



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

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

**Ninth periodic report submitted by Romania under article 18
of the Convention, due in 2024*****

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- * The present document is being issued without formal editing.
 - ** The present document was submitted pursuant to the simplified reporting procedure. It contains the responses of the State party to the Committee's list of issues prior to reporting ([CEDAW/C/ROU/QPR/9](#)).
 - *** The annexes to the present document may be accessed from the web page of the Committee.



General

Reply to paragraph 1 of the list of issues (CEDAW/C/ROU/QPR/9)

National Agency for Equal Opportunities between Women and Men – ANES

1. Promoting gender equality and gender mainstreaming in all fields is a current and ongoing concern of the Romanian Government which is reflected as a transversal principle, both in the Constitution and in the effective measures transposed in the field, since 2002, both at the legislative and public policies level. In recent years, Romania has registered significant legislative progress in terms of regulating measures to continue promoting gender equality and to preventing and combating domestic violence, having the CEDAW Convention, Istanbul Convention, Beijing Declaration and Platform for Action and UN Agenda 2030 as main pillars in policy making. The Romanian Government expresses its firm commitment to the creation of an integrated intervention system with very well-coordinated actions to combat violence against women, and which, at the same time, actively involves all responsible factors. The authorities with attributions in the field are diligent, regarding the continuation of efforts to improve the situation of our country in terms of the Gender Equality Index. In this context, over the recent years, Law 202/2002 on Equal Opportunities and Treatment between Women and Men has been amended, as follows:

- Government Decision no. 262/2019;¹
- Law no. 167/2020.²

2. Also, in 2022, in accordance with the provisions of Directive 2019/1158/EU of the EP and of the Council of June 20, 2019, regarding work-life balance, law no. 202/2002 was amended accordingly by ANES. In addition to all legislative regulations, ANES developed GD no. 1547/2022 regarding the national strategy on gender equality and for preventing and combating domestic violence for the period 2022–2027. This public policy document ensures the fulfilment of the favourable condition regarding gender equality in terms of accessing European funds for the period 2021–2027 and preserves the integrated vision by approaching the issue on two basic pillars, one for each of the two fields of activity within the competence of ANES, respectively regulates, within the preventing and combating domestic violence Pillar, major directions of action in order to improve the situation of domestic violence victims and within the Pillar of Gender Equality, important directions of action in order to improve the situation of women in all fields. At the same time, in order to ensure equal opportunities and treatment between women and men in the field of work, ANES elaborated the GD no. 970/2023 for the approval of the methodology on preventing and combating harassment on the basis of sex, as well as moral harassment at work. From 2022, the institutional framework regarding gender equality was strengthened through the creation of the Ministry of Family, Youth and Equal Opportunities (MFTES), which supports all policies, measures and projects developed in the field, through ANES, the structure specialized that is under his authority. Moreover, in terms of institutional strengthening, it is important to mention that in 2023, through a European project, the Triologue Mechanism was created. This aims to initiate and streamline communication and collaboration between the 3 important inter-institutional mechanisms, with attributions in the field of gender equality (the Interministerial Committee for Preventing and Combating Domestic Violence, the National Commission and the County Commissions in the

¹ https://mmuncii.ro/j33/images/Documente/MMJS/Legislatie/Hot_262-24042019_anes.pdf.

² <https://legislatie.just.ro/Public/DetaliiDocument/228723>.

field of gender equality), with an emphasis on accountability authorities in the process of implementing country decisions and recommendations in the matter of gender equality and women's empowerment.

The National Council for Combating Discrimination (CNCD)

3. Government Ordinance no. 137/2000 on preventing and sanctioning of all forms of discrimination, represents the framework law against discrimination in Romania. The Ordinance transposes the provisions of Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, published in the Official Journal of the European Communities (JOCE), L series, No 180 of 19 July 2000, and of Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment, as regards employment and occupation, published in the Official Journal of the European Communities (JOCE), L series, no. 303 of 2 December 2000. Discrimination grounds prohibited by anti-discrimination law are detailed in the Annex of the report within the contribution of the National Council for Combating Discrimination. In the activity reports can be found more statistics as well as information about prevention activity.³

Department for Sustainable Development – DDD

4. Romania, as a member state of the UN and the EU, has expressed its adherence to the 17 Sustainable Development Goals (SDGs) of the 2030 Agenda. To implement the European provisions and those from UN documents on sustainable development, the National Strategy for Sustainable Development of Romania 2030 (SNDDR 2030)⁴ was adopted through G.D. no. 877/2018. Through this Strategy, Romania establishes its national framework for supporting the 2030 Agenda and implementing the set of 17 SDGs, including Gender Equality (SDG 5). The National Action Plan for implementing SNDDR 2030, adopted through Government Decision no. 754/2022, represents the key document guiding the implementation of SNDDR 2030 across all sectoral policies for sustainable development at the national level for the period 2022–2030. SNDDR 2030, through SDG 5 ensure balanced and effective participation of women, and promote equal opportunities for women in leadership positions at all levels of decision-making in political, economic, and public life. In 2023, Romania, through the DDD, presented in New York, at the UN High-Level Political Forum for Sustainable Development, its second National Voluntary Report (NVR), which outlines the significant progress Romania has made in implementing the 2030 Agenda.⁵ The statistical annex of the 2023 NVR includes data and progress on sustainable development indicators.⁶ In 2022, a partnership was signed between the SGG, INS, and Romanian Women's Lobby (RoWL) for the periodic collection of data and metadata on the INDD 2030 set, as part of the monitoring mechanism for SNDDR 2030. A new indicator, ZBO0514 – Horizon 1 – Social: The proportion of seats held by women and men in national parliaments, was developed and introduced into the national statistical system. This indicator monitors progress towards achieving SDG 5 and is incorporated into the COM's priorities of A fair economy for people and A new impetus for European democracy. The indicator can be considered similar to the global indicator 5.5.1, which measures the proportion of seats held by women in national parliaments and local administrations. Beyond the aforementioned

³ <https://www.cncd.ro/rapoarte/>.

⁴ <https://dezvoltaredurabila.gov.ro/files/public/10000001/Romania-Sustainable-Development-Strategy-2030-en.pdf>.

⁵ <https://dezvoltaredurabila.gov.ro/raportul-national-voluntar-al-romaniei-2023-16267167>.

⁶ <https://dezvoltaredurabila.gov.ro/anexa-statistica-la-raportul-national-voluntar-indicatorii-de-dezvoltare-durabila-11764017>.

and in the context of alignment with European and national strategies, as well as with the directives and regulations adopted at these levels, the DDD, in collaboration with the specialized/responsible directorates, has developed the first Gender Equality Plan (GEP) at the SGG level. By developing the GEP, the SGG reaffirms its support and encourages the promotion of gender equality at every hierarchical level, enhancing the institution's reputation as a modern entity and a decisive actor in implementing SNDDR 2030.

Ministry of Internal Affairs – MAI

5. Professional statutes ensure unconditional access to the selection and exercise of professions within the MAI, training, improvement, professional development, and promotion to vacant positions at all hierarchical levels. They also include non-discriminatory remuneration in accordance with the provisions of Law No. 153/2017 regarding the remuneration of personnel paid from public funds. At the MAI level, there are no distinct criteria based on sex categories for filling vacant positions with decision-making or executive grades. The origin of MAI personnel is regulated by professional statutes: for police officers, according to Article 9 of Law No. 360/2002, and for military personnel, according to Articles 36-40 of Law No. 80/1995. The recruitment and selection procedure are detailed in Annexes 2 and 3 of MAI Orders No. 140/2016 and No. 177/2016, which expressly stipulate the legal conditions and specific recruitment criteria applicable to all candidates, regardless of gender/sex. For admission to the MAI initial training institutions and for filling vacant positions through direct placement, selection is done through a competitive exam. Publicly advertised announcements specify the legal conditions and criteria for occupation set forth by the legal framework and job descriptions, thus ensuring open access to the examination process stages for all individuals, without any distinction, exclusion, restriction, or preference based on sex. The Constitutional Court, through Decision No. 789/2021, emphasizes that “under the auspices of the phrase ‘rule of law’, established by Article 1 paragraph (3) of the Constitution, lies the state’s capacity to provide citizens with quality public services and to create means to enhance their trust in public institutions and authorities. The state is obliged to create all prerequisites – of which the legislative framework is one – for the performance of its functions by individuals who meet certain professional criteria and moral integrity”.

The National Authority for the Protection of the Rights of Persons with Disabilities (ANPPDP)

6. ANPPDP coordinates at the central level the activities of protection and promotion of the rights of persons with disabilities and ensures the follow-up of the application of the regulations in its own field, respectively the obligations provided for in the Convention on the Rights of Persons with Disabilities (called hereinafter the CRPD). The National Strategy regarding the rights of persons with disabilities “A fair Romania” 2022–2027⁷ (G.D. no. 490/2022), a horizontal enabling condition for the programming period 2021–2027, continues and develops the approach to implementing the CRPD and aims to ensure the framework for the full and equal exercise of all fundamental human rights and freedoms by all persons with disabilities. Equal opportunities represent one of the principles of the National Strategy involving the recognition of persons with disabilities as participants with equal rights within society, implying taking measures to prevent, identify and sanction any form of discrimination, including multiple discrimination. The principle leads to the need to adopt specific measures that are necessary to accelerate or obtain the de

⁷ <https://anpd.gov.ro/web/wp-content/uploads/2022/12/The-National-Strategy-for-the-Rights-of-Persons-with-Disabilities-An-equitable-Romania-2022-2027.pdf>.

facto equality of persons with disabilities. The need for a different approach is based on the existence of specific individual needs, the capacity for self-determination, the degree of dependence, the risk of multiple discrimination, these being the factors that influence the taking of a certain measure. This measure aims to equalize the chances of social inclusion and increase the quality of life of persons with disabilities. We invoke in this sense, those mentioned in art. 5, point 4 of the CRPD. The ratification of the UN Convention on the Rights of Persons with Disabilities meant full recognition of the provisions of art. 6 – Women with disabilities. We mention the fact that at the level of the institution statistical data communicated by the DGASPC's of the county, respectively of the sectors of the municipality of Bucharest, are centralized data that can be found in the last statistical bulletin, published on December 31, 2023, <https://anpd.gov.ro/web/transparenta/statistici/>. On December 31, 2023, the total number of persons with disabilities communicated was 923,578 persons. Of these, 98.28 per cent (907,715 persons) are in the care of families and/or live independently (non-institutionalized) and 1.72 per cent (15,863 people) are in public residential social assistance institutions for adults with disabilities (institutionalized) coordinated by MMSS through the ANPDPD. Women represent 53.52 per cent of all persons with disabilities. The Law no. 448/2006 on the protection and promotion of the rights of persons with disabilities, republished, with subsequent amendments and additions, deals with the rights enjoyed by all persons with disabilities.

Women's rights and gender equality in relation to the pandemic and recovery efforts

Reply to paragraph 2 of the list of issues

ANES

7. From the perspective of the impact of the COVID-19 crisis on women's rights and gender equality, the Romanian Government adopted a series of measures for all vulnerable categories of citizens – Law no. 19/2020, Law no. 45/2020. At the same time, since the beginning of the Covid19 crisis, ANES has developed and implemented 2 plans of measures⁸ for the 2 fields of competence. The two plans include complex measures that cover, among others: the scope of permanent information campaigns for women, the provision of support through social services, innovative measures adapted to the COVID 19 pandemic (e.g. the Bright Sky application launched in partnership with the VODAFONE Foundation), campaigns for the visibility and support of women professionals on the front line, recommendations and instructions for local public authorities – DGASPCs. Also, the measures aimed at expanding and diversifying the information provided at the level of the free national telephone line 0800.500.333 intended for victims of domestic violence, discrimination based on sex and human trafficking, managed by ANES. Regarding the impact on women in terms of employment/job loss, through the ANES projects, free vocational counselling and training services have been provided to women victims of domestic violence to overcome crisis situations. ANES has submitted diligences for the wide dissemination of all services available to victims of domestic violence and the measures they can benefit from. During 2021, ANES implemented, in partnership with the NGO FILIA, the Project "Women during and after the Coronavirus: Information, Research and Advocacy for Gender Equality". The project carried out research on women's experiences and the obstacles they encountered during the COVID-19 crisis. Romania's National Recovery and

⁸ <https://anes.gov.ro/plan-de-masuri-privind-prevenirea-si-combaterea-violentei-domestice-pe-fondul-masurilor-impuse-la-nivel-national-pentru-combaterea-raspandirii-covid-19/>.

Resilience Network (PNRR) was designed to ensure Romania's development, by supporting the level of adaptation to crisis situations, in the context of recovery after the COVID-19 crisis, as well as capitalizing on the potential for economic development, through major reforms and key investments. The gender perspective was integrated in the PNRR and in the Horizon Europe programme. The perspective of equal opportunities is integrated, in particular, in Pillar 2 – “Global Challenges and European Industrial Competitiveness” and in Pillar 3 – “Innovation” and is reflected in the way funding priorities and project selection criteria are established. Within Pillar 3, which is dedicated to innovation, actions are promoted to support diversity, inclusion and equal opportunities in the field of research and innovation. This may include, for example, promoting equitable access to funding and resources for researchers, creating up to 100,000 jobs, and developing and implementing policies and practices that facilitate the equitable participation of all categories of people in research activities and innovation. Within the PNRR, Pillar V: Health and institutional resilience, 119 family planning clinics are equipped and/or rehabilitated with diagnostic points for sexually transmitted diseases, ultrasound scanners with ultraportable gynaecological probes, microscope, IT equipment. The investment also covers the costs of training medical staff working in family planning offices. (2022–2024). The total value of the investment: 49,342,0002 lei without VAT, the equivalent of €10,000,000 without VAT. At the same time, through the call for projects under Component 13 – Social Reforms (PNRR), a network of 150-day care centres for children at risk of being separated from their families will be created, which will benefit at least 1,920 children. The maximum eligible value of a project is 330,000 Euros without VAT.

Romanian Institute for Human Rights – RIHR

8. Since 2017, RIHR has established a Working Group focused on promoting women's rights and combating violence, including members from NGOs and national institutions. Acting as a bridge between civil society and policymakers, the RIHR synthesizes and communicates solutions to identified challenges. Key findings and recommendations are published in “The Rights of Women. A life without violence is the right of every woman”⁹ (2019, updated in 2023). From 2020 to 2023, the RIHR observed legislative improvements but highlighted the need to address deficiencies in the criminal justice response to sexual violence, aligning with GREVIO's recommendation to redefine sexual violence based on freely given consent.

