusal to give shelter or to provide, at the reasoned request of a family assistant, free medical care to those who are visibly suffering, in order to remove the consequences of violent acts;

b) failure by a family assistant to notify, under Article 13 paragraph (2), the National Authority for Child Protection and Adoption, and respectively the local specialized public service;

c) the act of changing the purpose of a shelter.

(2) Refusal to leave a shelter, for whatever reason, the moment that the conditions that determined the admission into such shelter have disappeared, shall be a minor offence and shall be sanctioned by fine from ROL 5.000.000 to ROL 10.000.000.

(3) Attempt by a person who committed acts of aggression to enter the shelter where the victim is or where he/she believes the victim to be shall be a minor offence sanctioned by fine from ROL 5.000.000 to ROL 10.000.000.

(4) *Minor offences shall be found and sanctions applied, according to the law, by the primary family assistant or by persons authorized by him/her.*

(5) *Minor offences are regulated by the Government Ordinance [No. 2/2001](#) on the Legal Provisions regarding Minor Offences, which was approved with amendments and supplements through Law [No. 180/2002](#), as subsequently amended, except for Articles 28 and 29.*

Article 30. – *When it finds a breach by a family assistant of the obligations incumbent upon him/her or a failure by the same to observe norms on the organization and operation of shelters, the Agency may impose sanctions through:*

a) issuing a warning;

b) suspending the authorization of that family assistant or of the operation of the shelter for 1 to 3 months;

c) cancelling the authorization of that family assistant or closing down the shelter.

Persons who testify before judicial bodies may enjoy witness protection, according to the special provisions in this matter, namely Law No. 682/2002 on Witness Protection.

Law No. 682/2002 ensures the protection and the assistance of the witnesses whose lives, individual safety and freedom are threatened as a result of their knowledge of data and information regarding severe crimes perpetration, information they have provided to the judicial authorities and that have an important role in the detection of criminals and in solving the cases.

This law stipulates protection measures for the witness' identification data that are to be taken if there are evidences or serious reasons of fear that by declaring the real identity of the witness or of his/her residence town the life, the corporal integrity the freedom of the witness or of any other person would be threaten. The witness can be allowed not to declare these data, being given another identity that is to be used in front of the judiciary authority.

Measures for witness protection also include: the surveillance of the domicile or residence, ensuring a temporary residence under surveillance, as well as accompanying him/her to the prosecutors' office/court headquarters and back to his/her domicile/residence, changing the domicile, changing identity, changing the appearance, reinsertion in another social environment, professional conversion, changing or ensuring the job, ensuring income until getting a job

8. In the report E/CN.4/2003/75/Add.1, the Special Rapporteur on violence against women, its causes and consequences noted that the defense of the so-called "reparatory marriage" in the Criminal Code eliminates criminal liability of a rapist if the rape victim consents to marry him. Please clarify whether this provision remains in force, and if so, what are the steps and timeline envisaged to eliminate this provision.

Law No. 197 /2000 repealed paragraph 5 of Article 197 of the Criminal Code – "Rape", regulating the so-called "reparatory marriage". Hence, since 2000, "reparatory marriages" are no longer allowed.

9. The Committee, in its last concluding comments, asked the Government to collect statistical data disaggregated by age on the incidence and type of violence against women, including

domestic violence. Please indicate if any steps have been undertaken since then to collect such data.

Currently, there are no statistical indicators with regard to victims, distinctly into cases of domestic violence or of violence against women, but, according to *Law 211/2004 on Certain Measures to Protect the Victims of Offences*, the Ministry of Justice has created and is updating a statistical database on the victims of criminal offences against life, corporal integrity and health (murder, aggression, rape, etc.), including those sanctioned by the Law No. 678 of 2001 to Prevent and Combat Trafficking in Persons.

Since 2006, the Ministry of Justice is tracking a new statistical indicator that concerns cases in matters of domestic violence, which are pending with law courts.

Trafficking and exploitation of prostitution

10. The report indicates that specific measures will be taken for stimulating economic agents to employ persons who are at high risk of being trafficked, as well as victims of trafficking who have followed professional training. Please give further information about the type of measures taken and their impact.

The measures adopted by the Ministry of Labor, Social Solidarity and Family focused on improving the economic and social status of persons with a high risk of being trafficked and on raising awareness on the legal procedures available to obtain a job abroad. Thus, special job fairs for women were organized; in 2004, this demarche led to 7000 women finding a job, mainly in the following fields: textile, services, agriculture and constructions.

Moreover, several bilateral agreements with Germany, Switzerland, Luxembourg, Hungary, Spain and France were concluded by the Romanian Government, in order to regulate the flows of workers. The main purpose is the reduction of the number of people who are tempted to immigrate illegally and thus become vulnerable to trafficking.

11. Article 17 of the Law on trafficking provides, upon request, for physical protection for victims of trafficking in human beings during criminal procedures. Kindly provide further information about the kind of protective measures available under this provision. In particular, please clarify if the Government provides protection to victims from potential retaliation or intimidation after investigation and prosecution of perpetrators, including relocation or alternative settlement, right to apply for asylum in appropriate cases, or access to welfare, and the number of cases where such protection was provided.

In accordance with the provisions of Law 678/2001 the victims of the TIP are granted special physical protection, psychological and social assistance. Physical protection is granted, following their request, by the Ministry of Administration and Interior.

Upon request, victims may receive temporary accommodation in 7 governmental centers of assistance and protection. Longer-term integration programmes are offered by centers administered by non-governmental organizations.

In case they decide to co-operate with criminal investigating authorities, victims may benefit the provisions of Law No. 682/2002 on Witness Protection, mentioned at point 7.

The foreign citizens, victims of trafficking, may be sheltered in the special centers and may follow the procedure established by law to obtain a form of international protection.

Stereotypes and education

12. The Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2005/78/Add.) sees as a paradox the fact that girls and women are considered by the Romanian law as victims if they are rescued from international trafficking and as criminals if they are prostitutes in their own country. Have there been any changes or measures adopted for the protection of children, especially girls, and women following the Committee's recommendation that the Government pay due attention to article 6 of the Conventions?

Law No. 678/2001 to Prevent and Combat Trafficking in Persons has been amended through Law No. 278/2005, and thus Article 20 paragraph 1 has the following text:

"Article 20 - (1) Persons who are subjected to trafficking in persons, and who committed, because of their exploitation, the offence of prostitution or that of begging, shall not be punished for such offences."

13. The report provides no information under article 10. Please indicate whether no new developments occurred since the consideration of the last report or alternatively, provide an update.

There are no major developments in the reference period on the implementation of article 10. The compulsory education accessible to all children without discrimination is applicable now for the first ten years, instead of eight years.

