**LEGAL PROTECTION OF WOMEN'S RIGHTS**
**INEUROPEAN AND INTERNATIONAL CONTEXT**

*MĂDĂLINA VIRGINIA ANTONESCU*

**Abstract:**
At present, there are many international and European legal norms regarding the matter of women’s rights, endowed with compulsory juridical value for ratifying states. In this quality, Romanian state has specific legal obligations concerning the protection of women’s rights, from the perspective of these documents. As derived from the letter and spirit of art. 20/Romanian constitution, the Romanian state must respect the principle of international and European documents priority, in relation with national juridical norms, within the field of human rights.

**Key-words:** general principles of EU law; women’s rights; non-discrimination principle; gender equality; human rights

**Introduction:**
At present, there are many international and European legal norms regarding the matter of women’s rights, endowed with compulsory juridical value for ratifying states. In this quality, Romanian state has specific legal obligations concerning the protection of women’s rights, from the perspective of these legal important documents. As derived from the letter and spirit of art. 20/Romanian Constitution, the Romanian state must respect the principle of the priority of the international and European regulations in relation with national juridical norms, within the field of human rights, adopting also, a constant pro-active attitude of defending women’s rights in all realms of society, politics, culture, as all European democratic states. The papers presents what are the most important legal regulations protecting the women’s rights within the Romanian society and legislation still dominated by a patriarchal residual mentality (despite the reality of a feminine majority of population).

*International regulations* regarding the protection of women's rights (as an application of the principle of equality of rights between men and women and eliminating any discrimination based on gender) are, at present, numerous and we can enumerate here the provisions of the UN Charter, as well as other documents such as the Universal Declaration of Human Rights, the two Covenants on civil and political rights and on economic, social and cultural rights, the European Convention on Human Rights, the European Social Charter, and at the European level, in terms of Romania’s capacity of EU member state, we mention the provisions of the Lisbon Treaty and the Charter of Fundamental Rights of the EU citizen.

According to Universal Declaration of Human Rights\(^1\), art. 1, all human beings are born free and equal in dignity and rights, which establishes a legal guarantee that is essential to substantiate the entire legal system of women's rights, understood as funda-

\(^1\) Adopted by UNGA, through resolution 217 A(III) of 10 December 1948.
mental human rights, internationally (part of the so-called classical heritage of the High legal civilization of the UN at the end of the twentieth century, to be acquired, consolidated and extended in the XXIst century).

According to art. 2/UDHR, the principle of non-discrimination between people is consecrated internationally (whereas all people are able to take advantage of all the rights and freedoms set forth in the UDHR, without distinction of gender, among other criteria). Further, there is a series of constitutional articles, various human rights and fundamental freedoms which the States Parties to the Declaration must apply without any discrimination, including in terms of principles of non-discrimination between persons and of the principle of equality of rights between men and women. We can also cite another legal guarantee introduced in the UDHR, including reference to the legal obligation of public authorities (and for a group, a person as well, regardless of the stateto which they belong) to respect the rights and freedoms set forth in the UDHR. Thus, art. 30 states that nothing in this document may be construed as implying for a State, group or person the right to engage in any activity or perform any act that would lead to the abolition of the rights and freedoms set forth in the UDHR.

Women’s rights find internationally their well established protective regime also by the provisions of the International Covenant on economic, social and cultural rights, namely Art. 2 (States Parties’ obligation to guarantee the rights set forth in the Covenant, without discrimination based on gender, among other criteria), Article 3 (a legal obligation assumed by States Parties to ensure the equal right of women and men to enjoy all economic, social and cultural rights set forth in the Covenant), Article 10 (special protection conferred by States Parties to family, mothers before and after childbirth; special protection for employed mothers, who must receive paid leave for these special periods and adequate social security benefits); Article 12 (recognition by States Parties of the right of any person to enjoy the best attainable state of physical and mental health – again, an express legal guarantee of protection of women’s rights).