ANPPDP

9. The measures taken in the context of the pandemic were:

(a) Taking steps, in the context of the vaccination campaign, regarding the accessibility of the platform vaccinare-covid.gov.ro for persons with disabilities and requesting their inclusion in the list of categories that can be vaccinated in the second stage;

(b) Extending the validity of disability classification certificates in the mentioned epidemiological context. Thus, according to the provisions of art. 4 para. (5) from Law no. 55/2020, the validity of documents issued by public institutions and authorities, as well as by private entities authorized according to the law, was maintained throughout the period of the state of alert, as well as for a period of 90 days from the termination/expiry of this status;

⁹ https://irdo.ro/pdf/IRDO_Studiu%20preliminar%20privind%20criza%20generata%20de%20pandemia%20COVID%202019.pdf.

(c) Elaboration of methodological, circular provisions sent to all the DGASPC, regarding the recommendations regarding the management of the situation generated by the Covid 19 epidemic.

10. A post-pandemic measure was the inclusion in Order no. 762/1992/2007 for the approval of the medico-psychosocial criteria for disability classification, with subsequent amendments and additions, in the chapter on respiratory conditions of complications caused by the infection with the COVID 19 virus, respectively of persons dependent on oxygen therapy as a result of this disease.

Women and peace and security

Reply to paragraph 3 of the list of issues

Ministry of National Defence – MAPN

11. In 2018, MAPN took the lead in promoting and implementing the WPS Agenda at the national level, by creating a dedicated structure in this domain, the Gender Management Office (GMO). The chief of the GMO has been nominated as the National Focal Point for the relationship with all national and international organizations regarding the WPS Agenda. At the national level, Romania has adopted the National Strategy and National Action Plan¹⁰ regarding the implementation of UNSCR 1325 WPS, approved by the GD, an instrument dedicated to the elaboration of common policies and guidelines for the implementation of the WPS Agenda by the national security institutions of Romania, as well as by other institutions of the central administration with responsibilities, in the field of WPS, and its objectives are:

- Gender mainstreaming in defence and security policies;
- Increasing women’s participation in peace negotiation, peace process, peace mediation, and within peacekeeping missions;
- Preventing and combating all forms of gender discrimination, harassment, and sexual violence;
- Collaboration with civil society in the implementation process.

12. At the defence level, the ministerial order no.203/2020¹¹ regarding the enforcement of the National Strategy and National Action Plan¹² for the implementation of UNSCR 1325 (2000) regarding WPS was approved. When the war started in Ukraine, Romania took into consideration the fourth pillar of the resolution, assistance, and recovery. The National Focal Point was permanently in contact with representatives of the MAI, the Romanian institution responsible for handling the Ukrainian crisis, and all special needs of women and young girls were considered when the refugee camps were designed and built. Also, all necessary measures to protect and prevent women and young girls from sexual and gender-based violence were taken. The GMO elaborated a specific questionnaire to identify vulnerabilities in logistical, human resources, gender training, and psychical protection in refugee camps. Regarding human resources, even though most part of the MAI, personnel engaged in the mission are males, the presence of female personnel could ensure task

¹⁰ National Strategy and National Action Plan Women, Peace and Security 2020–2023.

¹¹ Order of the Minister of National Defence no. M.203 of November 18, 2020, regarding the application at the level of the Ministry of National Defence of the provisions of the National Strategy and the National Action Plan regarding the implementation of Resolution 1,325 (2000) of the United Nations Security Council – Women, peace and security for the period 2020–2023, approved by Government Decision no. 561/2020.

¹² <https://gendermanagement.mapn.ro/webroot/en/pages/legislatie>.

accomplishment. Moreover, the number of volunteer interpreters and medical teams was gender balanced. Regarding logistical aspects, there have been taken into consideration all special measures based on gender, age, families, single mothers, unaccompanied children, and group criteria. Food for different types of allergies and medical and cosmetic materials for women and children were assured. Regarding physical protection, all essential measures such as access, fences, lighting, security systems, and mixed checkpoints were completely fulfilled. *More information is detailed in the annex – MAPN.*

Visibility of the Convention, the Optional Protocol and the Committee’s general recommendations

Reply to paragraph 4 of the list of issues

Superior Council of Magistracy – CSM

13. Under the project “Transparency, Accessibility, and Legal Education through Improved Public Communication in the Judicial System”, focusing on increasing transparency and accessibility of the services provided by the judiciary, the following actions were undertaken:

- Creation of audio-visual materials on legal institutions of interest, including the protection order, which were published on the website and used in the information campaign;
- Development and distribution, both in physical format and through online publication, of an information package on the rights of vulnerable groups, with sections addressing free legal assistance, discrimination, disability, and domestic violence;
- Information resources on the judiciary were also integrated into the website¹³ <https://justitiepentruoameni.ro/>, which was used as part of the campaign during 2022–2023.

14. Regarding the predefined project “Professional Training and Capacity Building within the Judicial System, CSM implemented activities to improve access to justice, especially for vulnerable groups. In this context, between 2022–2024, nine workshops and two conferences were organized on access to justice for the Roma population and vulnerable groups, with participation from judiciary professionals, local Roma experts, and professionals interacting with target groups. These sessions facilitated the dissemination of information on legal assistance mechanisms at both European and national levels and addressed issues faced by vulnerable populations. Key topics discussed included:

- Access to Justice;
- Non-discrimination Principle;
- Disability Protection;
- Domestic Violence Protection.

The National Institute of Magistracy – NIM

15. Through its professional training programs, both initial and continuous, NIM has always considered the training of judges and prosecutors on major topics of

¹³ justitiepentruoameni.ro.

interest, aiming to raise awareness of all forms of discrimination, particularly against women or children, and recurrent social phenomena in Romanian society, such as domestic violence so that this awareness leads to the identification of optimal types of intervention by judicial bodies and cooperation between them, the management of domestic violence cases with a focus on the victim, and the identification of aspects resolved differently by courts and prosecutors in the field of domestic violence, to create a uniform practice. In this context, the NIM organized, during 2017–2023, continuous professional training courses for judges and prosecutors addressing the issues outlined by the Ministry of Justice in its letter, namely:

- Gender-based violence against women – question 10 (e);
- Trafficking and exploitation of women through prostitution – questions 11 (d) and (f), and question 12 (c).

16. Regarding the inclusion of the CEDAW Convention and its Optional Protocol, as well as the general recommendations of the Committee in the training programs for judges and prosecutors, we inform you that the promotion of the principles set forth in these documents is ensured by including them among the European and international normative references in the continuous professional training activities organized in the areas of interest mentioned below.

Access to justice

Reply to paragraph 5 (a) of the list of issues

Ministry of internal Affairs – MAI

17. The National Agency Against Trafficking in Persons (ANITP), in cooperation with other public anti-trafficking stakeholders such as the General Inspectorate of Romanian Police (IGPR), the Directorate for Investigating Organized Crime and Terrorism (DIICOT), the General Inspectorate of Border Police (IGPF), the General Inspectorate for Emergency Situations (IGJR), and the General Inspectorate of Immigration (IGI), has implemented a victim coordination program in criminal proceedings. This program provides a general framework for supporting and informing victims about their rights and obligations during criminal procedures.

Public Ministry

18. On the official website of the Public Ministry, under the section “Rights of victims of offences” there is information on: national and international legislation on sexual and domestic violence, statistical data on victims of domestic violence, an information pack on the rights of vulnerable groups, theoretical and practical guidance on the offence of rape – an approach focusing on underage victims, and information on victims’ rights.

RIHR

19. RIHR promotes CEDAW and its Optional Protocol through its activities, including research, advocacy, and awareness efforts. As an associate partner in the “Rule of Law for Lawyers (ROLL)” project, RIHR collaborates with ICJ-EI to strengthen judicial independence and support fundamental rights by training lawyers and civil society organizations (CSOs) in strategic litigation across eight European countries. This initiative encourages best practices in human rights and the rule of law. RIHR also receives and addresses petitions from citizens, often representing vulnerable groups (children, women, detainees, people with disabilities, migrants), seeking solutions with public authorities on issues like health access, dignity,

education, and protection from violence. In support of the 2030 SDGs, RIHR began categorizing petitions by SDG themes in 2022 to monitor national progress and highlight barriers to achieving the agenda. Key areas include poverty reduction, health, gender equality, clean water, decent work, reducing inequalities, and climate action. Additionally, RIHR provides human rights education. In collaboration with “Grigore Tăbăcaru” Didactic House, RIHR held a course on minors’ rights in the judicial process, reaching 815 students and 57 teachers, enhancing youth knowledge on justice and human rights.

Reply to paragraph 5 (b) of the list of issues

Ministry of internal Affairs – MAI

20. Regarding the participation of victims in criminal proceedings, they may be heard in separate rooms, through videoconferencing, or video recordings made during the criminal investigation. Women who are victims of human trafficking, as well as those at high risk of becoming victims of these crimes, are provided with specific protection and social assistance.

Reply to paragraph 5 (c) of the list of issues

Ministry of internal Affairs – MAI

21. Free legal assistance is provided to victims of human trafficking under Law No. 211/2004 regarding certain measures granted to victims of crimes. Additionally, mandatory legal assistance for victims of human trafficking is regulated by Articles 43 and 44 of Law No. 678/2001 concerning the prevention and combating of human trafficking.

Public Ministry

22. Within the project “Protection of Victims of Offences” the specific objective of the project was to improve the protection of victims (with a special focus on children, victims of hate crimes and the Roma population). One of the intended outcomes of the project was to provide an improved response to hate crimes and mechanisms for protection and assistance to victims of hate crimes. In order to achieve this result, several deliverables were developed within the project, including the “Guide on the identification, investigation and prosecution of hate crimes”. The latter is a tool that provides a systematic and standardised approach to improve the way hate crimes are prosecuted, by easily identifying the necessary conditions for investigation, as well as ensuring adequate support and protection for victims of hate crimes. In order to achieve the same result, the project also carried out a series of training activities in the field of combating hate crimes. Thus, the concept and curriculum for the training of trainers were developed and the following indicators were recorded: 15 new trainers trained on hate crimes; 107 prosecutors, police officers and non-commissioned officers, NGOs and other professionals trained on hate crimes. Topics covered included relevant regulations in the field, needs of victims of hate crimes, including Roma victims, improving investigation skills, communication skills with the victim, improving inter-agency cooperation, etc.

ANPPDP

23. One of the specific objectives of the National Strategy is “Improving the ability of persons with disabilities to make decisions”. Any way to deprive the disabled person of legal capacity by establishing guardianship violates his fundamental rights.

The estimates based on the information provided by the Guardianship Authority Services indicate an increase in the number of people placed under the ban; in 2019, 4,000 persons were banned. Women represent just over half, and people aged 65 and over represent 46 per cent, with important percent also in the 18–34 and 35–49 age groups. 95 per cent of the persons placed under the ban are classified as disabled. The vast majority have a severe disability certificate (84 per cent), but there are also persons with an accented degree (14 per cent) or even medium and mild. Regarding the type of disability (for persons classified as disabled), the majority it consists of persons with psychic (44 per cent) and mental (37 per cent) disabilities, but there are also persons who are classified as degree of physical, somatic, visual disability or deaf-blindness (<http://anpd.gov.ro/web/wp-content/uploads/2021/11/Diagnosis-of-the-situation-of-people-with-disabilities-in-Romania.pdf>)

Reply to paragraph 5(d) of the list of issues

MAI

24. Training for law enforcement agents regarding sensitive investigation methods occurs in two stages: initial and ongoing. This focuses on aspects such as providing emotional support during specific hearing procedures, adapting interventions and procedures to the specifics of victims, maintaining contact with the victim and the responsible competent authorities. If the ANITP specialist observes behavioural changes in the victim, they may propose interrupting or rescheduling the hearing session.

Public Ministry

25. In 2021, in the context of the analysis of national strategic documents (national strategies) and reports of EU institutions and CoE structures on the respect of the rights of victims of offences, especially victims of domestic violence and sexual abuse, it was pointed out to the subordinate prosecutor's offices and to the IGPR that prosecutors should pay more attention to the respect of the information obligation provided for in Article 4 of Law no. 211/2004 on some measures to ensure information, support and protection of victims of offences, as amended. In this respect, the attention of the prosecutor's offices was drawn to some shortcomings in the work of the prosecution bodies, mainly at the level of police bodies, in relation to informing victims of offences about their rights, especially in the case of victims of domestic violence and sexual violence. When supervising the conduct of criminal proceedings, prosecutors must check how the criminal investigation authorities fulfil their obligation to inform victims of their rights (including the right to claim compensation for physical and psychological harm) and of the support and protection measures available to them, so as to avoid the risk of purely formal compliance and to ensure that the victim's right to receive this information does not become illusory and theoretical. Attention has thus been drawn to the need to improve the institutional response and the effective application of legislation on integrated measures for the protection of these vulnerable groups. On another aspect, in order to eliminate gender bias within the police and the judiciary and to ensure that a gender-sensitive perspective is applied in the investigation and prosecution of cases of violence against women, a "Theoretical and Practical Guide on the Offence of Rape" was developed and disseminated to prosecutor's offices in 2022 at the level of the MP, which in fact constitutes a reference for the prosecution of cases involving sexual offences. This material has been developed with the aim of making criminal investigations in cases of sexual offences more efficient, increasing quality standards and complying with the requirements of the ECHR, among other objectives, eliminating gender bias within the police and the judiciary and ensuring that the investigation and prosecution

of cases of violence against women are carried out from a gender-sensitive perspective.