14. In its last concluding comments, the Committee invited the Government to place priority on the review and revision of teaching materials, textbooks and school curricula, especially for primary and secondary level education. Please indicate if the Government has undertaken such an exercise and provide information about the results achieved

The school curricula and the teaching materials for I to IV and IX to XII grades were changed entirely. The Ministry of Education and Research increased its effort to raise awareness among students on human rights and trafficking in human beings.

Activities developed to this purpose include:

- Compulsory integration of human trafficking themes in the educational curricula for the 8th and 10th grades; optional integration of human trafficking themes into the educational curriculum for the 7th, the 9th, the 11th and 12th grades.
- Development of counseling activities within the school and inter-school psychological assistance offices which could be instrumental in the early identification of possible victims;
- The National Program *Health Education in Romanian School* encompasses special chapters meant to build up a healthy life style and make students undertake responsibilities in the process of individual and social welfare assurance;

- The National Program Education for Democratic Citizenship, addresses human trafficking phenomenon directly, and contains special chapters ranging from the 1st to 12th grade continuously and coherently;
- Development of governmental and non-governmental partnership;
 - In cooperation with International Organization for Migration, an interactive show entitled “Trafficking” was prepared.
 - A poster competition with the theme “the only way is the legal one” was organized within the campaign for preventing illegal migration;
 - In each town, the County School Inspectorates assisted the organization of round tables, press conferences, multimedia projections.

15. Kindly provide information on efforts undertaken by the Government to encourage the media to eliminate traditional gender role stereotypes and promote the value of gender equality.

Chapter III of the Law 202 / 2000 regarding equal opportunities between women and men makes reference to equal opportunities and treatment regarding access to education, health, culture and information. Media must not contain, promote or provoke any form of discrimination based on sex.

16. In its last concluding comments, the Committee expressed its concern at the high rate of illiteracy of women over 50 years of age, at the extremely wide gap in literacy between urban and rural women, as well as the high drop out rates of girls at the secondary level. What measures has the Government taken to increase the rate of women’s literacy and to decrease the percentage of girls dropping out of school, including Roma women and girls? Please provide statistical data in that respect.

The Ministry of Education and Research revised in July 2003 the Education Law from 1995, offering thus the possibility of education through literacy and supplementary study courses, at primary and secondary levels (including for girls and women) and in 2005 drafted the Methodology of conducting the “The second chance” Programme. The programme offers the opportunity to graduate two grades in one educational year. Since then, the Programme has been tested in 22 counties in Romania through a Phare educational programme and will be renewed each year at national level.

In order to improve the education enrolment for Roma children, the Ministry of Education and Research implemented strategic measures and programmes for Roma youth and their Roma teachers. Some of them were delivered in partnership with non-governmental organizations with the latter providing the financing. Others were carried out with governmental and/or intergovernmental financial resources.

The Phare Programme of the Ministry regarding the access to education for disadvantaged groups, with focus on Roma, started in September 2004 in 74 schools and kindergartens from 10 counties where most of the pupils were Roma; the programme was continued in these counties and extended to other 12 new counties starting from June 2005.

School inspectors for Roma, including of Roma origin, were designated within the 42 County School Inspectorates.

Special places were allocated for the admission of young Roma in secondary schools and art and craft schools, as well as in faculties and university colleges (In 2004/2005, 2,500 Roma pupils were admitted). More than 50% of them are for girls and women.

Special attention is paid to teaching of the Romany language and traditions, as a key-factor in the education of Roma ethnics and in promoting a culture of tolerance.

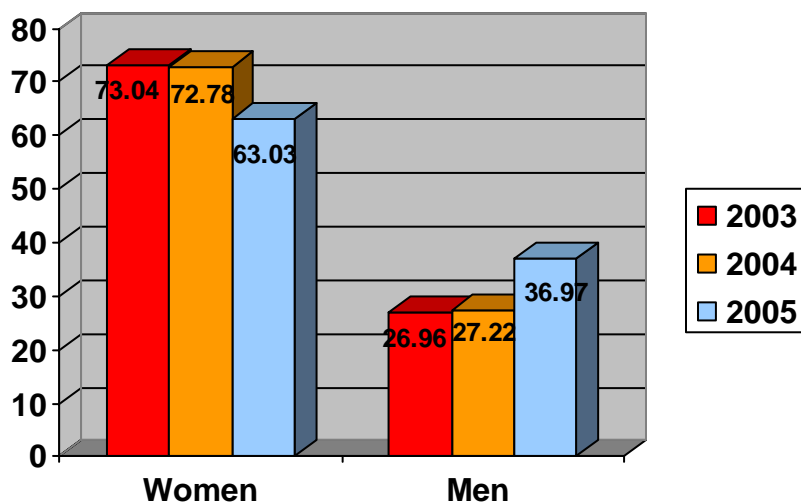
Participation in political and public life and representation at the international level

17. In its previous concluding comments, the Committee expressed concern that stereotypical attitudes about the roles of women in the family were reflected in women's low level of representation in decision-making at all levels and in all areas. The Committee called on the Government to increase its efforts at combating stereotypical attitudes and urged the Government to implement temporary special measures in accordance with article 4, paragraph 1, of the Convention to increase the number of women in all decision-making posts, including in the Government and the Parliament. Please provide information on whether such measures, including temporary special measures, have been undertaken and if so, with what results.

As to the participation of women in decision making, the Law 202 / 2000 regarding equal opportunities between women and men stipulates in a general manner the obligation of local or central public authorities to obtain an equitable and balanced representation of women and men. Nonetheless, the law does not impose sanctions in case this provision is not fully implemented and does not establish an authority to monitor its implementation.

18. Please provide statistical data on the percentage of women in the judiciary, local government, the educational system and foreign affairs, at all levels.

Women (judges and prosecutors) represent 61.4 % within the judiciary. Among judges they represent 69.2 %, and among prosecutors they represent 46.4 %. Below, there is a charter on women representation among justice auditors (aspiring magistrates) for the last three years.



With regard to women's participation in politics, the 2004 elections did not bring any changes in the distribution of seats in the Parliament, from a gender perspective, as from 469 members, only 48 are women (10, 23%). The situation within both of the chambers of the Parliament is the following:

- Chamber of Deputies - 36 women (11.50%);
- Senate - 12 women (9.40%).

The Government has 15 ministries under the coordination of the Prime Minister and the Cabinet is formed by 25 ministers, among which only 3 are women. As for the secretaries of state, from 66 seats only 10 are occupied by women. There is also 1 woman under-secretary of state and another one state councilor. At territorial level, there are only 3 women governmental representatives (prefects) from 42 prefectures (7.14%). As for the local government, the proportion of women is of 17%¹. The percentage of women as local councilors who have access to decision making inside the local government is 6%.

With regard to the educational system, women represent 74.2%.