The International Covenant on Civil and Political Rights sets forth in art. 2 the principle of non-discrimination (introducing the express legal obligation of States Parties, including Romania, to ensure and guarantee the rights recognized by the Covenant to all persons within their territory, under their competence and without any discrimination, including the one based on gender among other criteria); Article 3 (another express legal guarantee concerning the application by States Parties of the principle of equality of rights between men and women, namely the obligation of States Parties to ensure the right of women and men to enjoy all civil and political rights set out in the Covenant).

Certainly, there are numerous international documents establishing a very powerful international legal regime for the protection of women’s rights, such as: the Convention on the Political Rights of Women, the Convention on the citizenship of married women,

---

2 Adopted by UN GA on 16 December 1966, ratified by Romania through decree 212 of 31 October 1974.
3 Adopted by UNGA on 16 December 1966, ratified by Romania through decree 212 of 31 October 1974.
4 Entered into force on 7 July 1954, ratified by Romania through decree 222 of 2.06.1954.

At the European level, on the protection of women's rights: the 1986 Concluding Document of the Vienna Meeting of Representatives of Participating States on the Conference on Security and Cooperation in Europe, held on the basis of the provisions of the Concluding Act (section Issues concerning security in Europe, Principles, point 11 - proclaiming the principle of non-discrimination by participating States, the respect for human rights and fundamental freedoms, point 13. 7 – obligation of participating states to ensure human rights and fundamental freedoms to all citizens within their territory and subject to their jurisdiction, without discrimination; point 15, proclaiming the principle of equality of rights between men and women, including the obligation to take all measures necessary to promote equally effective participation of men and women in political, economic, social and cultural life. The same principles, under a more developed and an extended form, are included in the 1990 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, in the 1991 Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, in documents of the Council of Europe, for example, the Convention for the protection of human rights and fundamental freedoms\(^16\), art. 12 (right to marry and to found a family on equal terms with men), in the Protocol No. 7 to the Convention for the protection of human rights and fundamental freedoms (Article 5, the application of the principle of equality of rights between men and women in the legal regime of marriage).

\(^5\) Adopted by UNGA through resolution 1040 (XI) of 29 January 1957, entered into force on 11 August 1958, to which Romania adhered through decree 339 of 20 September 1960.


\(^7\) Adopted by UNGA on 14 December 1974 through resolution 3314 (XXIX).

\(^8\) Adopted by UNGA through resolution 317 (IV) of 2 December 1949, entered into force on 25 July 1951. Ratified by Romania through decree of MAN presidium 482 of 10 December 1954.

\(^9\) Entered into force on 13 June 1921.

\(^10\) Entered into force on 23 May 1953, ratified by Romania through decree 213/1957.

\(^11\) Entered into force on 7 September 1955.

\(^12\) Entered into force on 15 June 1960, ratified by Romania through decree 284/1973.


\(^15\) Entered into force on 11 August 1983.

\(^16\) Adopted on 4 November 1950, entered into force on 3 September 1953, ratified by Romania through law 30 of 18 May 1994.
Due to the consequences, sometimes irreparable, which mark the woman, her dignity, freedom, health, physical and mental integrity, international institutions have taken-official positions, adopted numerous documents and reports and reported these events, internationally or regionally, in order to make governments aware thereof. For example, the Concluding document of the World Conference on Human Rights/1993 recommends the States to adopt measures to eliminate violence against women, as incompatible-with human dignity and honour. Similarly, this phenomenon was in the attention of ECOSOC (resolutions 15/24 May 1990 or 18/30 May 1991 or 26/27 July 1993 or the UN Commission on Crime Prevention and Criminal Justice (Vienna, 1994).