National machinery for the advancement of women

Reply to paragraph 6 (a) of the list of issues

26. ANES operates under MFTES. The institutional capacity of ANES was strengthened in 2022 by allocating 5 more positions and by introducing the Interministerial Committee for the prevention and combating of domestic violence within the organizational chart of the institution. The National Commission for Equal Opportunities between Women and Men¹⁴ (CONES) as well as the County Commissions for Equal Opportunities between Women and Men (COJES) increased their activity in the last years and participated in a series of training and information sessions provided by ANES and carried out information dissemination actions in the territory. CONES was established according to the provisions of art. 24 of Law no. 202/2002. The state secretary of ANES is the president of CONES and ensures the Commission coordination. CONES is made up of representatives of the ministries and other specialized bodies of the central public administration subordinate to the Government or of the autonomous administrative authorities, of trade union organizations and employers' associations representative at the national level, as well as of representatives of non-governmental organizations with recognized activity in the field, designated by consensus by them. Interministerial Committee for Preventing and Combating Domestic Violence (CIPCVD)¹⁵, acts as a body with an advisory role in the field of preventing and combating domestic violence, in order to ensure an indispensable cohesion of to all responsible factors, the substantiation and application of the complex measures resulting from the provisions of the I.C. The committee ensures the cooperation between the institutions and organizations, in order to achieve the national public policy and the Government Plan in the field of preventing and combating domestic violence and monitors the application of national, community and international legislation in the field. Regarding the equal opportunities' experts, we can mention that, in 2023 we had centralized a number of 620 experts and designated persons with attributions of experts from local and central public administration. By the Decision no. 627/2023 of the National Authority for Qualifications was approved the occupational standard for the equal opportunities' expert. In the recent years, in Romania, the relation with the NGOs and other civil society actors has highly improved and we emphasis here the important role they have played in the elaboration of the legislation and strategies, being very active opinion vectors in the field. At the same time, within the projects that ANES has developed in the field of domestic and gender-based violence, NGOs have been co-opted as partners in their implementation. More information about the projects implemented by ANES together with NGO's are detailed in the annex of the report. Moreover, women's NGOs were involved in the design of the projects "Support for the implementation of the Istanbul Convention in Romania" and the VENUS project for combating violence against women and domestic violence. ANES has signed collaboration protocols with several of the active NGOs working in the field of violence against women and gender equality. They also participate in national institutional mechanisms of cooperation such as CIPCVD and CONES. Also, at the moment ANES implements a series of projects in partnership with relevant NGOs in the field:

¹⁴ <https://anes.gov.ro/cones/>.

¹⁵ <https://anes.gov.ro/comitet-interministerial-pentru-prevenirea-si-combaterea-violentei-domestice/>.

- The project –VERA Positive change through integrated action in difficult times is;
- The VioGen RoJust.

27. During 2023–2024 were organised several workshops with NGO representatives in order to prioritize the main issues in the field and find adequate solution together. The social assistance law no. 292/2011 was amended in 2024 and stipulates the financing of social services as a measure of social assistance, granted by public providers and deprived of social services, under the law.

Reply to paragraph 6 (b) of the list of issues

ANES

28. In Romania, the framework law in the field of equal opportunities and treatment between women and men is *Law no. 202/2002*. It regulates measures for the promotion and implementation of the principle of equal opportunities and treatment between women and men, as well as for the elimination of all forms of discrimination based on the criterion of sex, in all spheres of social life, both in the public and in the private space. At the same time, it has mechanisms for sanctioning the violation of its provisions, a fact that attracts the disciplinary, material, civil, contravention or criminal liability, as the case may be, of the perpetrators. Regarding the sanctioning of acts of discrimination on the basis of sex, we mention the fact that the framework law in the field, respectively *Law no. 202/2002* regulates the detection and sanctioning of contraventions in situations of violations of the rules established by law and which are implemented by the Labor Inspectorate, respectively labour inspectors from the territorial labour inspectorates, for the field of employment and by CNCDD, for other domains.

Reply to paragraph 6 (c) of the list of issues

ANES

29. Romania has registered a series of important advances but has also maintained vulnerabilities found in the final conclusions and recommendations formulated by the CEDAW Committee. In this context, the commitment to comply with the provisions of the Convention was reaffirmed at the governmental level, through the vision of the Governance Program 2020–2024. The recommendations formulated by the CEDAW committee were consolidated within the measures and actions found in the current national strategy in the field for the period 2022–2027, approved by GD no. 1.547/2022. The implementation stage of the Strategy is annually evaluated through monitoring reports developed by ANES, following the reports made by to all the institutions with responsibilities in the field as well as the other actors involved (social partners, NGOs). All the relevant activities and measures provided for in the strategy, namely the strengthening of the legislative framework, the strengthening of the network of social services for victims of domestic violence, the implementation of projects with non-reimbursable financing, information and awareness campaigns, the signing of partnerships, analyses and reports can be found in the Report of monitoring the stage of implementation of the national strategy regarding the promotion of equality chances and treatment among women and men too preventing and combating domestic violence for period 2018–2021.¹⁶

¹⁶ <https://anes.gov.ro/wp-content/uploads/2022/03/RAPORT-STRATEGIE-2018-2021-PILON-ES.pdf>.

Reply to paragraph 6(d) of the list of issues

ANES

30. Regarding the principle of transversality, according to which public policies and programs that defend and guarantee equal opportunities and treatment between women and men are carried out through the collaboration of institutions and authorities with attributions in the field at all levels of public life, we reiterate the fact that at the national level inter-institutional relations and collaboration with social partners, NGO's and civil society were consolidated. ANES ensures the cohesion of all institutions with responsibilities in the field of preventing and combating domestic violence by coordinating the CIPCVD, an inter-institutional mechanism established in 2016, at the initiative of ANES, by Government Memorandum. From the perspective of the ratification of the IC, this approach aimed at creating a participatory and open inter-institutional dialogue platform that would contribute to facilitating communication and improving collaboration between all responsible factors in order to identify the best solutions in the field. The committee, whose chairman is the secretary of state of ANES, is made up of representatives of the MMSS, MAI, MAE, ME, MH, the Ministry of Development, Public Works and Administration, the Ministry of Justice and the Public Ministry. Moreover, in terms of institutional strengthening, it is important to mention that in 2023, through a European project, the Trialogue Mechanism was created. This aims to initiate and streamline communication and collaboration between the 3 important inter-institutional mechanisms, with attributions in the field of gender equality (CIPCVD, CONES and COJES), with an emphasis on accountability authorities in the process of implementing country decisions and recommendations in the matter of gender equality and women's empowerment. CIPCVD was introduced within the organizational chart of ANES. CONES and COJES increased their activity in the last years and participated in a series of training and information sessions provided by ANES and carried out information dissemination actions in the territory.

National human rights institution

Reply to paragraph 7 of the list of issues

31. RIHR is one of the four human rights institutions in Romania. The Institute is also an associate member of the European Network of National Human Rights Institutions, the Association of Francophone Human Rights Commissions, the European Institute of Law in Brussels and the International Institute of French Expression and Inspiration Law. The European Commission in its 2022 Rule of Law Report recommended Romania to continue efforts to establish a National Human Rights Institution in full compliance with the UN Paris Principles. Regarding the legislative framework and status of the Romanian Institute for Human Rights, in 2022, unfortunately, there was no follow-up by the Romanian state authorities to this Commission's recommendations. There were no changes or new developments regarding the institution to ensure the institutional framework compliance with UN Paris Principles. RIHR has a strong promotional mandate and has been addressing a wide range of human rights in Romania. The RIHR is a non-accredited associate member of ENNHRI. In 2024, both the RIHR and the Romanian Ombudsman applied for accreditation, following the signing of a memorandum for cooperation. According to the Article 6.3 of the Sub-Committee for Accreditation Rules of Procedure if more than one institution applies for accreditation, they should have a) written consent from the Government and b) a concluded memorandum of agreement. It should be noted that in the Sixth Periodic Report to the Committee on Economic, Social and Cultural Rights the Government mentioned that the human rights institutions in Romania have

“different competences, [and] although at first sight they appear to overlap, (...) they complement each other.” RIHR has informed the Global Alliance of Human Rights Institutions (GANHRI) SCA on its mandate and the favourable position of the Government after the collaboration agreement with the Ombudsman was signed. However, at the moment there have been no news regarding the decision of the SCA during its last session at the beginning of May 2024. The Institute developed its activities according to the requirements formulated by the Council of Europe through Recommendations R (79) 16 and (97) 14 and Resolution (97) 11 of the Committee of Ministers of the CoE. Anchoring its concerns in the concrete realities of each period, of each stage in Romania’s recent history and evolution, the Institute constantly had in mind the organization of an appropriate framework and the creation of means for the concrete application and observance of human rights, for a better knowledge and awareness of them. RIHR has conducted a variety of activities and programmes in the field of research, education and training of trainers, of information and documentation, issuing publications and scientific works in the field of human rights. These activities together with those of awareness raising aim to deepen and disseminate knowledge on human rights in accordance with international norms and standards in the field; to promote existing international, regional and national human rights regulations and mechanisms as well as the harmonization of national legislation with EU and international standards; to develop educational strategies and actions in the field of human rights by establishing partnerships with public institutions and non-governmental organisations; to promote ways of approaching human rights issues in direct connection with the different real situations and challenges of social, economic, cultural and political nature. Now, the Institute is facing an acute lack of specialised personnel, thus its range of research activities is rather limited, therefore the following answers will be limited mostly to the activity of the Institution. More information about the role of RIHR is presented in the annex of the report.

Gender stereotypes

Reply to paragraph 8 (a) of the list of issues

ANES

32. In the Education chapter, of the National Strategy for Promoting Gender Equality and Equal Treatment between Women and Men and Preventing and Combating Domestic Violence for the period 2022–2027¹⁷ measures are outlined primarily aimed at preventing and combating gender stereotypes and biases in the education system. The measures are detailed in the annex.

Romanian Institute for Human Rights

33. Between 2018 and 2021, RIHR informed the EU Committee for Social Rights about challenges in education during the COVID-19 pandemic, noting that limited internet and device access hindered education. To address exclusion in education, Romania introduced new policies, including Law 198/2023, which established the Romanian Agency for Quality Assurance and Inspection in Pre-University Education (ARACIP). Additionally, a National Centre for Inclusive Education (NCIE) will support inclusive education initiatives from 2025. In 2024, the Ministry of Education proposed a National Plan to Combat School Violence, aiming to create safe learning environments. Human rights education has been incorporated into Romania’s pre-university curriculum, with proposals for expanding it within social sciences. RIHR also partnered in the “United in Diversity. NO Discrimination” project,

¹⁷ <https://anes.gov.ro/wp-content/uploads/2023/01/Monitorul-Oficial-Partea-I-nr.-1239Bis.pdf> .

developing training for teachers on equality and diversity, and creating a guide on minority rights to promote inclusion and combat xenophobia. Despite Order No. 6134/2016 prohibiting segregation, school dropout and segregation remain challenges for Roma students. National efforts to counter these issues include the 2022 Government Strategy and Law 2/2021 on anti-Gypsyism. The National Contact Point for Roma (PNCR) oversees strategy implementation and progress reporting.

Reply to paragraph 8 (b) of the list of issues

ANES

34. From a public policy perspective, ANES has developed and implemented a series of national strategies designed to strengthen the joint legislative efforts made in the last 20 years. The national strategy on promoting gender equality and preventing and combating domestic violence 2018–2021 included measure to eliminate discriminatory stereotypes concerning the roles and responsibilities of women and men in the family and in society and to promote gender equality which can be found at <https://anes.gov.ro/egalitatea-de-sanse-intre-femei-si-barbati/>. At this moment, the National Strategy for the period 2022–2027 is in force, approved GD no. 1.547/2022. The strategy ensures the fulfilment of the favourable condition regarding gender equality from the perspective of the programming of European funds in the period 2022–2027. The measures proposed in the new national strategy that respect the principle of transversality can be found in the operational plan.¹⁸ In accordance with the main pillars of the new National Strategy, the strategic objectives proposed for a National Plan for the economic and political empowerment of women in Romania¹⁹ are the following:

- Introducing the gender perspective in labour market policies, including those financed by EU structural funds;
- Improving the balance between professional and private life and identifying and strengthening the elements of the care economy in Romania;
- Increasing women’s participation in decision-making in the economic and political sphere, with the objective of parity;
- Reducing gender violence in the world of work.

35. Also, Romania is in the process of harmonizing the national legislation with the provisions of Directive (EU) 2022/2381 of the EP and of the CONS of November 23, 2022, regarding the consolidation of gender balance among administrators of listed companies and related measures.

MAI

36. At the MAI level, numerous information campaigns have been developed to prevent discrimination, such as the project “No Discrimination!”. The aim of this project is to raise awareness among both police officers and other social categories regarding the prevention of discrimination and hate-motivated crimes, as well as to form non-discriminatory behaviours. Several activities have been carried out within the project, such as informational workshops organized in partnership with the E-Romnja Association. These workshops focused on preventing violence against women and Roma girls, preventing discrimination, and promoting gender equality. Participants included police officers from various structures, such as those for

¹⁸ <https://anes.gov.ro/wp-content/uploads/2023/01/Monitorul-Oficial-Partea-I-nr.-1239Bis.pdf>.

¹⁹ <https://anes.gov.ro/wp-content/uploads/2024/05/8-Mai-Planul-National-de-Actiune-pentru-Imputernicirea-Economica-si-Politica-a-Femeilor.pdf>.

prevention, public order, and school safety. Informational sessions were also held with students from the “Vasile Lascăr” Police Agent School in Câmpina, in partnership with the National Council for Combating Discrimination and the National Roma Culture Centre, Romano Kher. The topics discussed included stereotypes, prejudices, discrimination, and hate-motivated crimes. In January 10, 2024, the IGJR developed a Guide on preventing and combating sexual harassment and moral harassment in the workplace. This guide represents an important tool for promoting a safe and non-discriminatory work environment for all employees of the General Inspectorate of Gendarmerie. Through these initiatives, the aim is to promote a culture of equality, prevent discrimination and domestic violence, and raise awareness of these issues within the community and among the involved specialists.

Reply to paragraph 8 (c) of the list of issues

The National Audiovisual Council NAC

37. According to the regulatory principles of the Audiovisual Law n° 504/2002, with subsequent amendments and modifications, stipulated in art. 40, “it is prohibited to broadcast programmes containing any form of incitement to hatred based on race, religion, nationality, sex or sexual orientation”. In accordance with art. 10 para. 4 of the above-mentioned Law, the Council exercises its right to control the content of the programmes offered by the audiovisual media service providers only after the public communication of these programmes. The Romanian Parliament amended the Audiovisual Law n° 504/2002 by the Law n° 52/2019, introducing chapter III5, which refers to the protection of the victims of domestic violence. The legislative measures adopted by the NAC, based on the Audiovisual Law, through the secondary legislation (the NAC Decision n° 220/2011 regarding the Regulation Code of the Audiovisual Content), have the role of strengthening the protection of human dignity and minors against audiovisual content with a potentially harmful effect on physical, mental or moral development. For this purpose, there mentioned in the annex the amendments made to the Audiovisual Code, by the NAC Decision n° 63/2017. We also mention that regarding the online content, in 2022, a series of provisions applicable to the video sharing platform services were introduced into the Audiovisual Law, of which relevant for the report would be those related to the violence issues. More information is presented in the annex.