Regarding the representation of women in the Ministry of Foreign Affairs, the following data are available

- The total percentage of women within the Ministry of Foreign Affairs is:
 - 52% in the Headquarters;
 - 36% at missions abroad;
 - 42% out of the total personnel.
- Structure according to the age group:
 - Up to 25 years 3%;
 - Between 25 and 40: 49%;
 - Between 40 and 50: 25%;
 - Between 50 and 60: 22,5%;
 - Above 60 years: 0.5%.
- Percentage of women in decision-making positions: 41%.
- Percentage of women out of the total heads of missions: 15%.
- Structure according to the age group of women in decision-making positions:
 - Up to 30 years: 22%;
 - between 30 and 40: 49%;
 - between 40 and 50: 19%;
 - above 50 years: 10%.

¹ ANES would like to mention that the statistical data are available for 36 counties out of 42.

Roma women

19. The Special Rapporteur on the right to everyone to the highest attainable standard of physical and mental health (E/CN.4/2005/51/Add.4) alluded to the Decade of Roma Inclusion (2005-2015), an initiative adopted by Romania and seven other countries in Central and Southeast Europe to close the gap in welfare and living conditions between the Roma and the non-Roma and to break the cycle of poverty and exclusion. Please provide information about the measures already taken to achieve the goals and targets of the Romania Country-level Action Plan on the Decade of Roma Inclusion, in particular the measures specifically targeted at Roma women.

Romania, through National Agency for Roma, holds the Presidency of the Decade of Roma Inclusion, between 1st of July 2005 and 30th of June 2006.

Although the priority areas of the Decade are education, housing, employment and health, a great importance is given to the three cross-cutting issues: gender, discrimination and poverty.

In this view, the gender cross-cutting issue is tackled in all the four priority fields of the National Action Plan of the Decade.

In the education area, starting with the issue of low attendance of school of Roma girls, there are measures that target the raise of the awareness level of the parents and the stimulation of Roma young women with a view to prevent the school abandon and also, the increase of attendance to the compulsory school.

In the health area, in the Strategy for Improving the Condition of the Roma and the National Action Plan of Decade, there are measures that are aimed to the reproductive health as well as the establishment of the education and information centers regarding the family health. The main beneficiaries of these centers will be the Roma women. Regarding the level of the involvement of Roma women in the health process, in Romania all health mediators (persons mediating the relations between Roma communities and the providers of medical care) are women.

Through the National Health Program no. 3 a network of community health care and Roma health mediators has been established, as an interface between Roma communities the medical and social services, to improve the health status of the population, especially for persons having a low socio-economic status, persons who cannot prove the medical insurance status and persons living in rural areas uncovered by family practitioners. The Roma sanitary mediators system increased the number of jobs for Roma women in their community.

The *community medical nurse* has the following main attributions:

- medical activity through community (limited curative activity for vulnerable persons and for the diseases with social determinants and public health impact)
- prevention activity
- health status surveillance, especially in the areas not covered by physicians, in areas with difficult access because of geographic conditions or hard working conditions.

The *Roma health mediator* cannot provide medical care and has the main following attributions:

- improving the communication with the state authorities
- facilitating the medical assistance for Roma community
- increasing the medical knowledge of Roma community.

The number of the communities *with a community medical nurse* is increasing: 219 in 2002, 451 in 2003, 457 in 2004, and 536 in 2005. In 2005, 174 community medical nurses were employed.

The number of the *Roma health mediators* was 53 in 2002, 148 in 2003, and 240 in 2005.

For the year 2006 this part of the National Health Program no. 3 has become a separate program named "Actions for health", with an estimated increasing of 300% regarding the number of the communities where these two types of community health workers activate, an estimated number of 2000 community medical nurses employed for the whole country and estimated number of 400 Roma sanitary mediators employed.

20. Kindly provide statistical data on the status of Roma women and indicate the measures taken to prevent discrimination against them in areas of education, health, housing, employment, restitution of property and social programmes as well as measures to protect Roma women against all forms of violence.

According to the study conducted by the Research Institute for Quality of Life (RIOL) in 1992, there was a considerable difference between men and women regarding the level of education. Thus, the percentage of illiterate Roma men was 27% in comparison with the percentage of illiterate Roma women which was 42.2%.

According to the RIOL's study from 1998, the statistics reveal an improvement in the educational status among the Roma people, but the difference between women and men still remains: 18% of Roma men do not know to read and 23.8% of Roma women do not know how to read.

The age of the first marriage for the Roma women is very low: 35% of married Roma women started their couple life before the age of 16, 31% between 17 and 18 years, 26% between 19 and 22 years and only 8% of the marriages were established after this age. The percentage of Roma women marrying for the first time before the age of 20 is increasing: 70% of Roma women between 25 and 29 years got married before reaching the age of 20, while 84% of Roma women between 20 and 24 years got married before reaching the age of 20. The percentage of married women under the age of 18 is rising from 44.6 % (women between 25-29 years) to 52.1 % (women between 20-24 years).

The differences regarding the use of contraception methods between the entire women population and the Roma women are: 13, 7% (in 1998) from the Roma women that can have children (15-44 years) use contraception methods, while the percentage of women from the entire population who use contraception is four times bigger (57,3% in 1993).

The number of children born by Roma women is decreasing. For Roma women that can have children (15-44 years), the average number of born children during the life of the Roma women is 2.35 for a women, figures registered at the census from 1992.

Regarding the measures assumed by the National Agency for Roma (NAR) with the aim to prevent the discrimination of Roma women, the management of the institution considers that it is necessary to integrate the gender perspective at personnel level and, also, at structural and thematic level.

Thus, regarding the integration of gender issue at personnel level, in the NAR personnel the percent of Roma women employed is over 65 % from all the employees and, also, the President of the Agency is a woman, which assures a balanced hierarchy regarding the gender perspective.

Regarding the integration of the gender issue at the structural level, the NAR, at the end of 2005, signed co-operation protocols with the National Agency for Equal Opportunities between Women and Men, an institution that tackles inclusively the Roma issues, and with the National Council for Combating Discrimination, an institution that tackles, through other issues, the double discrimination: gender and ethnic discrimination. In the drawing up process of NAR's vision, the gender issue was taken into consideration.

Regarding the integration of gender issue at thematic level, the NAR's strategy assumes that the gender issue has to be found at all domains approached by the public policies service.

Referring to the measures regarding the protection of Roma women against domestic violence, this issue is approached in an inclusive manner by the responsible institutions, including the National Agency for Family Protection, which signed a co-operation protocol with NAR, taking into consideration that the occurrence of domestic violence is not higher among Roma communities than the majority of population. During 2005, seminars were organized with the main aim of involving Roma women in the decision making process, as well as in the political life.

21. What programmes exist, or are planned, to address the lack of documents for Roma women and which are necessary to access services essential for realizing fundamental civil, political, social and economic rights, such as birth certificates, identification cards and passports.

