

# Gender Equality in Academia and Research

## Romania

COUNTRY: Romania

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### PROMOTING GENDER EQUALITY IN RESEARCH

#### Legal framework

There is no specific legal framework in Romanian legislation that addresses gender equality in research. Article 41 of the Romanian Constitution guarantees equal pay for equal work to women and men, while Article 223 of the Penal Code defines sexual harassment at the workplace as a criminal offence.

All forms of discrimination are legally sanctioned through Governmental Ordinance 137/2000, which lists sex (not gender) among the prohibited grounds for discrimination. The Ordinance guarantees the equality of participation in economic activities or professions. The non-discrimination principle is the most pervasive legal provision affirming gender equality, including in laws regulating higher education, research and labour relations.

The main reference for gender equality legal provisions concerning higher education and research is Law 202/2002 on Equal Opportunities and Equal Treatment of Women and Men. The Law states that the measures to eliminate sex-based discrimination apply in the private and public sector, in fields which include labour, education, decision-making, etc. Articles 7-13 define direct and indirect sex-based discrimination, harassment, sexual harassment, psychological harassment and gender-based violence. It regulates equality between women and men in the field of labour, with provisions guaranteeing non-discriminatory access to equal employment opportunities, professional promotion, benefits, etc. and equal income for equal work. It forbids discrimination in the case of maternity and parental leave. Article 14 defines equal opportunities and equal treatment between women and men in access to education. Article 15 charges the Ministry of Education with ensuring proper training and informing of professors, and issuing recommendations to exclude sex-based discrimination from university curricula, along with negative models and stereotypes in respect of the role of women and men in public and family life. Crucially, the Law places the Ministry in charge of monitoring compliance with the principle of equal opportunities and equal treatment between women and men in educational units (including higher education institutions (HEIs)).

Law 202/2002 was amended by Law 178/2018, which introduced the roles of Equal Opportunities Expert and Equal Opportunities Technician in the National Occupations Roster. These two positions oversee the application of equal opportunities measures, initiate projects and programmes and develop action plans to implement the principle of equal opportunities and treatment in public organisations and companies. The Law promotes (but does not oblige) these positions in public organisations and companies with more than 50 employees, or to employ specialists. It does not include any incentives or obligations for organisations, however, thus has been largely ignored. No research organisation is known to employ such an expert.

Article 118 of Law 1/2011 on National Education prohibits discrimination on grounds of age, ethnicity, sex, social origin, political or religious views, sexual orientation, or other reasons, in the national system of higher education. Students and candidates applying for research or teaching positions also benefit from the non-discrimination principle. By law, all universities' charters must have a Code of Ethics and Professional Deontology, as well as a Commission of University Ethics. It does not specify the ethical issues to be addressed in the Code of Ethics, beyond those pertaining to research ethics.

Law 319/2003 on the Status of Research and Development Personnel defines the rights and obligations, as well as the rules of employment and promotion of personnel. It does not mention gender equality or non-discrimination. Law 206/2004 on Proper Conduct in Scientific Research, Technological Development and Innovation is similarly silent, but provides the legal basis for the creation of Ethics Commissions for research and development (R&D) institutions and those leading R&D programmes.

### **Policy framework**

The National Strategy for the Promotion of Equal Opportunities for Women and Men and for the Prevention and Combat of Domestic Violence 2018-2021, together with the Operational Plan, is implemented by the National Agency for Equal Opportunities for Women and Men. For 2018-2021, the document identified four fields of intervention, including the labour market. More specifically, it aimed to improve the position of women in the labour market, raise awareness of the importance of equal recruitment, and promote work-life balance. It relied on communication campaigns and the Agency's very limited financial and human resources. No such campaign was publicly visible, however. As of September 2021, no annual or interim report on the state of implementation of the operational plans for 2018-2021 was publicly available.

The National Strategy for Research, Development and Innovation 2014-2020 and the complementary National Strategy for Tertiary Education 2015-2020 do not include any gender-related provisions. In 2019, the National Council for the Financing of Higher Education report on the financing of higher education included an analysis of data on gender inequalities in academia. It found that in 2017, the number of women surpassed the number of men for the first time since 1990. This was attributed to the retirement of the male faculty rather than the opening of new teaching positions. The proportion of women in academia decreases as the rank increases. Fewer women are recorded at the top of the academic hierarchy, with only 36 % of women among the full professorship positions in 2017. Women are also underrepresented in the technical fields: 38 % of faculty in 2017, covering 24 % of the full professorship positions.

The National Strategy for the Occupation of the Labour Force 2014-2020 refers to increasing women's participation in the labour force. Specific actions include the development of childcare infrastructure and other care facilities, and awareness campaigns on equal pay and the need for flexible work policies. Again, no monitoring or evaluation report was published, making it impossible to determine the degree of implementation in practice.

## **Other stimulatory initiatives**

*Centrul Filia*, a feminist NGO from Bucharest, is particularly active in the field of gender equality in research. In 2016, the Centre initiated the campaign, “Stop Sexual Harassment in Universities”, which included an exploratory survey to map the phenomenon: types of harassment, causes, occurrence, barriers to reporting and perceived solutions. The study was repeated in 2021 by *Centrul Filia* as part of the initiative, “Act for Safety in Universities”. The results suggested a much greater prevalence of sexual harassment than that reported by the Commissions of Ethics and received an administrative decision<sup>[1]</sup>. According to the respondents, the key causes of sexual harassment were tolerance to sexist attitudes, low levels of awareness of the different manifestations of sexual harassment, a patriarchal culture, and power relations and hierarchies. They proposed the introduction of clear and proportional sanctions for sexual harassment in universities’ Codes of Ethics. In 2018, the Centre published a guide to preventing and combating sexual harassment in universities.