Harmful practices

Reply to paragraph 9 of the list of issues

Public Ministry

38. This offence is currently not criminalised in national criminal law. Therefore, since this relates to a sphere of social relations which is not protected as such by the substantive provisions of criminal law, the Public Ministry is not competent to draw up such a study, in view of the provisions of Law no. 304/2004 on the organisation of the judiciary, which regulates the powers of this authority. In this regard, it should be noted that on 7 May 2024 the Directive of the EP and Council on combating violence against women and domestic violence was adopted, which requires all EU Member States to criminalise female genital mutilation and forced marriages. In this regulatory context, legislative measures will be needed at national level to transpose the regulatory measures imposed by the directive adopted, i.e. to criminalise forced marriages or child marriages. Pending the adoption of such criminalisation rules, the legal mechanisms provided for in the Civil Code and Law no. 272/2004 on the

protection of the rights of the child may be used at national level in relation to the above situations. As follows from the provisions of Article 272(2) of the Civil Code, a minor who has reached the age of 16 may marry only on the basis of a medical certificate, with the consent of the legal guardian. This is an exception to the rule enshrined in Article 272(1) of the Civil Code, according to which marriage is concluded only if the future spouses have reached the age of 18. Relevant provisions on the protection of a child who would be subjected to harmful practices are also contained in Law no. 272/2004 on the protection and promotion of the rights of the child. According to Article 1(2) of Law no. 272/2004, “public authorities, accredited private providers, as well as natural persons and legal entities responsible for the protection of the child are obliged to respect, promote and guarantee the rights of the child established by the Constitution and the law, in accordance with the provisions of the United Nations Convention on the Rights of the Child (...) and other relevant international instruments to which Romania is a party”. With regard to the situation of children in situations of family abuse, including as victims of domestic violence aimed at forced marriage, the provisions of Article 41 of Law no. 272/2004 are detailed in the annex of the report within the contribution of the Public Ministry.

ANPDCA

39. ANPDCA annually collects information on pregnant girls and minor mothers within the annual reports of the Intersectoral County Teams to prevent and combat violence against children. The information is available for the year 2022; for the year 2023, the reports are being centralized. ANPDCA began to centralize information on pregnant girls and minor mothers systematically from 2020 with the aim of having an overall picture of the services that DGASPC and SPAS offer to these girls, to identify practices in the field and, if necessary, to approve procedures for the collaboration between SPAS and DGASPC, as well as with other relevant institutions in order to support these girls, including regarding intervention in case of sexual crime.

Statistical data are presented in the annex.

40. The services provided by SPAS for pregnant girls and minor mothers were the following:

- Information and advice on their rights and obligations as future parents, submission of documents for the issuance of the birth certificate, submission of documents for the granting of the state allowance/ allowance for child rearing, other social assistance benefits;
- Elaboration of service plan;
- Counselling regarding the prevention of child separation from the family; psychological, legal, parental counselling;
- Facilitating access to specialized medical services (pregnancy monitoring, periodic medical evaluations);
- Support action in court to obtain age dispensation in order to conclude the marriage;
- Health education, e.g.: national vaccination scheme; identification of pregnant girls not registered with the family doctor; informing pregnant girls about the consequences of exposure to different factors;
- Monitoring cases over a period of at least 6 months.

Gender-based violence against women

Public Ministry

41. The legal basis for collecting and centralising statistical data at the level of the PM is the Decision of the Plenum of the CSM no. 69/2014 approving the statistical forms, the guidelines for their completion and the archival nomenclature for criminal cases at prosecutor's offices. With regard to statistical data on hate crimes and discrimination, the Order of the Prosecutor General of the Prosecutor's Office attached to the High Court of Cassation and Justice no. 298/2017 amended Order no. 213/2014 on the organisation and functioning of the information system of the Public Ministry and thus introduced two new statistical forms (Annexes 19 and 20) which, as of 2018, collect additional data on hate crimes. More details can be found in the Annex of the report. Also, the Public Ministry uses statistical forms to collect and centralise statistical data on the offence of incitement to hatred, violence and discrimination, provided for in Article 369 of the Criminal Code, but the data collected are not disaggregated by discrimination criteria. Detailed statistical indicators on hate crimes and discrimination are to be introduced in the new statistical reports to be generated from ECRIS V through a project managed by the Ministry of Justice entitled "Development and implementation of an integrated strategic management system for the judiciary-SIMS"-SIPOCA 55, in which the Public Ministry – the Prosecutor's Office attached to the High Court of Cassation and Justice is a beneficiary. Statistical data for victims of domestic violence are available on the website of the Public Ministry.²⁰ Regarding the statistical data on protection orders and provisional protection orders, Order no. 20 of 29 January 2020 of the Prosecutor General of the Prosecutor's Office attached to the High Court of Cassation and Justice, amending and supplementing Order no. 213/2014 of 15 July 2014 on the organisation and functioning of the information system of the Public Ministry introduced Annex no. 21, entitled "Statistical situation of provisional protection orders submitted by police bodies for confirmation pursuant to Article 227(1) of Law no. 217/2003 on preventing and combating domestic violence" (now Article 34(1), after renumbering).

Reply to paragraph 10 (a) of the list of issues

ANES

42. Over the past years, Romania has embarked on an ambitious and comprehensive reform of domestic violence legislation and has consistently taken steps to prepare for the implementation of the Istanbul Convention (I.C.) provisions, this being one of the priorities of the Romanian Government. From the perspective of the regulations contained in Law no. 217/2003 on preventing and combating domestic violence, the GREVIO Report on the implementation of the I.C. in Romania,²¹ highlights a significant progress. In this sense, in 2023, at the initiative of ANES, the Working Group for the consolidation of the legal framework in the field was established, which includes all relevant central ministries and institutions and local public administration, representatives of non-governmental organizations active in the field, representatives of academia and reputed legal specialists. According to Decision no. 69/2022, in the year 2023 were approved hardware and software infrastructure monitoring kits, which are functional, at the level of Bucharest municipality and in three counties (Iași, Mureș and Vrancea), being applied 468 monitoring devices

²⁰ <https://www.mpublic.ro/ro/content/date-statistice-privind-victimele-violen%C8%9Bei-%C3%AEn-familie>.

²¹ <https://rm.coe.int/final-report-on-romania/1680a6e439>.

within the pilot project. Other relevant legal documents: GD no. 426/2020, Decision no. 1.253/2022; Order no. 20840/2022, case management for the aggressor (Order no. 20841/2022), unitary data collection procedure, intervention methodology for Intervention Centres in situations of sexual violence, Domestic violence prevention measures (Order no. 20266/2023). By the Law no. 253/2022 for the amendment and completion of the Housing Law no. 114/1996, priority was also introduced for victims of domestic violence in accessing social housing. Romania is in the process of harmonization of the internal legislation with the provisions of the Directive 2012/29/EU of EP and of the Council of 25 October 2012 establishing minimum rules on the rights, support and protection of victims of crime and replacing the Framework Decision 2001/220/JHA of the Council regarding the need to provide specialized services to gender-based violence victims, including victims of sexual violence, and creates the appropriate framework for its application. An important step of Romanian Government was the implementation of the Project “VENUS – Together for a safe quality life!”²², through which 4021 people received integrated services in order to ensure the transfer to an independent life and socio-professional reintegration, being created and developed the integrated innovative national network of 42 protected shelters for domestic violence victims (in each county), together with 84 complementary services (42 Support Groups that provides specific psychological assistance and personal development programs and 42 vocational counselling offices that provide vocational counselling services, professional guidance and support for identifying a new job in order to overcome crisis situations and professional reintegration). Through the “Support for the implementation of the Istanbul Convention in Romania”²³ project, 10 regional intervention centres for victims of sexual violence were established, equipped and are operational, through which specialized care and counselling services are provided to victims of sexual violence, including the provision of sampling kits for collecting biological samples and 8 centres for the aggressor’s assistance. The intervention centre for victims of sexual violence is dedicated to all victims, without discrimination, and the services provided are free of charge. Within VioGen²⁴ project ANES has organized specific training sessions on gender-sensitive perspective integration in the investigation and prosecution of cases of violence against women, and developed and piloted 2 mechanisms: 1. network of support assistants for victims of domestic violence (ASV), sexual violence and violence against women, 2. Network of experts who can provide courts with the formulation of points of view in the matter of non-discrimination against women and avoiding their victimization/revictimization. These mechanisms are a first for our country and aim to provide specialized expertise in the field of non-discrimination of women and avoidance of victimization/re-victimization in order to contribute to the empowerment of women in crisis situations. The VERA project – Positive change through integrated action in difficult times,²⁵ is implemented by ANES, as Promoter in partnership with a Consortium of NGOs having. The general objective of the project aims to improve and adapt the response capacity of central and local public authorities to provide better and adequate support to victims of domestic violence and gender-based violence. Also, within the National Strategy regarding the equal opportunities and treatment between women and men and preventing and combating domestic violence for the period 2022–2027 – Pillar II of the Strategy, called “Domestic violence and violence against women”, actions and measures are included in priority areas, as presented in the annex of the report within the contribution of ANES. The national strategy for preventing

²² <https://proiectulvenus.ro/>.

²³ <https://anes.gov.ro/justice/acasa/>.

²⁴ <https://viogen.anes.gov.ro/>.

²⁵ <https://anes.gov.ro/proiect-vera/>.

and combating sexual violence “SYNERGY” 2021–2030²⁶ approved by GD no. 592/2021, developed and monitored at the level of the MFTES through ANES, includes measures aimed at reducing the sexual violence cases and preventing relapse, in general, through actions of counselling for children, girls and women, as well as through other measures to support and improve the intervention of professionals. In Romania, sexual violence against women, including cases where this form of violence takes place within the family, is currently regulated and legally recognized as a form of gender-based violence and discrimination against women, but also as a criminal offense in the Criminal Code, however, in addition to the legal provisions in the criminal field in force, through the approval of the “SINERGIE” Strategy 2021–2030, the realization of prevention and protection measures, as well as the creation of specialized services for victims of sexual violence, through actions focused on the following strategic directions, were targeted and are detailed in the annex of the report.

Reply to paragraph 10 (b) of the list of issues

ANES

43. Since Romania ratified the I.C. through Law No. 30/2016, ANES has adopted measures and taken actions to ensure the best possible protection for victims of domestic violence, by creating and operationalizing inter-institutional mechanisms and developing a comprehensive legislative package. Among the particularly important regulations and measures for domestic violence victims, to which ANES has contributed in recent years, we highlight the following:

- Regulation of the provisional protection order (valid for 5 days) in accordance with Article 52 of the I.C., as a specific form of protection for victims in situations of imminent danger.

44. Expanding the category of persons considered as family members, beyond the boundaries of marriage or common residence. Regulation and extension of the scope of social services for domestic violence victims, including: the national emergency hotline for victims of domestic violence (0800 500 333,²⁷ Article 24 of the Convention), the creation and development of a national network of 42 protected shelters and 84 complementary services, the establishment of 10 sexual violence intervention centres (Article 25), and the creation of 10 assistance centres for offenders. Formation of mobile teams at the local level for emergency interventions and referral to appropriate social services. Regulation of electronic monitoring systems for both the provisional protection order and the protection order. Continuous training for all categories of professionals (police officers, social workers, judges, and prosecutors). Implementation of ongoing campaigns to inform and raise public awareness regarding domestic violence and violence against women, including Roma women. Development and implementation of appropriate public policies. Regulation of electronic monitoring system that enables the verification of compliance with the perpetrator’s obligations under the provisional protection order and the protection order. In the Romanian Penal Code, the crime of rape is regulated by Article 218. The penalties for rape vary depending on the gravity of the act and its consequences for the victim, generally ranging from 3 to 10 years of imprisonment. The sentence can be increased if certain aggravating factors are present, such as rape committed against a minor, a person unable to defend themselves, or under particularly cruel circumstances. Article 199 of the Penal Code introduces an aggravating circumstance in cases of domestic violence, meaning that when rape is committed against a family

²⁶ <https://anes.gov.ro/wp-content/uploads/2022/12/HG-592-2021.pdf>.

²⁷ <https://anes.gov.ro/call-center/>.

member, the sentence applied may be higher. Article 199, paragraph (1), stipulates that acts of violence (including rape) committed against a family member are punishable by a penalty increased by one-third over the limit prescribed by law for that offense. When rape is committed against a family member (such as a spouse), it is not only defined as rape under Article 218 but also becomes legally more severe under Article 199. Thus, committing the crime of rape within the family (for example, marital rape) is treated more harshly, reflecting the severity of the situation and the increased vulnerability of the victim. This one-third increase in the sentence is intended to deter such acts within the family context, considering that family relationships are expected to provide mutual safety and protection, and the abuse of these relationships is seen as a particularly serious circumstance. Through this regulation, the Romanian Penal Code aims to provide a higher degree of protection to individuals in family relationships and to more severely penalize crimes committed within a setting where trust and support should prevail.

Reply to paragraph 10 (c) of the list of issues

ANES

45. In order to fulfil the commitments made by the Romanian state regarding the harmonization of the internal legal framework with the provisions of the IC, ANES, in consultation with legal experts, representatives of ministries with responsibilities in the field, and representatives of civil society, has developed a complex legislative package that includes primary, secondary, and tertiary regulatory acts: Law No. 174/2018, which for the first time in Romania introduced the provisional protection order (PPO) and the conditions for its issuance, (Article 52 of the Istanbul Convention). The PPO represents the central pillar of Law No. 174/2018 and is an immediate protection measure, distinct from the protection order (PO), which has been regulated by law since 2012. The PPO is an administrative instrument that allows the police officer to intervene quickly to protect the victim and immediately remove the aggressor from the home in situations of imminent danger to the health and safety of the domestic violence victim. Law No. 178/2018, introduced the concept of 'gender-based violence,' in accordance with Article 3(d) of the I.C. It also provides the possibility for public and private sector entities with more than 50 employees to have an equal opportunity expert or equal opportunity technician as part of their staff. The other measures are mentioned upper at the answer from the point b. These provisions apply to both marriages and de facto unions. Also, starting May 2023, in order to continue the efforts regarding the harmonization of national legislation with the provisions of the IC, as well as in the context of implementing the recommendations presented by the GREVIO Expert Group in the Country Report, to fulfil the commitments made by the Romanian State at ratification, a Working Group has been established within ANES.