The Ministry of Administration and Interior has the responsibility to deal with the lack of identity papers and to identify long term solutions to fight this phenomenon. The Ministry deals with this issue through the National Inspectorate for Personal Data Records and its local specialized bodies, namely the Community Public Services for Personal Data Records.

The National Inspectorate for Personal Data Records and the local and county institutions that are under its coordination carried out a series of measures designed to make the issuance of identity and/or civil status papers for the Roma more efficient. Thus, action plans for the process of providing identity papers for Roma were drawn up and transmitted to the local structures.

The situation of providing identity papers for Roma persons, at the end of March 2005, compared with the end of 2004, was the following: 1,867 persons without identity papers and, respectively, 720 persons without civil status persons were registered; among these 1,181, and respectively, 665 persons were provided the necessary papers, the rest of persons remaining with an unclear situation or in progress of clarifying their situation.

The Financing Memorandum between the Romanian Government and the European Commission for the financing of the Multi-annual Programme 2004-2006 was signed in December 2004. This programme includes the sub-programme "Political criterion – minorities" and envisages a financial

estimation of 45.66 M. Euro (35 M. Euro from the European Commission and 10.66 M. Euro Romanian Government' contribution).

Six priority areas were identified for this programme: identity papers for Roma, awareness and public information programmes regarding the Roma and their issues, developing the institutional capacity of the National Agency for Roma and the structures involved in the implementation and monitoring of the Government Strategy, community development, education and health care.

Employment

22. Please provide a statistical update, as well as analysis of trends in women's participation in the labor market.

From a statistical point of view, the situation of women in the labor market in Romania is the following:

- The employment rate, for the third quarter of 2005, was 50,5 % - men 57,1% and women 44,4%;
- The unemployment rate, for the third quarter of 2005, was 6,1 % - men 6,8 % and women 5,3 %;
- Persons who work part time represent 10,5 % of the working population - men 9,6 % and women 11,7 %, in the third quarter of 2005;
- During 2004, the pay gap between women and men was of 14 % in favor of men;
- 1,6 % of working population represent entrepreneurs - 2,2 % men and 0,9 % women, in the third quarter of 2005;
- As for persons who have participated in a vocational training session in the past 4 weeks, in the third quarter of 2005, 54.5 % were men and 45.4 % were women;
- The common working week, in the third quarter of 2005, was of 41.3 hours/week - 42.2 hours/week for men and 40.2 hours/week for women.

As for the analysis of trends in women's participation in the labor market, ANES considers that there have not been major fluctuations.

23. Please give details about the situation in regard to social assistance for persons without pension benefits, such as elderly women in need and women who are stateless, and about the measures taken to address their situation.

As for the situation of elderly women and women who are stateless, ANES does not have any data about their situation and can not offer any details about measures adopted to improve their situation.

Health

24. Please provide detailed information on women's tobacco use as well as statistics on their alcohol, drug and other substance abuse as requested by the Committee in its last concluding comments.

See Annex 1

25. Kindly provide data disaggregated by sex, minority and age on the prevalence of HIV/AIDS in the country as well as trends in infection rates over time. Please also describe measures taken to prevent and address HIV/AIDS, and indicate whether a gender perspective has been integrated in such measures.

The National Strategy for the surveillance, control and prevention of HIV/AIDS cases for 2004-2007 was adopted by Government Decision no. 1342 in 2004, considering that Romania is one of the few countries with significant number of people affected by HIV/AIDS.

Its guiding principles are:

1. HIV / AIDS are more than a public health priority. It is a complex problem, which affects all components of the society.
2. The strategy is mainly focused on prevention and reducing the social impact of HIV / AIDS. The resources allocated have to address vulnerable groups and affected communities.
3. The multi-sectorial and interdisciplinary involvement is essential for an appropriate response to HIV epidemic.
4. The people and the groups should have the necessary knowledge in order to prevent the infection with HIV.
5. Equal and continuous access to treatment, care and elementary services is guaranteed to all people infected / affected by HIV / AIDS.
6. The rights of people living with HIV / AIDS (PLWHA) as well as those of the people belonging to vulnerable groups are guaranteed according to the national legislation and international treaties to which Romania is a signatory, with the special focus on the right to confidentiality.
7. The HIV testing is voluntary, providing full guarantee of confidentiality and the pre- and post counseling, both in the public and private sector.
8. All the necessary conditions for Universal Precautions implementation must be ensured in order to prevent any possibility of HIV transmission, within the sanitary system.
9. The individual responsibilities of the people infected with HIV or living with AIDS are stated.

Main areas of intervention:

1. Prevention of HIV transmission:

- a) among the young people - change of individual behavior and group norms; condom use promotion; school education;
- b) among people belonging to vulnerable groups - commercial sex work (CSW); man having sex with man (MSM);
- c) Prevention of HIV transmission among injecting drug users (IDU's);
- d) Prevention of mother to child transmission (MTCT) - VCT of the pregnant women: provide antiretroviral treatment (ARVT) for all pregnant women: recommend / provide caesarian section: provide ARVT prophylaxis to the new born: strongly recommend artificial feeding for the new born;

e) Prevention of HIV / AIDS transmission within the medical system and workplace - norms relating Universal Precautions (UP); training for UP; control and evaluation of the UP implementation in the sanitary system;

f) Prevention of HIV transmission in prisons - development of the framework needed for the implementation of appropriate programs

2. Access to treatment, care and psycho - social support services for infected / affected persons and risk groups:

a) developing the care and treatment system - access to antiretroviral treatment (ARVT); treatment of the opportunist and associated diseases; nutrition, alternative and palliative care;

b) developing the psycho - social assistance system - multidisciplinary integrated assistance; implementing existing legislation; social integration / re-integration programs;

c) developing the medical assistance system and re-integration services for IDU's.

The specificity of the HIV/AIDS epidemic in Romania is the massive HIV incidence registered at the end of the 80's among children. It is considered that the use of non tested blood and blood products, as well as the use of unsterilised medical instruments during 1987-1991, resulted in the spreading of the HIV infection among thousands of new borns, little babies and young children. A steady increase of the HIV/AIDS incidence among young adults was registered, after 1994. This phenomenon seems to be determined by the sexual mode of transmission (mainly heterosexual).