One of the key documents adopted at international level for preventing, defining and eliminating violence against women in the States Parties, is the Declaration on the elimination of violence against women (UN GA adopted on December 20, 1993). According to this document, violence against women is defined in a comprehensive manner: "any act of violence based on gender differences resulting in or likely to result in women's injury or physical, sexual or psychological suffering, including threats of such acts, coercion or arbitrary deprivation of liberty, committed either in public or private life". However, the last words clearly show the legitimacy and legality of public authority intervention in private life of the women for protecting their rights and stopping the phenomenon of domestic violence.

The entire Statement identifies the complex types of violence against women, recommending the States Parties to take measures in order to eliminate them (an interventionist perspective, not one of passivity, carelessness or irresponsibility of public authorities for violation of women's rights, including in the family). Among these types of violence that directly or indirectly affect women's rights, the Declaration mentions the following (only as an example, because in reality, forms of violation of women's rights are numerous and cover an extremely wide range of events that legislators of the States Parties should take into account):

- physical, sexual and psychological violence in the family, including beating, sexual abuse of girls, dowry-related violence, marital rape, genital mutilation and other practices that harm women, as well as non-marital violence and violence related to the exploitation of women
- physical, sexual and psychological violence exercised against women in public and social life, including sexual harassment and intimidation in labour relations, education system etc
- physical, sexual and psychological violence perpetrated or tolerated or ignored deliberately by the state (here defending an obligation to intervene in order to protect women's rights in the spirit and letter of international documents to which Romania is a party and art. 20/Constitution, as well)

We should also mention the provisions of the Declaration on the elimination of discrimination against women, adopted under the aegis of the UN, recommending the

---

18 Idem, p. 43-44.
19 Adopted by UN GA on 7 November 1967, through resolution 2263-XXII.
states that are not parties to this international document, to expressly consecrate the principle of equality of rights between men and women within their constitutions. The declaration also includes provisions as recommendations addressed to States Parties regarding the adoption by them of a set of measures to ensure equal rights between girls and boys, married or not married women, on one hand, and men, on the other hand, in education, civil law, economic field. The declaration also recommends the States Parties to eliminate all forms of discrimination from their national legislations or customs, practices, regulations in force which constitute discrimination against women and to provide them with adequate legal protection.

Principles included in this international legislative document relating to non-discrimination against women in relation to men, are related to the principle of non-discrimination stipulated in the UDHR, according to which all human beings are born free and equal in dignity and rights. Furthermore, according to the UDHR, everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of gender (among other criteria).

Among the numerous international documents which establish a high level of legal protection of women in the society at the beginning of the XXIst century (that jurists are bound to develop continuously, depending on the specific or unsolved or newly arisen problems through the development of the human society at the beginning of the XXIst century) we can also cite the Convention on the elimination of all forms of discrimination against women. According to this international legal document, the concept of discrimination against women is defined in a complex and comprehensive manner: "any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field". Thus, the States Parties to the Convention should sanction and eliminate any measures, practices and regulations which introduce gender-based distinctions, exclusions or restrictions on women's rights in political, economic, social, cultural and civil fields. The bodies with competences in the application of the Convention can track and identify types of discrimination against women that may also arise in fields other than those specified in the Convention.

We also mention that the regional legal documents essential to analyze the main pillars of protection of women's rights according to the level of legal regulation from the end of the twentieth century and the Declaration of equality between men and women, adopted by the Member States of the Council of Europe, the Council of Ministers on 16 November 1988, at its 83rd session. According to the Declaration, the Member States of the Council of Europe (including Romania), recognize that equality between men and women is a principle related to the rights of the human person and more than that it is a fundamental legal principle, asserted internationally and guaranteed by national constitutions and laws.