46. This working group aims to initiate and analyse proposals to amend Law No. 217/2003, as well as Order No. 146/2578/2018 regarding the management of domestic violence cases by police officers. The process of amending/revising Law No. 217/2003 on preventing and combating domestic violence, which is currently underway, addresses the following relevant aspects:

- Regulating other types of violence against women;
- Introducing a gender perspective in the provision of social services and specialized services for domestic violence victims;
- Allowing central and local public administration authorities to finance a package of alternative support measures for victims, in accordance with the

individualized material support needs of victims in risk situations, personalized support packages;

- Integrating the perspective of Roma women in the design, implementation, monitoring, and evaluation of policies by supporting women’s NGOs that represent them and establishing the percentage of funding for public and private social services in the field of preventing and combating domestic violence from the state budget;
- Collecting administrative data on various forms of violence against women to outline an overview of the phenomenon;
- Ensuring systematic and mandatory initial and ongoing training on the prevention and detection of all forms of violence against women regulated by the I.C., concerning equality between women and men, the needs and rights of victims, and the prevention of secondary victimization for all professional groups, especially in law enforcement, the health sector, and the judiciary.

47. According to the provisions of G.D. No. 541/2023, a mechanism has been established for the issuance, distribution, and reimbursement of vouchers for victims of domestic violence.²⁸ The allocation of vouchers to victims of crime is intended to cover urgent needs and represents an advance from the financial compensation approved by the Commission (the Commission within the court of the victim’s residence), in accordance with Article 30 of Law No. 211/2004 on certain measures for ensuring the information, support, and protection of crime victims, with subsequent amendments and completions. A victim who has filed a criminal complaint can submit a request for financial compensation or a request for an advance from the financial compensation in the form of a voucher to cover urgent needs to the court in the jurisdiction where the victim resides, which will be resolved by two judges from the Commission for granting financial compensation to crime victims, established in each court. *The amount is granted within a maximum of 72 hours from the approval of the request.*

Reply to paragraph 10 (d) of the list of issues

Public Ministry

48. As stated in Article 2 of Law no. 30/2016, “When depositing the instrument of ratification, Romania makes the following reservations:

(a) In accordance with the provisions of Article 78(1) and (2) of the Convention, “Romania reserves the right not to apply or to apply only in specific cases or under specific conditions the provisions formulated in:

- Article 30 (2);
- Article 44(1)(e), (3) and (4);
- Article 55(1) with regard to Article 35 on minor offences;
- Article 59;

(b) In accordance with the provisions of Article 78(1) and (3) of the Convention, “Romania reserves the right to provide for non-criminal sanctions, instead of criminal sanctions, for the conduct referred to in Articles 33 and 34”. More details can be found in the annex of the report – Public Ministry.

²⁸ <https://anes.gov.ro/metodologie-vouchere/>.

Reply to paragraph 10 (e) of the list of issues

Public Ministry

49. With regard to addressing gender bias through training programmes, the Prosecutor's Office attached to the High Court of Cassation and Justice regularly checks how decentralised training is carried out at prosecutor's office level and recommends the inclusion of recent ECHR/EJC judgments in the training programme on topics of major interest. In the context of the analysis of national strategic documents and reports of EU institutions and CoE structures on the respect of the rights of victims of offences, in particular victims of domestic violence and sexual abuse, the need to improve the institutional response and effective implementation of legislation on integrated measures for the protection of these categories of vulnerable persons has been highlighted. Consequently, it was considered that a first measure to help eliminate the shortcomings in the respect of the rights of victims of domestic and sexual violence directed, in particular, against children and women, is to intensify training sessions at decentralised level, and therefore the prosecutor's offices attached to the courts of appeal – responsible for the decentralised training of prosecutors – were asked to include such topics in their training programme. In order to protect more effectively the rights of victims of domestic violence and sexual abuse, it is necessary to include in the continuous training programmes for prosecutors, at decentralised level, professional training sessions dealing with topics focused on combating domestic and gender-based violence, in particular sexual violence against women, as well as the rights of victims and the prevention of their secondary victimisation. These training sessions should be of longer duration and involve as many prosecutors as possible in the training of prosecutors dealing with such cases. By Order of the Prosecutor General of the Prosecutor's Office attached to the High Court of Cassation and Justice no. 1481/C/2020 of 03.09.2020, a topical inspection was requested to be carried out in all prosecutor's offices, with the objective of verifying the legality and the thoroughness of the solutions ordered in 2018–2019 in cases concerning the offence of incitement to hatred or discrimination, provided for by Article 369 of the Criminal Code. The inspection report was finalised in January 2021 and was communicated to the prosecutor's offices. The topical analysis and inspection were aimed at verifying the manner of referral to the prosecution authorities, the investigative methods, the procedural measures taken in the criminal proceedings, the solutions ordered and the grounds retained in their motivation. The typologies in the commission of offences were identified, including in relation to the criteria of discrimination or manifestation of hatred, and the cases in which discrimination against women was based on gender grounds were analysed. As a best practice model, the indictment of the Prosecutor's Office attached to the Court of First Instance of District 1 of Bucharest was highlighted, which concerned incitement to hatred in the online environment, materialised in a form of visual expression (video) and text (lyrics), promoting gender hatred (against women), the offender being a well-known singer and influencer, the large number of people to whom it was addressed being illustrated by the high number of views of the video and the number of shares. Several recommendations were made to the prosecution bodies in the above-mentioned papers, including further training of prosecutors in the "Training Session on Non-Discrimination" held by CNCD in collaboration with the NIM, as well as consultation of written materials published on the website of the ECHR, CNCD and NAC. Another topical inspection was carried out as part of the campaign to promote Romania's candidacy to the Human Rights Council, concerning the cases of domestic violence solved in 2020, provided for by Article 199 of the Criminal Code, from the perspective of verifying compliance with the requirements of Articles 2, 3 and 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms, failure to adapt the investigation to the specific features of domestic

violence – in terms of carrying out an effective investigation (the case of Buturugă v. Romania, in which the violation of the positive obligations incumbent on the State under this Convention was found). The inspection sought to identify weaknesses in the prosecution activity that would call into question the failure to comply with international commitments to respect and guarantee the rights of women and protect them against violence, in particular the Istanbul Convention. In this respect, emphasis was placed on the provisions of Article 3(d), namely the qualification of violence against women as “gender-based violence”, i.e. “violence that is directed against a woman because she is a woman or that affects women disproportionately”, the concept of “gender” referring to the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women [Article 3(c)]. Guidance on the importance of fulfilling the obligation to inform victims has also been provided by the Prosecutor’s Office attached to the High Court of Cassation and Justice in the context of other inspections regarding offences whose victims are predominantly women or violence against certain vulnerable groups of persons, as well as in the context of measures taken in the execution of ECHR judgments in the MGC and EB v. Romania case group. Since 2019, the Judicial Section of the POAHCCJ has been conducting an analysis of the judgments rendered by the ECHR in the cases in which Romania was sentenced, monitoring the cases in which the Court found that the state authorities had not carried out an effective investigation into the acts of violence reported by women, an aspect analysed from the perspective of Articles 3 and 8 of the Convention.

50. NIM have been taken measures in this regard:

- Under the project “Institutional development and professional training for magistrates in the management of domestic violence cases coordinated by the Prosecutor’s Office of the High Court of Cassation and Justice (POAHCCJ), in partnership with NIM, 3 training seminars for trainers for prosecutors and judges on combating domestic violence were organized in Bucharest. These seminars were dedicated to training a team of 13 judges and 8 prosecutors who later held 8 continuous training sessions attended by 151 magistrates (73 judges and 78 prosecutors);
- In 2019, a seminar on “Combating Domestic Violence” was held in Bucharest on September 19–20, funded from the state budget, with 18 magistrates (9 judges and 9 prosecutors) attending;
- Under the project “Justice 2020: Professionalism and Integrity,” were organized between 2020 and 2023, each lasting 2 days in Bucharest, for a total of 195 judges and prosecutors involved in handling or prosecuting domestic violence cases. A total of 192 magistrates (110 judges and 82 prosecutors) participated in these activities.

Reply to paragraph 10 (f) of the list of issues

ANES

51. In 2020, the largest increase in the number of services for victims of domestic violence took place through the operationalization, on 03.04.2020, of the services created through the POCU project “VENUS – Together for a safe life!”, implemented by ANES , in partnership with DGASPCs and DASs, at the national level, through which 126 specialized services were created, of which: 42 protected housing, 42 support groups, 42 vocational counselling offices, in all the counties of the country and the municipality Bucharest. Furthermore, within protected housing, social needs are ensured, the quality of life is increased and the principles of social inclusion and cohesion are promoted, by providing specialized assistance for victims of domestic

violence, and the hosting period is up to 12 months, depending on the complexity the case. The social services provided cover a wide range of interventions, depending on the needs of the victim:

- (a) Psychological counselling;
- (b) Legal advice;
- (c) Social assistance;
- (d) Vocational counselling, guidance and professional training, support for finding a new job;
- (e) Medical assistance, depending on the beneficiary's situation when registering at the centre.

52. The predefined project “Support for the Implementation of the Istanbul Convention in Romania”, whose main objective was to support the implementation of the IC in Romania and implicitly aimed at reducing domestic violence and violence against women, 10 intervention centres were created for victims of sexual violence (10 cities in Romania: Bucharest, Slobozia, Timișoara, Craiova, Sibiu, Brăila, Piatra-Neamț Bacău, Constanța, Satu Mare) and 8 centres of counselling for aggressors (8 cities in Romania: Ialomița, Bacău, Dolj, Sibiu, Constanța, Timișoara, Giurgiu, Bucharest (Sector 6). At the national level there is a Total of social services and specialized services aimed at preventing and combating domestic violence of 265. Currently, at national level, there are 171 social services intended for victims of domestic violence and aggressors, of which: 157 social services intended for victims (residential and day) and 14 social services intended for aggressors.

Trafficking and exploitation of prostitution

Reply to paragraph 11 (a) of the list of issues

National Agency against Human Trafficking

53. Human trafficking is a complex and concerning issue that requires an integrated and coordinated approach from authorities, civil society, and the private sector. To address this challenge, Romania has developed a series of strategies and action plans that provide an effective framework for preventing and combating human trafficking. The National Strategy Against Human Trafficking (SNITP) for the period 2018–2022²⁹ was an important reference point in the fight against this phenomenon, establishing general and specific objectives for all entities involved. The evaluation of this strategy in 2023 led to the identification of strengths and areas needing improvement, thus facilitating the development of a new strategic vision for the period 2024–2028. The new strategy aims to streamline and prioritize activities carried out to reduce the impact of human trafficking at the national level. The strategy defines five main directions of action, focusing on prevention, punishment, protection, and partnerships. Regarding prevention, numerous information and awareness campaigns have been conducted both online and in communities, focusing on vulnerable groups and those at risk of becoming victims of human trafficking. These campaigns were supported by a series of preventive actions in educational institutions, placement centres, and other institutions that directly contact the target audience. Another essential component of the strategy is the punishment of traffickers and ensuring effective justice in cases of human trafficking. Improving protection and

²⁹ <https://anitp.mai.gov.ro/en/SNITP%202018-2022.pdf>.

assistance provided to victims, as well as standardizing data collection processes, are other key objectives of the strategy.

Reply to paragraph 11 (b) of the list of issues

MAI

54. Among the individuals benefiting from temporary protection on Romanian territory, the majority are women and children, categories at a higher risk of becoming victims of human trafficking. Romanian authorities have taken preventive measures to support the integration of these individuals into Romanian society by providing them with financial assistance, free access to education, medical services, and the right to work. A mechanism has been created to prevent situations of vulnerability that could expose Ukrainian citizens to the risk of becoming victims of human trafficking. The safety of refugees remains a primary concern for Romanian authorities, who have organized national meetings involving all relevant institutions and international and non-governmental organizations to effectively manage this situation. The entities responsible in this area, ANITP and IGI, have implemented campaigns to prevent human trafficking, targeting both migrants and the general population. These campaigns aimed to enhance awareness of the risks of human trafficking and provide resources and knowledge necessary to protect migrants and vulnerable groups. Preventive messages have been disseminated across various online platforms, such as Facebook, Instagram, YouTube, and Twitter, and have been promoted through paid advertising to reach a wide and diverse audience. Furthermore, the campaigns have been adapted and translated into several languages, including Ukrainian, Arabic, Bengali, and Nepali, to ensure access to information for all residents of Romania.

ANPDCA

55. ANPDCA adapted, with the support of UNICEF, the PRIMERO application for the registration of children from Ukraine, in which a section refers to the initial assessment covering aspects related to acts of violence against children, including child trafficking. PRIMERO has the role of supporting, in Romania, the rapid identification and registration of all children from Ukraine, with an emphasis on unaccompanied and separated children (UASC). In the current context, UASC also refers to children who travel with their parents' consent with another family or with a caregiver. These children can be identified on the move, in transit, or located in the general population; they can be children who intend to stay in the place of registration or who want to move to Romania or beyond the borders. The purpose of PRIMERO is to ensure that each child is registered and referred to child protection authorities for case management or other services relevant to the child's situation and to facilitate cross-location or cross-border tracking where necessary (to maximize support and minimize risk suspicions). The registration form, implemented in PRIMERO, is filled out on tablets by social workers and psychologists from DGASPC. On December 31st, 2023, 33,936 children from Ukraine were identified and registered in PRIMERO, out of which: 17,036 boys and 16,900 girls. No case of violence against the child was recorded, including trafficking and other forms. More information is presented in the annex.