By the end of 2005, in Romania were registered:

□ TOTAL HIV/AIDS CASES (cumulative)	7623
◆ HIV/AIDS cases in children (0-14 years)	465
◆ HIV/ AIDS cases in adults (> 14 years) of which No. of cases found in 2005	7158
◆ AIDS cases in children	26
◆ AIDS cases in adults	465
◆ Total AIDS cases	491
□ TOTAL HIV CASES (cumulative):	6.261
◆ HIV cases in children	4.478
◆ HIV cases in adults	1.955
◆ Total number of HIV patients	383
◆ Total number of people living with HIV/AIDS (PLWHA):	11.187
◆ Total number of HIV/AIDS patients lost from records:	512

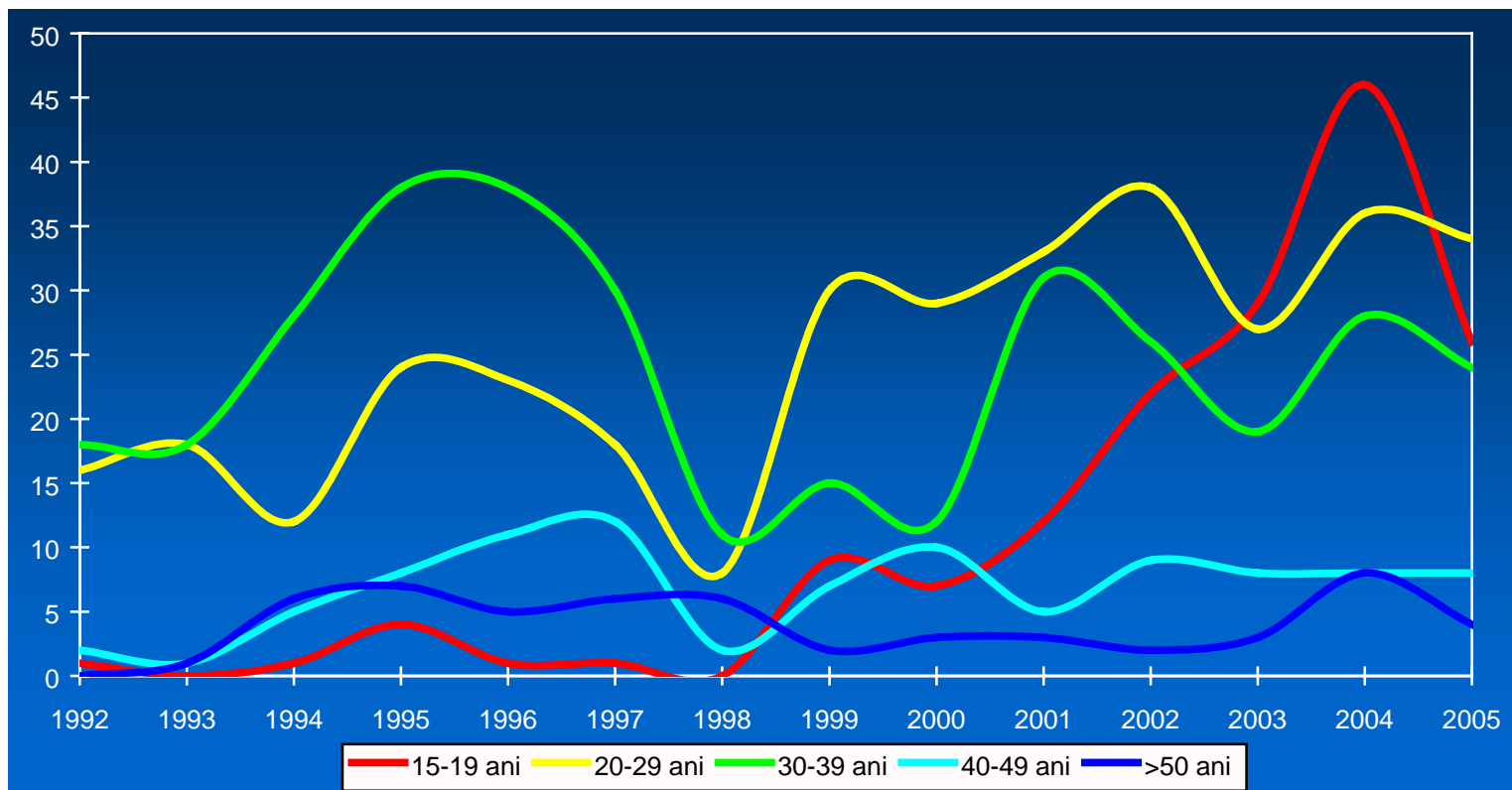
- ◆ Total number of patients under HAART²: 6.400
- ◆ Total number of patients under medical surveillance³: 7.623
- No of cases involving at the end of 2005
 - AIDS cases - 4163, of which 1158 more than 14 years of age
 - HIV cases – 2930, of which 1035 more than 14 years of age
- Number of pregnant women tested for HIV/AIDS in 2005

Age	Total no. tested	Positive Test
0-14 years	128	0
15-19 years	6875	12
20-24 years	16395	20
25-29 years	19341	9
30-34 years	11433	12
35-39 years	4347	5
> 40 years	697	0
Unknown age	4278	5
TOTAL	63494	63

² Highly Active Anti Retroviral Treatment

³ Patients who present themselves in one of the Regional Centers for HIV/AIDS monitoring and evaluation and undertake a clinical and biological check up at least twice a year

□ Distribution by age and year of diagnostic of the female HIV cases



The HIV/AIDS situation in Romania revealed in 2005 some particular aspects:

- The global increase of the number of people infected with HIV who asked for medical treatment and care;
- A bigger number of people having access to HAART (5.547 – Romania has the biggest number of PLWHA under treatment in all Central and Eastern Europe). The HAART and opportunity infections treatment costs are covered from the National Subprogram 1.2 funds, being provided free of charge;
- The large number of long term survivors aged between 13 and 15. They belong to the group of children born between 1987-1990, which was successively the main group where HIV/AIDS cases were diagnosed;
- The diagnostication of new pediatric cases with birth year 1988, 1989, 1990, long term survivors and the elimination of the nosocomial transmission after 1994;
- The increase registered in the mother to child transmission (MTCT) after 1994. This fact determined measures as the registration of all pregnant women, sistematic implementation of the prophylaxis for prevention of MTCT of HIV;

- The rapid increase of the number of new cases registered among adults, 19 to 49 years old, with heterosexual transmission;
- The perspective of an increased number of new HIV cases among IDUs.

26. The report indicates that maternal mortality rates are still at a "higher level than other European countries". Please indicate the measures taken to decrease maternal mortality rates. Kindly also provide data on rates of anemia among women and efforts undertaken to address it.

The global maternal mortality in Romania had a decreasing trend, from 0.84‰ in 1990 to 0.30‰ in 2003.

The maternal mortality by obstetrical risk decreased from 0.26 ‰ live births in 1990 to 0.17‰ in 2003.

The maternal mortality from abortion decreased from 0.58‰ in 1990 to 0.13‰ in 2003.