At European level, in terms of Romania's capacity as an EU member, we should mention the provisions of the Charter of Fundamental Rights of the EU citizen having the

---

same legal value as the EU Treaties, which came into force at one time with the Treaty of Lisbon (2009). Protection of women's rights under the Charter, finds here an efficient ground for active manifestation whereas we actually see in all major titles of the Charter (Dignity, Freedom, Equality, Solidarity, EU Citizens' Rights, Justice) concrete application of the principle of equality between men and women in the EU Member States, the principle of non-discrimination on the grounds of gender. When developing or applying the European law, the EU member states and also any EU institutions should observe above all the provisions of the Charter, in their letter and spirit. To the extent in which the EU Member States apply the European law and refer to individual acts of people, the Charter becomes mandatory also for the EU citizens, although its purpose is primarily to guarantee on the territory of the EU Member States legal order that is specific to democracy and rule of law. Secondly, the Charter does not create new rights, but reasserts, at the EU level, the human rights already existing in international and European regulations, as well as in the constitutions of the Member States. The importance of the Charter emerges from the fact that for the first time, both the European and then the national courts are competent to judge disputes regarding the breach of fundamental rights stipulated by the Charter, that are considered part and parcel of the European (EU) law.

The Charter is also the first international instrument establishing the principle of indivisibility of human rights, forming a whole consisting of sets of economic, social, political and civil rights deriving from the constitutional traditions and international obligations common to the Member States of the European Convention of Human Rights and Fundamental Freedoms, the European Social Charter, adopted under the aegis of the Council of Europe, the Charter of the Social Rights of Workers, adopted by the EU and also the jurisprudence of the European Court of Justice and the European Court of Human Rights.

The Charter of Fundamental Rights of the EU citizen states, even from its preamble, that the legal basis of the Union consists of indivisible, universal values of human dignity, freedom, equality and solidarity. The Union is based on the principles of democracy and the rule of law, which give both the EU institutions and the EU Member States concrete legal obligations regarding the actual and effective guarantee of protection of human rights, particularly women's rights, both at the entire EU level and in the territories of these states. The principle of equality between men and women is reiterated in art. 23 of Title III (Equality), worded as an imperative norm rather than one having a recommendation nature, which requires the Member States (as well as the EU institutions since they also apply the EU law) to ensure gender equality in all areas, including employment, work and pay (thus, there is a particular application of this principle in the field of labour law in the EU). Positive discrimination measures for the "under-represented sex" (in the terminology of the Charter) are not considered violations or restrictions of the principle of equality. On the other hand, while Title III (Equality) contains special articles devoted to various social groups or people in special situations (the rights of the child, the rights of the elderly, the rights of persons with disabilities),

---

unfortunately the Charter fails to devote a special comprehensive article, clearly protecting the women's rights, and only states in art. 23 the principle of gender equality (which does not cover all the legal area of women's rights). Art.23/Charter is a corollary of art. 21 (non-discrimination), paragraph 1, where discrimination of any kind is expressly prohibited, including the one based on gender, among others, within the EU (a legal obligation of general applicability of the EU Member States, the EU institutions that develop and apply the EU legislation, as well as natural and legal persons subject to the EU legislation).

According to the EU Treaty (TEU) amended by the Treaty of Lisbon, art. 1a, the Union is founded on values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights. Further, the article proclaims these values as common to all EU Member States and characterizing a pattern of European society based on "non-discrimination, tolerance, equality between men and women", among others. Also, article 2, paragraph 2 of the TEU, amended by the Treaty of Lisbon, introduces an express legal obligation under the direct responsibility of the Union to combat social exclusion and discrimination, promote social justice and protection, equality between women and men, solidarity between generations and protection of the rights of the child. In the same article, paragraph 5, the Union assumes again clearly the obligation to contribute internationally, among others, to the protection of human rights and the strict observance and development of the international law, including respect for the principles of the UN Charter.

According to art. 6/TEU as amended by the Treaty of Lisbon, the Union undertakes to recognize the rights and freedoms and principles provided by the Charter of Fundamental Rights of the EU citizen, adopted in 2007. Moreover, by the paragraph 3 of this Article, the Union turns the fundamental rights into "general principles of the EU law," as guaranteed by the European Convention of Human Rights and Fundamental Freedoms and as arising from the constitutional traditions common to the Member States. Therefore, women's rights, as an integral part of human rights are also subject of the legal respect assumed at the level of primary law (by establishing treaties) by the EU, and consequently, by each of its institutions.