Reply to paragraph 11 (c) of the list of issues**ANITP**

56. ANITP, in collaboration with other public institutions involved in combating human trafficking, such as IGPR, DIICOT, IGPF, IGJR, and IGI, has implemented a victim coordination program in the criminal process. This program provides a general framework for supporting and informing victims about their rights and obligations throughout criminal proceedings. Free legal assistance is provided to victims of human trafficking under Law 211/2004 regarding certain measures granted to victims of crimes. In addition, mandatory legal assistance for these victims is regulated by Articles 43 and 44 of Law 678/2011 on the prevention and combating of human trafficking. The coordination program targets all trafficking victims who choose to participate in criminal proceedings and who are not involved in witness protection programs. Participation is voluntary and aims to provide support to victims throughout the criminal process, including accompanying them to court, informing them about legal procedures, offering emotional support during hearings, and maintaining contact with the victim and competent authorities. Regarding the reduction of human trafficking, data collected at the national level indicate a decrease in the number of victims identified annually. This decline may be attributed to the reconfiguration of criminal activities related to trafficking and, consequently, a reduction in trafficking and exploitation in certain countries, particularly regarding labour exploitation. However, the sexual exploitation of minors remains a major issue today. An important indicator of the scale of the phenomenon is the victimization rate, which has significantly decreased in recent years. This reduction reflects the efforts made to combat human trafficking and protect victims. Within the LUPTA project initiated by the International Organization for Migration, along with ANITP and DIICOT, multidisciplinary investigations have been conducted to involve victims in criminal proceedings. A tool, “Toolkit on victim-centric best practices in investigations and prosecutions,” has been developed for judicial practitioners to improve collaboration and coordination in the fight against human trafficking. Additionally, measures have been taken to protect the personal data of trafficking victims by anonymizing their names on court portals, except in situations where the victim is a civil party.

Reply to paragraph 11 (d) of the list of issues**MAI**

57. For initial training, post-secondary schools within MAI provide training for police officers, covering topics such as protecting human rights, combating domestic violence, addressing hate-motivated crimes, and inter-institutional collaboration. They periodically organize training sessions for students, tailored to new trends and legislative requirements. Regarding continuous professional training, IGPR organizes training activities that cover various aspects of police work. These include training programs on preventing and combating antisemitism, xenophobia, as well as crimes involving children and vulnerable individuals.

NIM

58. In 2017, NIM participated as a co-beneficiary partner, without financial contribution, in the European Union-funded project “Combating Human Trafficking and Migration in the European Context,” coordinated by the Pro Refugee Association of Romania and submitted for funding to the European Commission. In this capacity, NIM selected magistrate experts for the project, as well as participants for two

conferences: May 10–12 (1 judge and 1 prosecutor) and October 20–21 (3 judges and 3 prosecutors), both held in Bucharest. In 2018, the project’s final conference was held on November 1 in Bucharest, with 3 judges attending. In 2019, NIM organized in Bucharest, with its own funds, a seminar on “Combating Human Trafficking” on November 18–19, attended by 7 judges and 7 prosecutors, as well as 1 judge and 1 prosecutor from the Republic of Moldova. Under the project “Justice 2020: Professionalism and Integrity,” 6 training activities on “Combating Human Trafficking” were organized, each lasting 2 days, for judges and prosecutors handling human trafficking cases. A total of 95 magistrates (39 judges and 56 prosecutors) participated in these activities. Three additional seminars on this topic were organized in 2023 as part of the project “Strengthening the Proactive Response of the Justice System to Human Trafficking in Romania,” carried out by International Justice Mission with support from the U.S. Department of State’s Office to Monitor and Combat Trafficking in Persons. These seminars were dedicated to 42 judges handling human trafficking cases.

Reply to paragraph 11 (e) of the list of issues

ANITP

59. Laws in Romania ensure that victims of human trafficking have access to protection and assistance services. According to Law No. 687/2001, on the prevention and combating of human trafficking, victims of these crimes have the right to protection and special assistance, including physical, legal, and social support. The identity and private life of these victims are protected, and their physical, psychological, and social recovery is guaranteed. Law No. 678/2001 supports the principles and procedures contained in the National Mechanism for the Identification and Referral of Trafficking Victims (MNIR), approved by HG 88/2023 for the approval of the national mechanism for the identification and referral of victims of human trafficking. This mechanism provides that Romanian citizens who are victims of human trafficking benefit from a recovery and reflection period of up to 90 days to allow them to recover, avoid the influence of traffickers, and make an informed decision regarding cooperation with authorities. During this period, victims receive psychological counselling, medical and social assistance, accommodation, and are informed about applicable legal procedures. Additionally, victims have the right to assistance and support throughout the criminal process, and this is not conditioned on their willingness to cooperate with authorities. Victims’ participation in criminal proceedings is facilitated through hearings in separate rooms, through video conference systems, or by recorded video hearings during the criminal investigation. Women who are victims of human trafficking receive specific protection and social assistance. Funding for appropriate referral mechanisms is provided through the specific budgets of the involved institutions, according to MNIR. This mechanism is oriented towards identifying and assessing trafficking situations and ensuring the referral of victims to assistance. It is important to note that including individuals in social assistance programs is based on needs assessment and the informed decision of the victims.

Reply to paragraph 11 (f) of the list of issues

MAI

60. Between 2019 and 2023, cooperation among public institutions, non-governmental organizations, and the private sector has been an essential tool in national efforts to prevent human trafficking. Over 4,400 collaborative activities were

carried out within existing partnerships, highlighting significant involvement from these actors. Specialized training has been a continuous and dynamic process, targeting approximately 21,500 specialists from various socio-professional fields. These training sessions have aimed at teachers, social workers, medical staff, representatives of governmental and non-governmental institutions involved in combating human trafficking, volunteers, and other relevant actors. In addition to specialized training, ANITP has organized and participated in meetings of anti-trafficking inter-institutional teams at the county level, totalling 250 such meetings during the mentioned period. These meetings facilitated the exchange of experiences and best practices between representatives of governmental and non-governmental organizations at the local level, contributing to relevant information regarding the evolution of the criminal phenomenon. Inter-institutional cooperation involved concluding 53 collaboration protocols with actors from the public and private sectors, such as the Justice and Care Romania Association, Save the Children Organization – Romania, Vodafone Foundation, and the National Company Bucharest Airports. More than 100 action plans were concluded at the regional level, and 158 meetings of anti-trafficking inter-institutional teams were organized, strengthening efforts to combat human trafficking at the local and regional levels.

NIM

61. In 2017, NIM participated as a co-beneficiary partner, without financial contribution, in the European Union-funded project “Combating Human Trafficking and Migration in the European Context,” coordinated by the Pro Refugee Association of Romania and submitted for funding to the European Commission. In this capacity, NIM selected magistrate experts for the project, as well as participants for two conferences: May 10–12 (1 judge and 1 prosecutor) and October 20–21 (3 judges and 3 prosecutors), both held in Bucharest. In 2018, the project’s final conference was held on November 1 in Bucharest, with 3 judges attending.

Reply to paragraph 12 (a) of the list of issues

ANITP

62. Regarding the collection and analysis of data on the exploitation of women in prostitution, it is important to mention that the statistical system includes information about offenses provided by Law no. 217/2003 on preventing and combating domestic violence. These data refer to offenses of human trafficking (Article 210 of the Criminal Code), trafficking of minors (Article 211 of the Criminal Code), and pimping (Article 213 of the Criminal Code). Moreover, on July 1, 2021, the Romanian Police launched the National Automated Register of Persons who have committed sexual offenses or exploited individuals or minors. According to GD no. 460/2011 on the organization and functioning of ANITP, one of its responsibilities is to carry out studies and research to evaluate the evolution of the phenomenon and to prepare relevant annual reports, with the support of other structures within the MAI, as well as data provided by other public institutions and non-governmental organizations. ANITP, in collaboration with IGPR, has developed and implemented the Information System for Monitoring and Evaluating Victims of Human Trafficking (SIMEV). This system has improved data collection regarding the situation of human trafficking victims, ensuring that it is updated to reflect new trends and changes in the ways human trafficking crimes are committed. Thus, SIMEV has been adapted to collect relevant data regarding online recruitment, exploitation through online platforms, video chat, and other means of controlling victims. Through the SIMEV system and other monitoring and evaluation tools, ANITP ensures that the data collected are

appropriate and aims to keep pace with changes in infrastructure and new trends in the commission of human trafficking crimes. This is essential for a better understanding of the phenomenon and for the development of effective strategies to combat human trafficking.

Reply to paragraph 12 (b) of the list of issues

63. In Romania, no major legislative steps have been taken so far toward the legalization of prostitution, and discussions on this topic have been limited. Prostitution remains a criminalized activity, subject to fines and sometimes addressed in the context of anti-human trafficking laws. Over the years, there have been some informal proposals, highlighting the need for clearer regulation of prostitution, particularly to protect vulnerable individuals involved in this activity.

Reply to paragraph 12 (c) of the list of issues

NIM

64. The issue of gender discrimination and the protection of fundamental human rights, along with the avoidance of re-victimizing crime victims, has been consistently addressed by the Institute from the initial stage of professional training for judicial auditors and continued during continuous professional training sessions for judges and prosecutors. Thus, NIM, in partnership with the CSM, as Project Promoter, the National School of Clerks, and the Norwegian Courts Administration, implemented the predefined project “Professional Training and Capacity Building at the Level of the Judicial System” between 2019 and 2024. As part of this project, 19 training activities were organized between 2019 and 2024 on “Applying ECHR Jurisprudence.” The seminars focused on the training needs identified within the Romanian judicial system and the recent jurisprudence of the ECHR, with a specific emphasis on fundamental rights issues, including the right to non-discrimination. Additionally, regarding combating discrimination, NIM has an ongoing collaboration with the CNCD and other institutional partners, within which numerous training activities on combating discrimination have been organized annually, with a focus on combating hate speech and hate crimes.

Reply to paragraph 12 (d) of the list of issues

65. Laws in Romania ensure that victims of human trafficking have access to protection and assistance services. According to Law No. 687 /2001, on the prevention and combating of human trafficking, victims of these crimes have the right to protection and special assistance, including physical, legal, and social support. The identity and private life of these victims are protected, and their physical, psychological, and social recovery is guaranteed. Law No. 678/2001 supports the principles and procedures contained in the National Mechanism for the Identification and Referral of Trafficking Victims (MNIR), approved by GD 88/2023 for the approval of the national mechanism for the identification and referral of victims of human trafficking. This mechanism provides that Romanian citizens who are victims of human trafficking benefit from a recovery and reflection period of up to 90 days to allow them to recover, avoid the influence of traffickers, and make an informed decision regarding cooperation with authorities. During this period, victims receive psychological counselling, medical and social assistance, accommodation, and are informed about applicable legal procedures. Victims have the right to assistance and support throughout the criminal process, and this is not conditioned on their

willingness to cooperate with authorities. Victims' participation in criminal proceedings is facilitated through hearings in separate rooms, through video conference systems, or by recorded video hearings during the criminal investigation. Women who are victims of human trafficking receive specific protection and social assistance. Funding for appropriate referral mechanisms is provided through the specific budgets of the involved institutions, according to MNIR. This mechanism is oriented towards identifying and assessing trafficking situations and ensuring the referral of victims to assistance. It is important to note that including individuals in social assistance programs is based on needs assessment and the informed decision of the victims.

Reply to paragraph 12 (e) of the list of issues

66. Answer 11.a)

Participation in political and public life

Reply to paragraph 13 (a) of the list of issues

ANES

67. In 2022, it was promoted PL-x no. 308/2022 – Draft Law for the amendment and completion of Law no. 208/2015 on the election of the Senate and the Chamber of Deputies, as well as for the organization and functioning of the Permanent Electoral Authority, a project that passed the Senate but did not complete all approval procedures.³⁰ The majority of political parties in Romania have introduced in their statute's specific provisions regarding the nomination of candidates respecting the gender balance or even introduced representation quotas of at least 30 per cent of each gender on the lists of candidates. In Romania, the Electoral Law provides for both uninominal voting (for the election of the country's president, members of Parliament, presidents of county councils and mayors) and list voting (for members of county councils and local councils).

Reply to paragraph 13 (b) of the list of issues

ANES

68. The promotion of women in politics is a very important theme for ANES and, in this context, the National Strategy in the field 2022–2027 propose the continuation of the policies on gender equality developed so far, as well as the promotion at the national level of non-discrimination values and principles on the basis of gender, through concrete measures and actions in specific areas of intervention. In order to improve the participation of women in decision-making positions,³¹ within the intervention area Participation in decision-making, the strategy includes the *objectives and measures detailed in the annex of the report*.

³⁰ https://www.cdep.ro/pls/proiecte/upl_pck2015.proiect?idp=20079.

³¹ <https://anes.gov.ro/biblioteca-virtuala/>.

Reply to paragraph 13 (c) of the list of issues

ANES

69. In Romania, the normative framework in order to ensure a balance regarding the participation of women and men in the decision-making and leadership process is also ensured by Law 202/2002 on equal opportunities and treatment between women and men, republished, which includes a series of provisions on the balanced participation of women and men in leadership and decision-making – Chap. IV – Equal opportunities between women and men in terms of participation in decision-making, art 21, 22.³² Also, ANES carries out analyses on the participation of women and men in the decision-making process in the central public administration as well as after the parliamentary and European parliamentary elections.

Reply to paragraph 13 (d) of the list of issues

ANES

70. Law 202/2002 provides in Chapter VII – Control, Findings and Sanctions: art. 37 (1) Constitutes contraventions and is sanctioned with a contravention fine from 3,000 lei to 10,000 lei, if the deed was not committed under such conditions that, according to the criminal law, it is considered a crime, the violation of the provisions of art. 6 para. (1), (1[^]1) and (2)–(4), art. 7 para. (2), art. 8, art. 9 para. (1), art. 10, para. (1)–(4), (6), (8) and (9), art. 11–22 and art. 29.

Education

Ministry of Education

71. In the 2022/2023 school year, the gross enrolment rate across all levels of education (from preschool to higher education) was 76 per cent, while the value of the indicator for preuniversity education was 73 per cent. The majority of female teaching staff work in preschool (99.7 per cent) and primary (93.2 per cent) education. In secondary education, 74.4 per cent of the teaching staff are women overall, with a 13.9 percentage point higher proportion in special education compared to mainstream education. In high schools, the proportion of female teaching staff is higher in urban schools (73 per cent) compared to rural schools (70.5 per cent). The lowest proportion of women is in vocational education (68.3 per cent), a slight increase of 1.4 percentage points compared to the previous school year. More information are detailed in the annex.

Reply to paragraph 14 (a) of the list of issues

72. The main projects and programs aimed at improving school infrastructure for economically disadvantaged communities, eliminating class segregation, and increasing opportunities for inclusive learning (funded by PNRR and the World Bank) include:

- Equipping pre-university educational institutions with furniture, teaching materials, and digital equipment (over 1 billion euros) – currently being implemented;

³² <https://legislatie.just.ro/Public/DetaliiDocument/35778>.