Between 2001 and 2004, the following figures were registered concerning maternal mortality:

Indicator	2001	2002	2003	2004
Global maternal mortality	0.34 ‰	0.22 ‰	0.30 ‰	0.24 ‰
Maternal mortality by obstetrical risk	0.17 ‰	0.13 ‰	0.17 ‰	0.12 ‰
Maternal mortality from abortion	0.17 ‰	0.09 ‰	0.13 ‰	0.12 ‰

The main measures in the field of mother and child health are:

- regionalization of the obstetrical and neonatal health care;
- creating new levels of competency and supra-specialization that will meet the present needs in medical services;
- promoting breastfeeding by extending the rooming-in system in the maternity hospitals and increasing the number of Baby friendly hospitals;
- improving emergency medical assistance by measures regarding local infrastructure for communications and transportation, increasing the efficiency of the emergency reaction, especially in rural areas, specific training of medical staff for obstetrical and pediatric emergencies, modernizing the neonatology intensive care departments, OBGYN and pediatrics by redesigning the functioning rooms and providing proper equipment.

In order to improve the quality of care for pregnant women and newborns, starting with the fall of 2003 a training programme for the profession of midwives has been established at university level. It will identify and monitor the pregnant women, will keep in touch with family practitioners for

registering pregnant women and performing the prevention tests during pregnancy and after birth; it will also be involved in providing information regarding the pregnancy course and newborn care.

It was also considered the harmonization of the health and social protection policies, considering the socio-economic realities of Romania.

As a part of the decentralization and in view of strengthening the responsibility of the local autonomy, the Ministry of Health encourages the local initiatives regarding the improvement of the population health status by identification of special needs and adequate solutions.

Legislative measures

- a) Starting 2001, the Framework contract regarding the conditions of providing medical assistance within the social health insurance system and its methodological regulations provides the medical assistance for free for all pregnant women, newborns and toddlers regardless their social status; it also gives supplementary points for family practitioners who register on their patient list children in need.
- b) Government Decision 534 / 2002 for the approval of the Strategy regarding the rehabilitation and reorganization of the pre-hospital medical assistance in OBGYN and neonatology in Romania for 2002 – 2004
- c) Order 458 / 2004 regarding improving access of pregnant women to medical investigations and specialty consultations
- d) Order 12 / 2004 for adopting the Protocol regarding the methodology of pre-birth and after-birth consultation, the pregnant women book and the annex for the medical surveillance of the pregnancy and confinement.
- e) Strategy regarding the promotion of breastfeeding (Order 809 / 2003)
- f) The Program RoNeonat for the rehabilitation of the neonatology assistance
- g) Order 660 / 2005 regarding the increase of the social services efficacy in maternity and pediatric hospitals
- h) Emergency Ordinance 96 / 2003 regarding the protection of maternity at work place

An intervention of the National Health Program no. 3 for mother and child is “Prevention of iron deficiency anemia in pregnant women”. For the year 2005 this intervention was provided for 89,217 pregnant women that equaled 59.48% of the target population. Starting with 2001, the number of the beneficiaries had increased year by year: 38,447 pregnant women in 2001, 50,778 pregnant women in 2002; 59,087 pregnant women in 2003; 73,893 pregnant women in 2004.

27. The report indicates that a national strategy has been developed by the Ministry of Health in collaboration with national and international organizations to improve the use of new contraceptive methods. The Special Rapporteur on the right to everyone to the highest attainable standard of physical and mental health (E/CN.4/2005/51/Add.4), while acknowledging that this strategy was an important step toward the improvement of sexual and reproductive health, noted with concern that the abortion rate remained high, suggesting that some women may be approaching abortion as though it were a form of family planning. Kindly provide information about any barriers women face in accessing reproductive health services, in

particular vulnerable or marginalized groups, such as rural women or Roma, how these barriers are addressed by this strategy, and its impact. Please also provide updated information on the use of contraceptive methods and abortion rates.

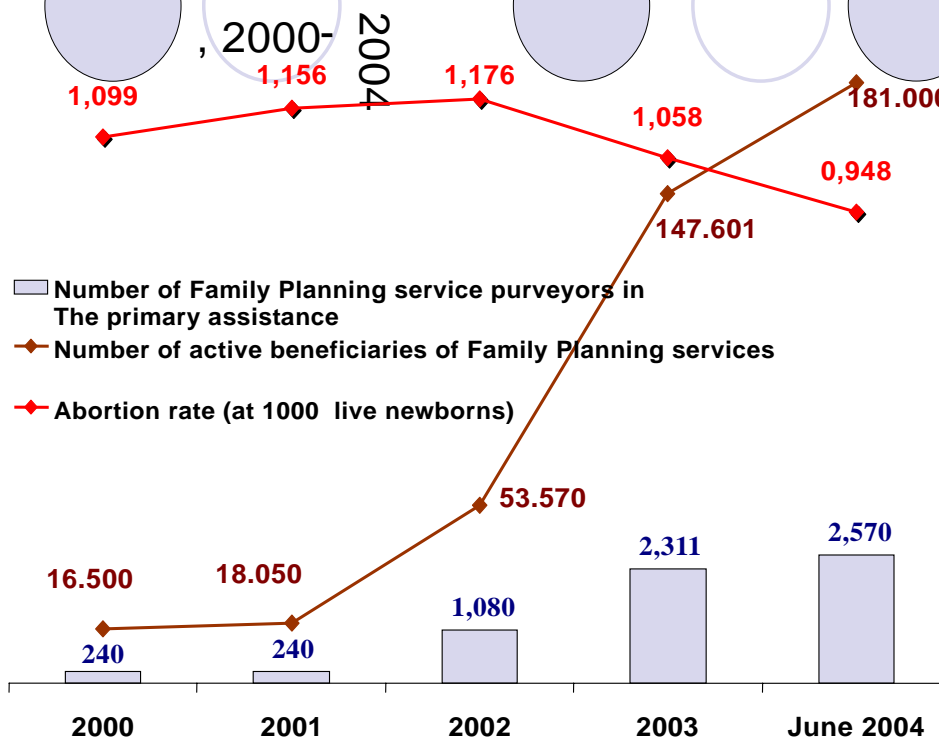
Another intervention implemented through the National Health Program 3 is “Increasing the accessibility to reproductive health services” with two main objectives in 2005:

- strengthening the primary medical assistance for reproductive health services together with the specialty services;
- promoting the modern contraceptive methods.

The objectives are to decrease the number of un-wanted pregnancies, decrease the child abandon, and increase the quality of pre- and postnatal care and reducing the maternal mortality from abortion by free distribution contraceptives to the vulnerable groups.

Furthermore, the Family Planning Program was successful as the following figures show for (the columns represent the increasing number of family doctors providing family planning services; the number of beneficiaries has increased to 181,000; the rate of abortion has decreased to 0.948 per 1000 live births).