We should also remind you the definition given by the doctrine to the term "equality of chances" (not to be confused with the principle of equality of rights between women and men but with which it has a direct relation). Thus, equality of chances means "an equal level of visibility, autonomy, responsibility and participation of both genders in all areas of public and private life" 23.

Within the EU, we should mention the Commission's report on Women's Rights and Gender Equality, which recommends the Member States and the European Commission to ensure that policies on gender equality continue to be pursued and applied, despite the global crisis, and to increase budgets in order to ensure effective enforcement of this principle. In the General Report on equality between women and men in the EU for the year 2010 (2010/2138(INI)), the EUMember States are recommended to take the necessary measures in order to ensure access to support services aimed at eliminating gender

violence and adequate protection for women without discrimination based on age, religion, race, legal status, sexual orientation, ethnic origin.

Within the EU, we should also mention a concrete application of the principle of gender equality, namely the adoption in 2010 of the European Directive on the European Protection Order (2010/C69/02 published in the OJ of the EU No. C69 of 18 March 2010). Under that directive, a legal protection system at European level is established for people under a serious threat to their integrity by other persons, including in situations of transit or travelling through Europe. The European Commission has adopted a strategy on equality of chances for 2010-2015, developed on the basis of three principles (attracting, developing and keeping a balanced workforce; promoting a more flexible work environment; ensuring assumption of the strategy at the highest level). Thus, by 2014, at the EU level, a percentage of 30% of the middle management staff is foreseen to be women; a percentage of 50% of retiring staff occupying management positions, to be represented by women; 25% of senior management positions to be held by women; the introduction of flexible working methods (remote or part-time work, flexible working hours); combating wage discrimination in order to eliminate direct and indirect discrimination on the pay for women; increasing the women representation in leadership positions or politics, public administration.

Despite those numerous legal documents, in Romania, the social, cultural environment, the general mentality regarding the women’s status are deeply patriarchal, in opposition to the existing high legal level imposed by standards of a democratic society and rule of law, as Romania proclaimed by its Constitution that it represents.

Even if Romania is a country with feminine population as majority, the feminine level of representation of the feminine population is still low. Women appear within the political scene (regarding the access to high public functions) as being tolerated, in a symbolic way, exceptionally or simply, they aren’t named/elected in this type of functions (President of the Senate, President of the Chamber of Deputies, President of the Republic, President of the Constitutional Court, Ombudsman, Prime-Minister etc.).

The number of the candidate/elected women for the deputy or senator high state dignities in the Romanian Parliament is completely non-representative for the feminine predominant segment of the Romanian population. Majority in Parliament remains masculine.

In the social sector, Romania remains (despite forced urbanization from communist years which led to a massive migration of population from villages to towns) deeply imprinted by the mentality of a patriarchic-organized family (man, as head of the family), in which numerous women become victims of a hidden exploitation as their non-remunerated labor force (non-remuneration of domestic labor that, moreover, isn’t seen as generating social prestige, as in the public sector).

From the religious point of view, Romania remains in majority, a Christian-Orthodox country, unfortunately characterized by a limited, discriminatory perspective on the interpretation of Christ’s messages (law of loving the fellow creature): we note that women are practically, excluded from the decisional, consultative and ceremonial-

---
liturgical spheres of the Church (despite the principles of non-discrimination and equality between people, proclaimed by Christ).

From the perspective of today social mentality, it still dominates a traditionalist, limited perspective about definition of femininity, the feminine being and the social, cultural, political role of woman.

Moreover, in this society “of transition” (from communism to capitalism), woman was victim of a profound patriarchic-consumerist (mixed) conception, being victim of the organized-criminal networks (traffic of women, of cheap feminine labor), being confronted with numerous cases of violence and abuses (the generalized phenomenon of prostitution).