- Pilot program for developing regional consortia for dual education (588 million euros) – currently being implemented;
- National Program for Reducing School Dropout (PNRAS), series I and PNRAS II, series II (265 million euros) – currently being implemented;
- PNRAS Small Schools (50 million euros) – currently being implemented;
- Construction and development of a pilot network of green schools (225 million euros) – currently being implemented;
- Electric minibuses for students (250 million euros) – currently being implemented;
- Development of complementary early education services (over 22 million euros) – currently being implemented;
- Equipping upper secondary educational institutions with smart laboratories – over 117 million euros – currently being implemented;
- Modernizing university infrastructure for equitable academic spaces (over 116 million euros) – currently being implemented;
- Construction of university infrastructure for future student campuses (over 143 million euros) – currently being implemented;
- Grant scheme for the construction of rural school campuses (over 29 million euros) – currently being implemented;
- Development of the evaluation platform and creation of digital content (over 78 million euros) – currently being implemented;
- Improving the infrastructure of high schools predominantly focused on agriculture – investment implemented in partnership with MADR (over 43 million euros) – currently being implemented;
- Infrastructure/digital equipment: constructing, equipping, and operationalizing 110 nurseries. Initiatives have begun for the implementation and monitoring of contracted projects, with three nurseries already completed;
- Development of a unified, inclusive, and quality early education service system – establishing, equipping, and operationalizing 90 complementary services for disadvantaged groups;
- The call for projects has been completed, with 98 funding contracts signed (four termination requests currently under review), now being implemented;
- The project “Safer, Inclusive, and Sustainable Schools” (SSIS) is being carried out from December 2021 to June 2027, aiming to modernize school infrastructure through rehabilitation, strengthening, and/or construction of selected schools in the areas with the highest seismic risk in Romania, ensuring safer and improved learning environments for students and teachers, and increasing institutional capacity to invest in sustainable educational infrastructure.

Reply to paragraph 14 (b) of the list of issues

73. Regarding the “Second Chance” programs, several such initiatives were implemented during the European budgetary exercise 2014–2020, among which we mention:

- Project POCU/74 School for All – which promotes integrated measures to prevent and reduce school dropout, including through “Second Chance” and “After School” programs – 173.2 million euros;
- POCU/736/6/1/ – Increasing the number of NEET (Not in Education, Employment, or Training) unemployed youth aged 16–24 registered with the PES returning to education in second chance programs, including in initial vocational training – developed region/“Measures of second chance education for NEET youth – More developed region – Bucharest Ilfov” – six projects were implemented.

74. Within the POCU Project Relevant Curriculum, Open Education for All – CRED, framework plans for the “Second Chance” programs for primary, secondary, and high school education were developed.

Reply to paragraph 14 (c) of the list of issues

75. During activities organized and carried out at the level of educational institutions, including through the “Different School” program, themes based on the principles of gender equality, as well as issues related to non-discrimination, were addressed. Thus, during these weeks, activities were organized in schools aimed at promoting non-discrimination: 1,116 modules/seminars/activities promoted gender equality. In educational units with over 50 employees, individuals assigned responsibilities regarding gender equality and treatment between women and men, as stipulated in their job descriptions, organized informative sessions and interactive exercises with students, parents, and teaching staff, aiming to promote gender equality with diverse themes. Each school inspectorate has assigned one school inspector the responsibility of gender equality, and over 548 experts/responsible individuals for gender equality have been designated at the school level. At the national level, to ensure a comprehensive approach to guaranteeing gender equality, training courses and information and awareness campaigns regarding the negative effects of gender stereotypes, with an emphasis on gender-based violence, involved 16,790 students, learners, and teachers. 86 promotional events were organized at school units, during which 5,033 people (mainly parents and legal representatives) were informed about gender stereotypes. To respect the right to equal treatment for individuals subjected to discrimination, 568 informative events were organized at 695 school units nationwide. Over 64,400 people were informed about the respect for the right to equal treatment for individuals subjected to multiple discriminations. In the initial and continuous training of teachers, a series of courses/seminars/modules/campaigns regarding gender equality were organized and conducted.

Reply to paragraph 14 (d) of the list of issues

76. In the Pre-university Education Law No. 198/2023, Article 88, paragraph (10) mentions that “Curriculum frameworks and school programs for study disciplines and mandatory training modules in pre-university education must necessarily consider” the inclusion of various themes, including the theme of equal opportunities. Regarding alternative school textbooks, the Methodology for evaluating the quality of school textbook projects for pre-university education, approved by OMEN No. 3.103/28.01.2019, provides a criterion in Form A that directly refers to gender equality, as follows:

- Criterion 2. – The school textbook project must be ethical, moral, and non-discriminatory: it must respect principles that make no distinction based on race, nationality, ethnicity, language, religion, social category, beliefs, gender,

sexual orientation, age, disability, chronic non-communicable diseases, HIV infection, and belonging to a disadvantaged category;

- Perspectives: The same specifications will be included in the evaluation of school programs for mandatory disciplines that will be developed for high school education, as well as, where appropriate, regarding the revision of school programs for primary and secondary education.

77. At the Education Research Unit within the National Centre for Policies and Evaluation in Education (CNPEE) and the Executive Unit for Financing Higher Education, Research, Development, and Innovation, the study on the living and study conditions of students – EUROSTUDENT VII was conducted. This study allows for comparative analyses between girls/boys on the main dimensions targeted, which includes information related to the field of study, occupational status, sources of financial support, family context, etc., without being able to reach causal relationships that lead to a decrease in the proportion of women continuing master’s and doctoral studies.

Reply to paragraph 14 (e) of the list of issues

78. Clarifications have been introduced in the “Operational Procedure of CNPEE” regarding the development, approval, and endorsement of school programs for optional disciplines/fields of study in pre-university education. Thus, in the document analysing the projects of school programs for optional disciplines in the national offer, the criterion “Non-discriminatory character of the school curriculum” is provided among the eliminatory criteria, ensured also by:

- Excluding any references/texts/information/contents that harm national identity and values, anti-Semitic, racist, xenophobic elements, or promote nationalist-extremist ideology, as well as hate speech;
- Eliminating stereotypes and prejudices regarding the roles and responsibilities of women and men in family and society.

79. Regarding programs for guidance and counselling aimed at encouraging balanced participation of women/men in STEM fields, 79,776 students participated, and 140 mentors were trained.

Reply to paragraph 15 of the list of issues

80. ME has developed the draft of the National Strategy for Supporting Parents 2024–2030 (SNSP), which was subject to public consultation from April 4 to April 13, 2023, and will be discussed in the Social Dialogue Commission within the ME and submitted for approval through a government decision. This project was approached in partnership with the MH, MFTES and the MMSS, responsible institutions, civil society and social partners. Among the principles specified in this project is the principle of ensuring equity and equal opportunities, which provides: “developing a parental support system that actively involves both women and men in raising, caring for, protecting, and educating children, as well as obtaining a balance between private and professional life.” Additionally, the topics proposed to be addressed (according to Measure IV.3.3 – Organizing and conducting integrated parental support programs dedicated to beneficiaries, including those belonging to high-risk groups, from the public education system and private sector, in online or blended-learning systems) include subjects related to physical and emotional integrity, health, nutrition, and appropriate care, bullying, resilience, gender equality, cybersecurity, psychological counselling, career guidance, etc.

Employment

Reply to paragraph 16 of the list of issues

Public Ministry

81. On this topic, it is worth mentioning the topical inspection carried out by the Service for Guidance and Control of the POAHCCJ on the legality and the merits of the solutions ordered in 2020 in cases concerning the offence of sexual harassment, provided for by Article 223 of the Criminal Code. The inspection was ordered by Order no. 51 of 19.03.2021 of the Prosecutor General of the Prosecutor's Office attached to the High Court of Cassation and Justice and was carried out at all prosecutor's offices. The inspection aimed at identifying vulnerabilities in the prosecution activity that would call into question the non-compliance with international commitments regarding women's rights and their protection against violence, in particular the IC. The inspection aimed to monitor the way in which sexual harassment cases are prosecuted in order to ensure the judicial finality of this criminalisation. Thus, difficulties have been revealed in the practice of prosecutor's offices in establishing the meaning of the notion of "sexual favours" in the provisions of Article 223 of the Criminal Code, but also with regard to the consequences that the action of repeated demand of sexual favours must produce (intimidation or putting the victim in a humiliating situation), an aspect that outlines the elements of objective typicality of the offence of sexual harassment. In the absence of a legal definition in Romanian law, it was recommended that the definition of sexual harassment in European and EU legal instruments be used. In this respect, it was taken into account that Article 2(2) of Directive 2002/73/EC of the EP and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions, defines sexual harassment as "unwanted conduct of a sexual nature, whether physical, verbal or non-verbal, which has the purpose or effect of violating the dignity of a person and, in particular, of creating an intimidating, hostile, degrading, humiliating or offensive environment". *More details are exposed in the Annex on the Public Ministry contribution.*

MAI

82. At the level of MAI, a solid mechanism for real-time reporting of acts or facts of discrimination, harassment behaviours, or similar treatments directed against its staff has been established. This aspect is regulated by MAI Order no. 60 of May 9, 2013, which establishes the creation of a dedicated telephone line and email address for these reports. According to this normative act, the "Anti-discrimination Telephone Line" has been implemented at the level of the General Secretariat Directorate within MAI, with the phone number 021.206.92.63 and the email address discriminare@mai.gov.ro. This system is intended to allow any affected person to report acts or facts of discrimination, harassment behaviours, or similar treatments committed by ministry personnel against their colleagues. The telephone line can be accessed by affected individuals, ensuring a direct and effective communication channel for such sensitive issues.

RIHR

83. Considering the fact that women face abuse, sexual and moral harassment such as bullying in the work place, that some jobs are unsafe spaces for women, where acts of harassment and discrimination frequently occur, the RIHR in partnership with the ANES initiated the campaign to combat moral harassment in the workplace. In the

first stage of the campaign in addition to encouraging the reporting of harassment acts, it was pursued to inform victims and organizations about Law No. 167/2020 that regulates the phenomenon of moral harassment in the workplace. The results of the campaign materialized in the elaboration and publication of the Guide on combating moral harassment at work. The guide is addressing both victims of harassment as well as employers.

Reply to paragraph 17 of the list of issues

84. MFTES, through ANES, has undertaken the transposition into national legislation of EU Directive 2023/970 of the EP and CONS of May 10, 2023, to strengthen the application of the principle of equal remuneration for the same work or for work of the same value between men and women through salary transparency and mechanisms to ensure compliance with the law, and since 2023 has initiated due diligence in this regard. The transposition deadline is June 2026. The competence is shared between MFTES and MMSS. In this context, the procedures for setting up a working group were started in order to analyse the legislation in force in order to make the necessary changes and/or additions.

Reply to paragraph 18 of the list of issues

85. Within the National Strategy for Promoting Gender Equality and Preventing and Combating Domestic Violence for the period 2022–2027, approved by GD No. 1,547/2022 there are specific chapters on Labor market and work life balance. In the mentioned chapters there are targeted measures to ensure equal opportunities between women and men on the labour market, especially in terms of employment rate, income and fields of employment and increasing the degree of provision of services intended for all people active on the labour market in order to balance work and private life. These measures can be found on the gender equality pillar.³³ In 2022, in accordance with the provisions of Directive 2019/1158/EU of the EP and of the Council of June 20, 2019 regarding the balance between the professional and private life of parents and caregivers, the national legislation was amended accordingly by Law no. 283/2022 for the amendment and completion of Law no. 53/2003 – Labor Code, and GEO no. 57/2019 regarding the Administrative Code. At this moment, the Government of Romania is making concerted efforts to design comprehensive care systems from an intersectoral and gender perspective, with a view to improving the support given to workers who are parents or caregivers by: expanding access to paid family leave, improving access to quality care services, increasing financial support by expanding the coverage and levels of family and child allowances and by increasing investment in social infrastructure. Also, the development of the National Plan for the Political and Economic Empowerment of Women (PNA)³⁴ is in a process of approval.

Reply to paragraph 19 (a) of the list of issues

86. MFTES, through ANES, has undertaken the transposition into national legislation of EU Directive 2022/2381 of the EP and of the CONS of November 23, 2022, regarding the consolidation of gender balance among administrators of listed companies and related measures. The transposition deadline is December 2024:

³³ <https://anes.gov.ro/wp-content/uploads/2023/01/Monitorul-Oficial-Partea-I-nr.-1239Bis.pdf>.

³⁴ <https://anes.gov.ro/wp-content/uploads/2024/05/8-Mai-Planul-National-de-Actiune-pentru-Implementarea-Economica-si-Politica-a-Femeilor.pdf>.

- The competence is shared between the Financial Supervision Authority and MFTES;
- At the beginning of March 2024, ANES participated to the Draft Law for the amendment and completion of Law no. 24/2017 on issuers of financial instruments and market operations, promoted by ASF through the Ministry of Finance which will transpose the Directive.

Reply to paragraph 19 (b) of the list of issues

87. The national employment policies promoted MMSS are based on a package of specific measures aimed at stimulating employment, focused on the one hand on supporting the unemployed and job seekers and on the other hand on subsidizing jobs for the employment of people with difficult access to the labour market, through the services of employment agencies. From the legal point of view, the main working instrument is the Law No. 76/2002 on the unemployment insurance system and employment incentives. The National Strategy for Employment 2021–2027,³⁵ which is complemented by the Action Plan for the period 2021–2027, has the overall objective of making the Romanian labour market dynamic, sustainable, resilient, proactive and based on social innovation, with an employment rate of 75 per cent for the population aged 20–64, and also to support the recovery of the labour market after the COVID-19 crisis. One of the action lines of the National Employment Strategy 2021–2027 is Action Line 4 which aims to reduce the gender employment gap. Also, women, including inactive, unemployed, long-term unemployed, etc., and their employers are targeted under the Education and Employment Program (EEP). The main target groups of this objective are inactive, unemployed, long-term unemployed, employed women, including refugee women.

Reply to paragraph 19 (c) of the list of issues

88. Access to the national social assistance benefits system is ensured for all refugees' persons. According to the Romanian legislation there are two forms of protection for refugees: international protection (refugee status and subsidiary protection) and temporary protection. Regarding the temporary protection, this is an exceptional procedure designed to ensure immediate and temporary protection of persons, in the event of an imminent flow of displaced persons from third countries who are unable to return to their country of origin. According to provisions of the national legislation, namely the article 4 of the Law no. 292/2011, the right to the social assistance benefits is granted in Romanian without discrimination, for all Romanian citizens as well as for all the foreigners and stateless persons who have the domicile or residence in Romania. According to this principle, the vulnerable persons are benefiting from measures and social protection actions without any restriction or preference of race, nationality, ethnic origin, language, religion, social status, opinion, sex or sexual orientation, age, political affiliation, disability, chronic illness or belonging to a disadvantaged category. According to the provisions of article 20 from Law no. 122/2006 on asylum in Romania, recognizing the refugee status or the subsidiary protection offers the beneficiary the right to benefit from social assistance measures under the conditions stipulated by law for Romanian citizens.