Results of the Family Planning Programme



Rural Women

28. Please provide updated information of the situation of rural women and indicate the measures carried out by the Government to improve their access to health, education, employment and their participation in decision-making processes at all levels

ANES proposed through the National Strategy for Equal Opportunities between women and men for the period of 2006-2009 measures to facilitate access for women in risk of being socially excluded, as rural women, to health assistance services, initial or continuous training to help them manage to find and keep a job. The Strategy contains objectives regarding:

- Strengthening equal access of women and men in the labor market;
- Conciliating family and working life;
- Stimulating balanced participation of women and men in decision making process;
- Fighting stereotypes and sexist roles in educational system;
- Promoting the development of care facilities in the community for children and elderly persons in need;
- Promoting measures which allow a flexible working time.

Marriage and family relations

29. In its last concluding comments, the Committee expressed concern at the different ages of marriage established in the Family Code for boys (18 years) and girls (16 years, and exceptionally 15). A similar concern was expressed by the Committee on the Rights of the Child in its last concluding observations. Have any steps been taken by the Government to raise the: minimum age of marriage for girls to 18.

According to Article 4 of the Family Code a man is allowed to marry only if he has reached the age of eighteen, and a woman only if she has reached the age of sixteen. However, for serious reasons, the marriage of a woman who has reached the age of fifteen may be approved. The draft Civil Code that is currently under parliamentary debate provides that, both for women and men a marriage may be approved, for serious reasons, if she / he have reached the age of 16.

The draft regulation is presented below:

“Article 204 - (1) Marriage may be concluded provided that the two spouses have reached the age of 18.

(2) Minors over the age of 17 may marry only with the consent of their parents or, where appropriate, of their guardian. Should either of the parents be deceased or unable to express volition, the other parent’s consent shall suffice.

(3) In the event that there are no parents and no guardian to provide their consent, such shall be required from the person or the authority that has been habilitated to exercise parental rights.

(4) However, for serious reasons, minors who have reached the age of 16 may be married based on a medical endorsement, provided that, in addition to the consent in paragraph (2), they have also the approval of the president of the county council or, where appropriate, that of the general mayor of the City of Bucharest, in the jurisdiction of which the minor domiciles.”

Optional Protocol

30. Please describe measures in place to publicize the Optional Protocol and encourage its use.

By means of the adoption of the National Strategy for Equal Opportunities between women and men and of the General Actions Plan for the implementation of the Strategy, it is compulsory to undertake specific measures and actions to promote the integration of all international provisions regarding gender equality, as well as measures to publicize and promote all the legal framework to support women and respect human dignity and human rights.

Annex 1. PREVALENCE OF TOBACCO CONSUMPTION AND BURDEN OF DISEASE RELATED TO TOBACCO

**1. RECENT DATA ON THE PREVALENCE OF SMOKING AMONG ADULTS
(suggestion: look for Living Standard Measurement Survey /LSMS/– World Bank)**

Country	Males %	Females %	Age group	Sample size/ is it national or not?	Year of surveys	Definition of smoking	Source of information	Other comments
Romania	35.2	17.9	14-24	1209/ national	2003	daily	Center for Health Policies and Services – "Knowledge, attitudes and practices about tobacco use in Romania"; UE financed project, published in 2004	Total: 27.2
Romania	6.8	7.9	14-24	1209/ national	2003	occasional	idem	Total: 7.3
Romania	42	25.8	14-24	1209/ national	2003	active smokers (daily + occasional)	idem	Total: 34.5
Romania	50.6	29.8	14-24	1209/ national	2003	Ever smokers*	idem	Total: 40.6
Romania	48.3	23.3	25-34	1209/ national	2003	daily	idem	Total: 35.9
Romania	6.0	2.7	25-34	1209/ national	2003	occasional	idem	Total: 4.0
Romania	54.3	26.0	25-34	1209/ national	2003	active smokers (daily + occasional)	idem	Total:39.9
Romania	68.0	38.0	25-34	1209/ national	2003	Ever smokers	idem	Total:53.0
Romania	43	22.1	35-44	1209/ national	2003	daily	idem	Total: 32.4

Romania	6.5	8	35-44	1209/ national	2003	occasional	idem	Total: 6.8
Romania	49.5	30.1	35-44	1209/ national	2003	active smokers (daily + occasional)	idem	Total: 39.3
Romania	72.6	38.4	35-44	1209/ national	2003	Ever smokers	idem	Total: 55
Romania	35.4	16.4	45-60	1209/ national	2003	daily	idem	Total: 25.1
Romania	7.4	2.6	45-60	1209/ national	2003	occasional	idem	Total: 4.9
Romania	42.9	19	45-60	1209/ national	2003	active smokers (daily + occasional)	idem	Total: 29.9
Romania	68.6	25.5	45-60	1209/ national	2003	Ever smokers	idem	Total: 45.8
Romania	40	19.5	Total (14- 60)	1209/ national	2003	daily	idem	Total: 29.7
Romania	6.7	4.9	Total (14- 60)	1209/ national	2003	occasional	idem	Total: 5.6
Romania	46.7	24.5	Total (14- 60)	1209/ national	2003	active smokers (daily + occasional)	idem	Total: 35.3
Romania	64.2	32.0	Total (14- 60)	1209/ national	2003	Ever smokers	idem	Total: 47.9
Romania	61.8**		15-24	3500/ national	2004	Ever smokers	National Antidrug Agency – "Prevalence of drugs use in Romania" – financed through Global Fund (WB); published in 2005	

Romania	33.3	15-24	3500/ national	2004	Recent smokers (smoked in the last year)	idem	
Romania	32.9	15-24	3500/ national	2004	Active smokers (smoked in the last month)	idem	
Romania	70.5	25-34	3500/ national	2004	Ever smokers	idem	
Romania	46.0	25-34	3500/ national	2004	Recent smokers (smoked in the last year)	idem	
Romania	46.0	25-34	3500/ national	2004	Active smokers (smoked in the last month)	idem	
Romania	65.0	35-44	3500/ national	2004	Ever smokers	idem	
Romania	40.0	35-44	3500/ national	2004	Recent smokers (smoked in the last year)	idem	
Romania	40.0	35-44	3500/ national	2004	Active smokers (smoked in the last month)	idem	
Romania	62.7	45-54	3500/ national	2004	Ever smokers	idem	
Romania	39.3	45-54	3500/ national	2004	Recent smokers (smoked in the last year)	idem	

Romania	38.7		45-54	3500/ national	2004	Active smokers (smoked in the last month)	idem	
Romania	44.2		55-64	3500/ national	2004	Ever smokers	idem	
Romania	20.3		55-64	3500/ national	2004	Recent smokers (smoked in the last year)	idem	
Romania	19.7		55-64	3500/ national	2004	Active smokers (smoked in the last month)	idem	
Romania	62.1		Total (15- 64)	3500/ national	2004	Ever smokers	idem	
Romania	36.8		Total (15- 64)	3500/ national	2004	Recent smokers (smoked in the last year)	idem	
Romania	36.5		Total (15- 64)	3500/ national	2004	Active smokers (smoked in the last month)	idem	
Romania	75.4	48.7	Total (15- 64)	3500/ national	2004	Ever smokers	idem	
	48	25.5	Total (15- 64)	3500/ national	2004	Recent smokers (smoked in the last year)	idem	
Romania	48.7	25.3	Total (15- 64)	3500/ national	2004	Active smokers (smoked in the last month)		

*Ever smokers = active smokers + persons who smoked more than 100 cigarettes in their life but didn't smoke in the month before the survey.