Concerning the phenomenon of forced migration of the Romanian population (due to chronic poverty of entire zones in this country, people choosing to leave their country in searching for an improved level of life), woman was also confronted, outside the borders of her country, even in EU member states, with diverse phenomena of exploitation (prostitution, cheap labor force, even slavery- exploitation of her labor force in conditions of symbolic or total non-remuneration or in condition of discrimination in comparison with masculine labor force for the same work; she also, faced violence and a general attitude of affecting her rights and her person).

Taking into account those conditions (persisting even today, in the Romanian society), we must note that woman is quite ill-protected by the state institutions and even by competent NGO-s.

Regarding the concrete protection of women with Romanian citizenship in other states, Romanian authorities haven’t succeeded in insuring concrete, appropriate protection of woman, of her rights and dignity (inclusively by enforcing cooperation with competent authorities of other EU states).

In general, we note a state of lethargy of Romanian NGO-s in the field of women’s rights protection, concerning the activity of identifying and stopping abuses committed on women in reason of sexual criterion; also, we note a certain passivity instead of imagining and implementing concrete activities/initiatives with great impact in society (activities of educating Romanian society to respect dignity of woman and women’s rights).

On a contrary, in the name of a wrong concept of understanding democracy, we see the phenomenon of proliferation of entire broadcasting programs (entertainment programs, reality-shows) which, invoking an absoluted liberty of mass media, treat woman as an object of entertainment; implicitly, those programs educate/impose to the society to perceive woman in this way (due to consumerist “principles”), infringing thus, the feminine dignity, the women’s rights.

As well, we note that woman is aggressed in her feminity, in her right to a decent public image and to be respected as woman, by the activity of publishers of several journals promoting excessively images with naked women, encouraging an aggressive and pornographic language about women and implicitly, educating the people to perceive as “normal, democratic”, “expression of artistic liberty”, such degenerated and discriminatory images about the women.

As well, mass media promote the cult of violence in numerous movies (containing scenes of violence and humiliation regarding women), seen as being “something normal
Contemporary legal institutions

in each democracy, expression of artistic liberty”), without appropriate counter-reaction 
of protecting women’s rights, by prohibiting such attitudes, images, programs or scenes, 
and not by tolerating such discriminatory scenes as “normal”) from the civil society 
(including competent NGO-s or Romanian Orthodox Church, as representative for the 
traditional religious cult of Romanians), neither from competent public authorities 
(Council of Combating Discrimination, National Council on Audio-Visual 
Broadcasting), and without a significant change into the policy of the Romanian state 
(protecting women’s rights).

In relation with such types of aggressions on women’s statute and public image 
(cultural and social) constituting also, real infringements of women’s rights and 
generating consequences on legal level, nor the public competent institutions (Council of 
Combating Discrimination, National Council of Audio-Visual Broadcasting), neither the 
competent NGO-s, neither the Departments of Gender Studies (associate experts, 
professors), neither the Presidency or the Prime-Minister institution do not act in order to 
take appropriate counter-measures of ceasing such phenomena of systematic degradation 
of women’s public image and of their rights into the Romanian society.

Regarding the mass media freedom (absolutized until the level of transforming itself 
into a concrete weapon of infringing women’s rights), Romanian present society chooses 
in practice to put the women’s rights on a vulnerable, second place (by treating it in a 
non-legal, hierarchical way), “in the name of democracy” (!), when it should make the 
correct application of art. 1, align.3; art.20; art.16, align.3/Constitution.

