

UN Committee on the Elimination of Discrimination against Women
February 26th, 2016

Dear Honorable Committee Members,

This letter is written on behalf of the following Romanian NGOs: Euroregional Center for Public Initiatives (ECPI), Society for Education on Contraception and Sexuality (SECS), Partnership for Equality Center (CPE), Feminist Analyses Society (ANA), Family Planning Association of Romania (APFR), and ACCEPT. We are respectfully proposing key issues and questions that we hope the Committee will raise with the Government of Romania.

This letter highlights a number of serious concerns about the lack of compliance of the Romanian government with human rights standards with regard to sexual and reproductive health and education service, under Articles 1, 2, 3, 5, 10.(c) and (h), 12, 14.(2).(b), 16.(1).(e) of the CEDAW:

1. Lack of State Action to Prevent Maternal Mortality. The maternal mortality rate in Romania is twice the EU average and one of the highest among EU countries.¹ The extent and causes of maternal deaths remain insufficiently identified due to inadequate reporting and analysis of maternal deaths by health care authorities.²

2. Absence of Mandatory Comprehensive Sexuality Education Based on Evidence and Human Rights Standards. The lack of comprehensive, evidence-based sexuality education is reflected in high rates of teenage pregnancies in Romania. In 2012, Romania reported the highest number of live births among girls under 15 years of age and the third highest number of live births among 15 – 19 year olds out of all EU countries.³ According to the state's statistics, every year about 20,000 girls in the age group 15 – 19 years of age give birth, while about 4,000 of them have their second child. For instance, in 2013, 747 girls under 15 years of age gave birth and 19,143 girls of 15-19 years old gave birth (3,923 gave birth to their second child, 658 gave birth to their third child, 65 gave birth to their fourth child, and 3 gave birth to their fifth child).⁴

3. Barriers to Access to Contraceptive Services and Information. The important achievements obtained during 1996-2004 as a result of the national program on free contraceptives part of the "Subprogram for the Woman's Health"⁵ have been under threat in the past few years. In 2013 the Ministry of Health did not allocate funds for purchasing contraceptives. The absence of a comprehensive national strategy on sexual and reproductive health demonstrates the state's lack of commitment to women's rights. Moreover, the state does not collect data, on a systematic basis, on contraceptive use and related indicators such as unmet need for contraception. The latest official data available is from 2004, where the last comprehensive official study on reproductive health was carried out with external donors' support.⁶

4. Barriers in the Access to Safe and Legal Abortion Services

4.a. Occurrence of Preventable Abortion-Related Complications. Despite the relatively liberal abortion legislation, women in Romania continue to resort to illegal and unsafe abortions. There were 53 cases of illegal abortions requiring post-abortion care registered in 2009, 54 in 2010, 83 in 2011 and 119 in 2012.⁷

4.b. Wide-Spread and Inadequately Regulated Practice of Conscientious Objection to Abortion. One of the major barriers in access to legal abortion is the widespread conscience-based refusal on the part of

health professionals and sometimes entire hospitals to provide abortion care. The number of hospitals not performing abortion at all more than doubled from 6 in 2011 to 13 in 2013.⁸

5. Discrimination against Women Living with HIV/AIDS in Access to Reproductive Health Services. Women living with HIV/AIDS are often denied access to sexual and reproductive health services and maternal care and face discrimination from medical personnel because of their HIV status. Health care facilities frequently fail to comply with medical and safety standards and refuse to admit women living with HIV during childbirth.⁹

We respectfully recommend that the Committee include the following in its list of issues:

- What measures is the government taking to introduce a national strategy for the realisation of sexual and reproductive health and rights and what consultation process and timeline are envisaged for the publication of such a strategy?
- What measures is the government taking to provide statistical data and other information on the causes and extent of maternal deaths in Romania and highlight the steps that the government is taking to address and eliminate obstetrical risks, as well as other direct and indirect factors contributing to maternal deaths?
- What measures is the government taking to ensure that unemployed women, students, women living in poverty, rural women and women who have had abortions have access to affordable modern contraceptives?
- What plans does the government have to initiate public awareness and education programmes in relation to modern contraceptives, which have not been in place since 2008?
- What measures is the government taking to reverse regressive trends such as lack of training programmes in sexual and reproductive health for primary care providers, closures of family planning centres and defunding of free contraceptives?
- What measures is the government taking to ensure that all children and young people have access to comprehensive, evidence based, age-appropriate sexuality education?
- Please provide information on the reasons why women resort to illegal and unsafe abortions in Romania despite the legality of the procedure?
- Please provide information on the regulation of conscientious objection to abortion in Romania and the measures that the government is taking to ensure that the exercise of conscientious objection does not jeopardize women's access to lawful abortion services, especially for women living in rural areas, adolescent girls and other disadvantaged groups?
- Please provide information on access to sexual and reproductive health services for women living with HIV/AIDS, including maternal health care? What measures has the government taken to ensure the access of women with HIV/AIDS to such services and to eliminate discrimination against them within the health care system, and specifically to prevent discriminatory attitudes by health care providers towards women living with HIV/AIDS?

Contact persons for this submission:

Iustina Ionescu
Director of Programs
Euroregional Center for Public Initiatives
Bucharest, Romania
iionescu@ecpi.ro
004.0722.253.789

Carmen Suraianu
Executive Director
The Society for Education on Contraception and Sexuality
Bucharest, Romania
carmen.suraianu@secs.ro
004.0726.200.785

¹ *European Health for All Database (HFA-DB)*, WORLD HEALTH ORGANIZATION (WHO) REGIONAL OFFICE FOR EUROPE, <http://data.euro.who.int/hfad/>.

² MINISTRY OF HEALTH, MATERNAL MORTALITY, *supra* note 15, at 12.

³ *Live Births by Mother's Age at Last Birthday and Legal Marital Status*, EUROSTAT, <http://appsso.eurostat.ec.europa.eu/nui/submitViewTableAction.do> (last updated Feb. 17, 2014).

⁴ *POP201B – Live-Births by Father's and Mother's Age Group, by Macroregions, Development Regions and Counties*, NATIONAL INSTITUTE OF STATISTICS, <https://statistici.insse.ro/shop/index.jsp?page=tempo3&lang=en&ind=POP201B> (last updated Jun. 18, 2014); In 2013, 527,849 girls under the age of 15 and 562,868 girls of 15-19 years lived in Romania. *POP101C – Stable (de facto) Population, by Age Group, Ages, Sex and Urban and Rural Areas, at January 1st*, NATIONAL INSTITUTE OF STATISTICS, <https://statistici.insse.ro/shop/index.jsp?page=tempo3&lang=en&ind=POP101C> (last updated Jun. 3, 2014).

⁵ MINISTRY OF HEALTH, STUDIUL SANATATII REPRODUCERII ÎN ROMANIA [The Study of Reproductive Health in Romania] 27 (2005) (Rom.) [hereinafter MINISTRY OF HEALTH, STUDIUL SANATATII REPRODUCERII ÎN ROMANIA], available at http://www.unicef.org/romania/ro/Studiul_Sanatati_Reproducerii.pdf.

⁶ MINISTRY OF HEALTH, STUDIUL SANATATII REPRODUCERII ÎN ROMANIA, *supra* note 47.

⁷ NATIONAL CENTER FOR STATISTICS AND INFORMATION IN THE FIELD OF PUBLIC HEALTH, MINISTRY OF HEALTH, ASISTENTA GRAVIDELOR SI EVIDENTA INTRERUPERII CURSULUI SARCINII IN 2012 COMPARATIV CU 2011 [The Assistance of Pregnant Women and the Supervision of Pregnancy Interruption in 2012 Compared to 2011] 18 tbl.7 (2013) (Rom.).

⁸ For more information, see EUROREGIONAL CENTER FOR PUBLIC INITIATIVES (ECPI), REFUSAL ON THE GROUND OF RELIGION OR CONSCIENCE TO UNDERGO ABORTION ON REQUEST IN ROMANIA (2011) (Rom.), available at <http://www.ecpi.ro/resurse/publicatii/>.

⁹ ECPI, DREPTURILE SEXUALE ȘI ALE REPRODUCERII. CAZUL FEMEILOR CARE TRĂIESC CU HIV [Sexual and Reproductive Rights. The Case of Women Living with HIV] (2011) (Rom.) [hereinafter ECPI, SEXUAL AND REPRODUCTIVE RIGHTS], available at http://www.ecpi.ro/wp-content/uploads/2012/01/Raport_femei-cu-HIV_website.pdf.