** The prevalence rates by sex and age were calculated separately.

* please describe briefly the sampling strategy (e. g. is it a probability sample survey, where data collected in households...)

2. RECENT DATA ON the PREVALENCE OF SMOKING IN YOUTH (suggestion: look for ESPAD 2003, HBSC, Global Youth Tobacco Survey)

Country	Males %	Females %	Age group	Sample size	Year of surveys	Definition of smoking	Source of information	Other comments
Romania	65.1	49.1	13-15	4118	2004	Ever smokers	GYTS Romania	
	27.1	19.7	Idem	Idem	Idem	Current smokers	Idem	
Romania	70.8	58.5	14-18	4371	2003	Ever smokers	ESPAD Romania	

* please describe briefly the sampling strategy and methodology

3. OTHER DETERMINANTES OF SMOKING

A) URBAN SETTING/RURAL AREA

Country	Romania							
Total number of residents	Census 2002	21680974	Number of urban residents	Census 2002	11435080	Number of rural residents	Census 2002	10245894
	2000*	22435205		2000	12244598		2000	10190607
	2001*	22408393		2001	12243748		2001	10164645
	2002*	21794793		2002	11608735		2002	10186058
	2003*	21733556		2003	11600157		2003	10133399
	2004*	21673328		2004	11895598		2004	9777730
Center for Health Policies and Services – "Knowledge, attitudes and practices about tobacco use in Romania"; UE financed project, published in 2004								
Prevalence of smoking (total)	Ever smokers: 47.9 Active smokers: 35.3 Daily smokers: 29.7		Prevalence of smoking (urban)	Ever smokers: 51% Active smokers: 37.9%		Prevalence of smoking (rural)	Ever smokers: 44.1% Active smokers: 32.0%	
National Antidrug Agency – "Prevalence of drugs use in Romania" – financed through Global Fund (WB); published in 2005								

Prevalence of smoking (total)	Ever smokers: 62.1% Active smokers (last month): 36.5	Prevalence of smoking - urban >50001 households	Ever smokers: 68.5% Active smokers (last month): 40,6 %	Prevalence of smoking (rural)	Ever smokers: 53.9% Active smokers: 31.4%
		Prevalence of smoking – urban 10001-50000 households	Ever smokers: 67.5% Active smokers (last month): 40.1%		

*Source: National Institute of Statistics

B) EDUCATION

Country	Romania, 2002 (census)								
Total number of residents	21680974	Less than primary school residents: (without any school)	1083935	Primary educated residents	3898996	Secondary educated residents	12490872	High educated residents	1371108
Center for Health Policies and Services – "Knowledge, attitudes and practices about tobacco use in Romania"; UE financed project, published in 2004									
Prevalence of smoking (total)	Ever smokers: 47.9 Active smokers: 35.3 Daily smokers: 29.7	Prevalence of smoking (less than primary school)	No data	Prevalence of smoking (primary education.)	Ever smokers: 39.8% Active smokers: 31.4%	Prevalence of smoking (sec. education)	Ever smokers: 52% Active smokers: 38%	Prevalence of smoking (high education)	Ever smokers: 57.6% Active smokers: 37.9%
National Antidrug Agency – "Prevalence of drugs use in Romania" – financed through Global Fund (WB); published in 2005									
Prevalence of smoking (total)	Ever smokers: 62.1% Active smokers (last month): 36.5	Prevalence of smoking (less than primary school)	No data	Prevalence of smoking (primary education)	Ever smokers: 33.3% Active smokers: 33.3%	Prevalence of smoking (completed sec. education)	Ever smokers: 65.8% Active smokers: 38.6	Prevalence of smoking (high education)	Ever smokers: 76% Active smokers: 47%

C) EXPOSURE TO ENVIROMENTAL TOBACCO SMOKE

Country	Men % total	Women % total	Children % total	Year of surveys	Source of information	Other comments

The only data about exposure to ETS are the following:

Country	„In the last week, at your workplace, how many days did other persons smoke in the same space with you? “	Active Smokers	Non smokers	Total	Source
Romania	Never	26.7	57.5	46.7	Center for Health Policies and Services – "Knowledge, attitudes and practices about tobacco use in Romania"; UE financed project, published in 2004
	Few days	15.5	16.9	16.4	Idem
	Almost daily	19.3	11.2	14	Idem
	Daily	38.5	14.3	22.9	Idem
Romania	„In the last week, at your home, how many days did other persons smoke in the same room with you? “				
	Never	28.5	61.7	50.0	idem
	Few days	26.4	18.7	21.4	Idem
	Almost daily	10.1	5.8	7.3	Idem
	Daily	34.9	13.7	21.2	Idem
	„How many smokers are in your home? “				

	None	0	61.4	40.4	Idem
	One smoker	42.6	27.9	32.4	Idem
	Two smokers	40.7	8.2	19.6	Idem
	More than 3 smokers	16.5	2.5	7.5	
	„Who smokes in your home? “				GYTS Romania
	Father	66.1	57.1		Idem
	Mother	45.4	24.9		Idem
	Siblings	45.4	18.8		Idem
	Other people	85.9	73.1		Idem

D) PLACE OF EXPOSURE TO ENVIRONMENTAL TOBACCO SMOKE

„Where do you smoke? “

	MEN	WOMEN	TOTAL adults	Source of data	Children 13-15	Source
Home (%)	91.4	92.7	91.9	Center for Health Policies and Services – "Knowledge, attitudes and practices about tobacco use in Romania"; UE financed project, published in 2004	95.1 (current smokers) 84.6 (never smokers)	GYTS Romania
Work place (%)	64.2	56.4	61.5	Idem		
Public places (%)	77.7	52.4	68.9	idem	92.3 (current smokers) 78.3 (never smokers)	idem
On street	62.2	9.2	43.8	idem		

4. CONSUMPTION PER CAPITA

Country	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004

According to the Ministry of Agriculture, the cigarettes consumption is constant over years at about 35000 – 40000 tones.

A consumption of 35000 billion cigarettes is confirmed for 2004 by a newspaper (probably, the source is tobacco industry).