Another alarming, generalized phenomenon characterizing today Romanian society 
is the sexual harassment at office. In this case, women’s rights and dignity infringements 
can include also, an act punished under the criminal law (blackmail of the woman- 
employee, by the man-employer, with her own remuneration rights). Regarding this 
discriminatory and illegal situation, we can say that there is not sufficient protection of 
women, in Romania, from syndicates, at office, from competent NGO-s, from the 
Council of Combating Discrimination, even from state institutions as the judicial 
authorities. We note, in this case, that the tendency of believing the man-employer (due 
to the fact that he holds the mechanisms of concrete power necessary to present the 
image of the case as a “non-discrimination” of the woman-employee) are stronger than a 
real preoccupation of the public authorities and civil society to insure the real protection 
of woman employee at her office. There is not a real, harsh, punishing administrative 
responsibility on hierarchical scale, of the man-employer, neither real implemented 
mechanisms of mediation, at office, in order to concretely obtain the cease of this 
phenomenon before getting into the front of the judicial instance. Another alarming 
connected phenomena must be noted (blackmailing with losing the job or intimidating 
 witnesses of sexual harassment, fellows of the victim at office, to not testify in favor of 
the victim), mechanism of concrete power used in practice by man-employer. Moreover 
we note that judicial authority doesn’t offer appropriate, significant damages, in general 
those phenomena being treated into the Romanian society with a certain degree of 
superficiality, even with tolerance, due to the general patriarchalist and consumerist 
context traversed by this society.

As a brief conclusion, we consider than several measures and reactions are 
recommended to be taken by public authorities:
- improving and consolidating the legislative level of protecting women’s rights into the present Romanian society, by taking into consideration the above-mentioned phenomena, tolerated at present by civil society, Orthodox Church, state institutions
- real, serious involvement of syndicates, at office, of competent NGO-s, of civil society (inclusively the Orthodox Church) in educating society to respect women’s rights, their dignity and in removing negative effects of discrimination on women from the society
- imposing to mass media a real juridical and civic obligation to respect women’s rights in essence (not formally), educating the public to know and respect women’s rights, as in a genuine non-discriminatory society and not teaching people to perceive as “normal” systematic attitudes of abuses and infringements against women
- public institutional and civic perception over the human rights and liberties as being in a relation of interdependence, not placed into a discretionary hierarchy (where liberty of mass media should be used as isolated from the other liberties, as absolutised and against those other liberties, even as a pretext to infringe other liberties, that is a profound anti-democratic action)

Conclusions
As we see, although we have tried in this article to present an overview of the main international and European legal documents for the protection of women's rights (enforceable against the Romanian state as well, as an EU member state that has signed and ratified these documents), we are far from going thoroughly into their deep presentation and analysis. In particular, the area of the European social law is still very developed in this respect (including as regards the impact of the activity of the EU institutions and European legal regulations in the field), thus leading to a higher level of protection of women's rights within the work relations in the territories of the signatory States and the EU Member States compared to other parts of the world.

Despite that, we consider that the Romanian state has the obligation to respect not only formally, but also in essence, the numerous international, regional juridical documents signed and ratified, and to offer a concrete, appropriate protection to women and to their rights, at the beginning of XXI century.

BIBLIOGRAPHY
- Closcă, Ionel; Suceava, Ion; Maxim, Ioan. 1993. Drepturile omului în sistemul Națiunilor Unite (Human rights in the United Nations' system), vol. II. (s.l.). Europa Nova PH
- Constantinescu, Mihai; Muraru, Ioan; Iorgovan, Antonie. 2003, Revizuirea Constituției României. Explicații și comentarii (Revision of the Romanian Constitution. Explanations and comments). Bucharest: Rosetti PH.
- Diaconu, Ion. 2009.Drepturile omului în dreptul internaţional contemporan, teorie şi practică (Human rights in the international contemporary law, theory and practice), ed. II. Bucharest: Lumina Lex PH


- Ordinul European de Protecţie (European Protection Order)2010/C69/02.- Official Journal of the EU no. C69 of 18 March 2010


- Popescu, Andrei. Voiculescu, Nicolae. 2003. Dreptul social european (European social law), Bucharest: Ed. Fundaţiei Romania de maine

- Principalele instrumente internaţionale privind drepturile omului la care România este parte (Main international instruments on human rights to which Romania is party).2003. vol. II, Documente Regionale (Regional documents).Bucharest: IRDO