Since 2009, the L’Oréal “Romania for Women In Science Fellowships” programme has been granted yearly to outstanding doctoral and post-doctoral women researchers under 40 years old conducting research in the fields of Life Sciences and Physical Sciences. In 2020, the 11<sup>th</sup> edition of the Fellowships awarded four researchers with grants of approximately EUR 10,000 each.

## **Key actors**

According to Law 202/2002 on Equal Opportunities and Equal Treatment of Women and Men, the Ministry of Education is responsible for monitoring compliance with the principle of equal opportunities and equal treatment between women and men in educational units (including HEIs). No policies, measures or initiatives implementing this legal provision were identified, however.

The Ministry of Education and the Ministry of Research, Innovation and Digitisation are jointly responsible for implementing national policies in research and education. The Ministry of Labour and Social Protection, together with its subordinate Agency for Equal Opportunities for Women and Men, are responsible for implementing gender equality policies.

Two advisory bodies oversee different aspects of ethics in higher education and research and could potentially assume future responsibility in respect of gender equality. The first is the National Council of Ethics of Scientific Research, Technological Development and Innovation, which is invested with powers to revise sectoral codes of ethics and to oversee moral and professional conduct in research. The second is the Council of Ethics and University Management, which supports universities to apply national policies on ethics and professional integrity.

Other institutional actors whose scope could include the implementation of gender equality policies are the National Council for the Financing of Higher Education and the National Council for Scientific Research, the Romanian Agency for Quality Assurance in Higher Education, and the Executive Unit for the Financing of Higher Education, Research, Development and Innovation. The latter is in the process of developing the first Gender Equality Plan (GEP) in research and academia in Romania.

## **INITIATIVES FOR GENDER EQUALITY BY RESEARCH PERFORMING ORGANISATIONS**

To date, no research organisations or HEI has implemented a GEP, but there is growing interest in such plans. The University of Cluj and the University of Bucharest are currently preparing or developing first drafts of their GEP. Some organisations are partners in Horizon 2020 projects that envisage the creation and implementation of GEPs. For example, the Executive Unit for the Financing of Higher Education, Research, Development and Innovation is a partner in the CALIPER project, the University of Bucharest is a member in the ATHENA project, and Horia Hulubei National Institute for R&D in Physics and Nuclear Engineering (IFIN-HH) is part of the GENERA project.

### **Gender equality as a topic of study and research**

In June 2020, a public debate emerged in respect of an amendment to Law 1/2011 of National Education adopted by the Parliament, which forbade activities “to disseminate the theory or opinion about gender identity, understood as the theory or opinion that gender is a concept different from biological sex” in educational institutions. There was a public outcry from the academic community and civil society, with 800 researchers and teaching staff filing an academic appeal with the Constitutional Court. Their appeal claimed that the amendment infringed on academic freedom and was incompatible with national legislation and with Romania’s international obligations under the Istanbul Convention. The Court eventually declared the amendment unconstitutional.

Two academic programmes focus on the study of gender issues, one at the National University of Political Studies and Public Administration in Bucharest (MA in Policies, Gender and Minorities) and another at the University of Bucharest (MA in Politics of Equal Opportunities in Romanian and European Context). There is a Centre for the Study of Equal Opportunity Policies at the University of Bucharest, as well as a Centre for Gender Equality in Science at the Alexandru Ioan Cuza University in Iasi.

### **Promoting gender equality in science, technology, engineering and mathematics (STEM)**

The Politehnica University in Timisoara is active in promoting women’s access to STEM. Between 2016 and 2018, the University implemented “Girls in Tech”, an Erasmus KA2 project that explored technical education from the point of view of women’s participation and access. In February 2021, the University marked the International Day of Girls and Women in STEM, hosting a webinar connecting successful women researchers with girls interested in STEM.

### **Other initiatives**

Work-life balance in the academic system is supported in several universities. Babes-Bolyai University in Cluj, Politehnica University in Bucharest and Alexandru Ioan Cuza University of Iasi all provide kindergartens for the children of employees and students.

## **RELEVANT EXAMPLES OF PRACTICES**

## **A GEP for the research funding organisation**

The Executive Agency for Higher Education, Research, Development and Innovation Funding has developed a GEP. The initiative is part of the Horizon 2020 CALIPER project (2020-2023), which aims to implement structural change and build gender equality expertise in organisations. The Agency conducted an internal and external gender equality assessment and its draft GEP was adopted in mid-September 2021.

## **Promoting women's engagement in high-tech sectors**

“Everygirl Everywhere” is an umbrella project from “Smart Everything Everywhere”, an organisation committed to supporting the development of the digital sector in Romania. The project seeks to promote digital careers for girls and women, increase the digital literacy of women, and start a national dialogue about the gender gap in the digital sector. It builds cooperation among digital leaders and role models, organises workshops, training and mentoring, and connects potential candidates and job opportunities in the high-tech industry.

## **Improving universities' Codes of Ethics**

The Code of Ethics of the Transilvania University of Braşov is part of its 2016 Charter. The Code creates a promising framework to assure a safer work environment by providing detailed definitions of harassment and sexual harassment. The Law of National Education recommends that universities develop Codes of Ethics and Professional Deontology, but there is no legal requirement for universities to include provisions against gender-based violence, with most universities overlooking or sidelining the issue in their Codes.

### **Footnotes**

[1] A journalistic investigation of Dela0.ro publication (Dela0.ro 2017) found that only three cases of sexual harassment were the subject of an administrative investigation between 2005-2015.