³⁵ https://mmuncii.ro/j33/images/Documente/MMPS/SNOFM_2021-2027.pdf.

Reply to paragraph 19 (d) of the list of issues

89. The Romanian Constitution guarantees fundamental rights and freedoms for all citizens, including principles of equality and non-discrimination. Key articles relevant to women's access to loans and credit include:

- Article 16 – Equality before the Law;
- Article 47 – The Right to a Decent Living.

90. These constitutional provisions lay the groundwork for the legal protection of women's rights, promoting equal access to economic resources, including financial services.

Health

Reply to paragraph 20 (a) of the list of issues

ANPDPD

91. One of the objectives of the National Strategy³⁶ is Specific Objective 2: Ensuring the exercise of the right to sexual and reproductive health (SRH) of persons with disabilities. Specific Objective 3: Improving the access of persons with disabilities to treatment, with dignity and respect. The health and well-being of persons with disabilities depends on the possibility of unrestricted access to medical services. Among persons with severe limitations who accessed medical services in 2021, 29 per cent reported feeling discriminated against or harassed at least once because of their disability. A significant proportion of persons with some limitations experience similar discrimination.³⁷

Reply to paragraph 20 (b) of the list of issues

Ministry of Health

92. The development of the National Health Strategy for the period 2023–2030³⁸ represents the document that synthesizes all public policy proposals in the health sector, focusing on prioritizing and scheduling the use of funds allocated within the national health system. The National Health Strategy was approved by G.D. no. 1004/2023 and provides for the development of integrated health services at the community level so that health can be approached comprehensively across multiple determinants: health-related, educational, and social. Special attention will be given to vulnerable and at-risk populations (children, the elderly, people with disabilities, etc.) as well as the Roma population, where applicable. These services will be developed by local authorities with financial, logistical, and informational support from the central level. *More information can be found in the Annex of the report within the MH contribution.*

³⁶ <https://anpd.gov.ro/web/wp-content/uploads/2022/12/The-National-Strategy-for-the-Rights-of-Persons-with-Disabilities-An-equitable-Romania-2022-2027.pdf>.

³⁷ <http://anpd.gov.ro/web/wp-content/uploads/2021/11/Diagnoza-situatiei-persoanelor-cu-dizabilitati-in-Romania.pdf>.

³⁸ https://ms.ro/media/documents/Anexa_1_-_SNS.pdf.

ANES

93. The national strategy regarding the promotion of equal opportunities and treatment between women and men and the prevention and combating of domestic violence for the period 2022–2027, proposes in the *health* chapter³⁹ a series of particularly important actions that are carried out through the combined efforts of institutions with responsibilities in the field and aimed at increasing the degree of access to health services for women and men.

Reply to paragraph 20 (c) of the list of issues

94. The phenomenon of minor mothers in Romania is complex and requires coordinated public policies across various ministries and institutions, such as the Ministries of Health, Education, and Labor, as well as local authorities. MFTES, through ANPDCA, is actively engaged in initiatives aimed at addressing this phenomenon. One significant measure is the establishment of the National Child Observatory, which will register children from vulnerable families, including minor mothers, to ensure timely access to necessary services and ongoing monitoring. Additionally, the National Action Plan for Implementing the Child Guarantee includes specific measures for vulnerable groups, including minor mothers. A notable initiative is the Framework Methodology for Granting School Scholarships, approved in September 2023, which provides financial support of 700 lei per month to minor mothers who return to school after childbirth. This scholarship aims to facilitate their education, prevent dropout, and promote academic success.

Reply to paragraph 20 (d) of the list of issues**Ministry of Health**

95. The national recovery and resilience plan, under Component 12 – Health, includes Investment 1. Development of pre-hospital medical infrastructure for family planning offices, specifically Investment 1.5, with a total budget of approximately €10,000,000 excluding VAT, aimed at:

- Equipping and renovating a minimum of 119 family planning offices;
- Conducting a health education campaign, especially reproductive health education, to be implemented nationally with priority in vulnerable areas with high rates of teenage pregnancies and sexually transmitted infections;
- Running a campaign to enhance and update the knowledge of medical staff employed in family planning centres;

96. <https://sogr.ro/wp-content/uploads/2019/11/35.-Avortul-medicamentos.pdf>
.Detailed information is presented in the annex.

Rural women**Reply to paragraph 21 (a) of the list of issues**

97. In the context of Romanian legislation and the international commitments assumed by Romania, efforts were made to ensure that rural women have adequate access to safe drinking water, sanitation, social services, healthcare, transportation,

³⁹ <https://anes.gov.ro/wp-content/uploads/2023/01/Monitorul-Oficial-Partea-I-nr.-1239Bis.pdf>.

and to develop income-generating activities specifically aimed at them. Access to Safe Drinking Water and Sanitation: According to Law no. 211/2011 on waste management and Law no. 458/2002 on the quality of drinking water, local authorities are responsible for ensuring the supply of drinking water and sanitation services, especially in rural areas. There were allocated European and government funds to improve water and sewage infrastructure. Access to Social and Health Services: Law no. 292/2011 on social assistance and Law no. 95/2006 on health reform emphasize the importance of ensuring access to social and health services. These services are tailored to the needs of rural women, including through education and prevention programs that address the specific issues faced by these communities. Access to Transportation: Law no. 211/2009 on the authorization of local public transport requires local authorities to ensure accessible and safe transportation services. In the recent years have been developed transport routes that connect rural communities to urban centres, thereby facilitating access to essential services. Development of Income-Generating Activities: The National Rural Development Strategy and the National Program for Rural Development provide funding opportunities for projects aimed at supporting female entrepreneurship in rural areas.

Reply to paragraph 21 (b) of the list of issues

98. Romania has made commendable progress in developing awareness-raising programs aimed at promoting the equal participation of women and girls in public and political life, particularly in rural areas. Through a combination of legislative frameworks, targeted programs, and collaboration with civil society, Romania is working towards overcoming discriminatory gender stereotypes and eliminating violence against rural women. The Romanian government, in collaboration with NGOs and international organizations, has initiated various awareness campaigns aimed at educating rural populations about gender equality. These campaigns often focus on changing perceptions regarding the roles of women and men in society and promoting the importance of women's participation in decision-making processes. National Strategy for Gender Equality outlines specific objectives aimed at increasing the participation of women in public and political life, as well as eliminating gender-based violence and stereotypes.

Refugee, asylum-seeking and migrant women

Reply to paragraph 22 of the list of issues

General Inspectorate for Immigration

99. From February 2022 to the present, approximately 8 million Ukrainian citizens have entered Romania, of which nearly 162,000 Ukrainians have received temporary protection. Approximately 82,000 Ukrainians benefit from temporary protection in Romania, of which 75 per cent are women and children, a high-risk category for trafficking. Preventive measures have included ensuring financial assistance and providing support for adapting to Romanian society. Moreover, Ukrainians have free access to education, the public health system, and the right to work. Romania has created a mechanism aimed at preventing situations of vulnerability among Ukrainian citizens that could expose them to the risk of becoming victims of trafficking. At the same time, the safety of refugees entering Romania remains a primary concern for MAI. In the context of the influx of refugees from Ukraine, most women and children are in vulnerable positions, and a governmental integrated system has been created to manage their influx, involving public authorities, police, border police, ANPDCA, ANITP, and NGOs. All actors involved in the anti-trafficking fight carry out activities

aimed at eliminating or limiting the possibility of victimization of refugees through human trafficking. The operational structures of the Romanian Police—D.C.C.O. have intensified specific activities for the prevention and early detection of cases of human and migrant trafficking, both at local and regional levels, as well as internationally, collaborating with ANITP, IGPF, IGI, DGASPCs, NGOs, and other public order structures. Efforts focus on quickly verifying reports concerning potential cases of recruitment of vulnerable individuals for exploitation, both operationally and strategically, through inter-institutional and international collaborations. Human trafficking specialists from territorial structures periodically organize training and information sessions for all socio-professional categories that, by the nature of their duties, may come into contact with potential victims. These sessions target beneficiaries from within MAI, such as school safety, road police, public order, proximity, criminalistics, criminal investigations, rural police, transport police, border police, gendarmerie, immigration, as well as other public institutions, NGOs, DGASPCs, local police, educational institutions, and healthcare units. Assistance for beneficiaries of temporary protection is provided according to GEO no. 15/2022 regarding the provision of support and humanitarian assistance by the Romanian state to foreign citizens or stateless persons in special situations, originating from the armed conflict zone in Ukraine, amended by Emergency Ordinance no. 20/2022. These normative acts regulate the rights of Ukrainian citizens and third-country nationals in special situations who originate from the armed conflict zone in Ukraine and enter Romania. In the context of training activities, aspects regarding the vulnerability of individuals coming from Ukraine are integrated according to the Action Plan for Preventing Exploitation, Sexual Abuse, and Risks Associated with Human Trafficking in the context of Ukrainian citizens benefiting from temporary protection in Romania. Participants are trained on the provisions of the National Mechanism for Identifying and Referring Victims of Human Trafficking, measures and actions necessary for the early identification of victims, identification of risk situations based on simple trafficking indicators, recognition of traffickers' operating methods, and subsequent referral to appropriate protection and assistance services.

RIHR

100. In February 2022 the conflict in Ukraine has caused a huge humanitarian crisis, Romania being among the emergency destinations of Ukrainian refugees, The EU invoked the Directive on temporary protection, granting refugees the right to live and to work in the EU for up to three years. According to its mandate RIHR promotes and supports the protection of rights Ukrainian refugees. The Institute's approach to the issue of migration and asylum is from the perspective of human rights and respecting the principles of international humanitarian law. *More details are presented in the Annex within the RIHR contribution.*

ANPDPD

101. Considering the current evolution of events in Ukraine, ANPDPD has taken some special measures for the protection of Ukrainian citizens in Romania, who do not require a form of protection or asylum, according to the provisions of the Law no. 122/2006, measures that were not taken separately, for women and men, but addressed to all people, regardless of sex, age, etc. In this sense, in order to establish a legal framework to ensure all these measures, Romania adopted the Emergency Ordinance no. 20/2022 for the amendment and completion of normative acts, as well as for the establishment of humanitarian support and assistance measures, GEO no. 15/2022 regarding the provision of humanitarian support and assistance by the Romanian state

to foreign citizens or stateless persons in special situations.⁴⁰ Through this legal framework, it was ensured the right to assistance and access to social services for adults with disabilities from Ukraine who did not apply for asylum. (*more details within the annex*)

Women facing multiple and intersecting forms of discrimination

Reply to paragraph 23 (a) of the list of issues

MAI

102. Regarding the field of minority protection, the Romanian Government's strategy for the inclusion of Romanian citizens belonging to the Roma minority for the period 2022–2027 is currently being implemented. This programmatic document responds to the requirements of the EU Framework for National Strategies for the Inclusion of Roma for the period 2021–2030. This endeavour is particularly important for promoting the rights and social integration of the Roma community in Romanian society. In the context of implementing this strategy, it is relevant that, through the Annual Report on the progress made in implementing the Strategy, prepared at the level of the SGG and published in December 2023, MAI has achieved and exceeded the targets set for the first year of implementation. Thus, MAI focuses its efforts on ensuring access for Romanian citizens of Roma ethnicity to a quality inclusive education system and combating discrimination, hate speech, and anti-Roma attitudes that generate incitement to hatred or hate-motivated crimes. This success reflects institutional commitment to promoting equal opportunities and combating discrimination among minorities, thereby contributing to strengthening social cohesion and promoting cultural diversity in Romania.

Reply to paragraph 23 (b) of the list of issues

103. The Romanian Government's Strategy for the Inclusion of Romanian Citizens Belonging to the Roma Minority for the period 2022–2027⁴¹ (SNIR) was approved by Government Decision no. 560/28.04.2022. The strategy aims to ensure a convergent action framework both at the national level, through various relevant sectoral or horizontal policies, and at the subsidiary level, through the integration or adoption of relevant measures within regional, county, and local development strategies. The strategy has an intersectoral character and focuses on establishing an approach aimed at achieving sustainable results in the inclusion of Roma people. By Prime Minister Decision no. 336/26.05.2022, the Inter-ministerial Committee for the implementation, monitoring, and evaluation of the Strategy for the Inclusion of Romanian Citizens Belonging to the Roma Minority for the period 2022–2027 was established, coordinated by a state secretary from the Prime Minister's Chancellery and the president of the National Agency for Roma. COM regularly requests reporting on the progress of the implementation of the enabling condition thematic 4.5 "Strategic Political Framework for the Inclusion of Roma," which is carried out through the SNIR action plan and represents a prerequisite for accessing structural and cohesion funds.

⁴⁰ <https://anpd.gov.ro/web/wp-content/uploads/2023/05/Instructiune-metodologica-nr.-2-2022-ucraineni.pdf>.

⁴¹ <https://sgg.gov.ro/1/wp-content/uploads/2022/04/SNIR-2022-2027.pdf>.

Reply to paragraph 23 (c) of the list of issues

104. Law No. 448/2006 has constituted an essential legal framework for the protection and promotion of the rights of persons with disabilities in Romania. Recent amendments have focused on improving accessibility, inclusion, and social protection for these individuals. *The amendments made in recent years are presented in the annex.*

Marriage and family relations**Reply to paragraph 24 (a) of the list of issues**

105. Romania has adopted strategies to address the social issues of vulnerable communities, including the Roma, who are more likely to have unregistered marriages. These strategies include measures for education, vocational training, and social integration. MMSS, in collaboration with non-governmental organizations has conducted awareness campaigns to inform the population about the importance of registering marriages. These campaigns emphasize the legal and social consequences of unregistered marriages. The Romanian government has implemented measures to improve access to civil status services, especially in rural and disadvantaged areas, to encourage marriage registration. This includes the opening of mobile offices and organizing registration sessions in isolated communities.

Reply to paragraph 24 (b), (c) and (d) of the list of issues

106. The answers to these questions have already been addressed in the report in the sections above.

Additional information**Reply to paragraph 25 of the list of issues**

107. More any additional information is presented within the annex.
