



**Follow-up report of Romania on the status of implementation of the recommendations formulated in the report on the visit conducted from February 24th to 6th of March 2020
Working group on discrimination against women and girls**

Regarding the recommendation made we mention the following:

I. Point 92 a): In recent years, Romania has made significant legislative progress regarding the regulation of measures in order to continue promoting gender equality also in preventing and combating domestic. The Government of Romania 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.* Also, the transposition of the provisions of the Istanbul Convention into national legislation was a priority assumed at the level of the entire society: members of the Romanian Parliament, ministries and other institutions of the central public administration with attributions in the field, non-governmental organizations, legal specialists with relevant expertise, representatives of the academic environment. From this perspective, the National Agency for Equal Opportunities between Women and Men - ANES adopted measures and undertook specific actions in order to achieve the commitments assumed by the Romanian state by ratifying the Convention, in order to ensure the best possible protection of domestic violence victims by creating inter-institutional mechanisms, as well as by the elaboration of legislative regulations in the field, intended to transpose into national legislation the provisions of this complex international programmatic document in the field of preventing and combating domestic violence and violence against women and girls. **Regarding the Convention 190 of the International Labor Organization regarding the elimination of violence and harassment in the world of work**, Romania developed the draft law for its ratification and initiated the process of harmonizing the national legislation with its provisions. The draft law for the accession to the Convention no. 190/2019 regarding the elimination of violence and harassment in the world of work is currently at the level of the specialized commissions within the Chamber of Deputies and will be approved in february 2024.

Point 92. b) c) d) e) 1. 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 by which the Methodological Norms for the application of the provisions of Law no. 202/2002 regarding equal opportunities and treatment between women and men; • Law no. 167 of August 7, 2020, which regulates the phenomenon of moral harassment at work, for the amendment and completion of Government Ordinance no. 137/2000 on the prevention and sanctioning of all forms of discrimination, as well as for completing art. 6 of Law no. 202/2002 on equal opportunities and treatment between women and men. Also, in 2022, in accordance with the provisions of Directive 2019/1158/EU of the European Parliament and of the Council of June 20, 2019 regarding the balance between the professional and private life of parents and caregivers, law no. 202/2002 on equal opportunities and treatment between women and men was amended accordingly by ANES.

2. In addition to all legislative regulations, ANES developed Government Decision no. 1547/2022 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. This public policy document ensures the fulfillment of the favorable condition regarding gender equality from the perspective of the programming of European funds in 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 regulate, within the Prevention and combating of domestic violence Pillar, major directions of action in order to improve the situation of domestic violence victims and within the Pillar of Equality of opportunities and treatment between women and men, major directions of action in order to improve the situation of women on the labor market, such as and the punctual approach to distinct, sensitive areas, respectively those that prove to be more vulnerable or less responsive to gender issues.



AGENȚIA NAȚIONALĂ
PENTRU EGALITATEA DE ȘANSE
ÎNTRE FEMEI ȘI BĂRBAȚI

3. At the same time, in order to ensure equal opportunities and treatment between women and men in the field of work, to specifically recognize everyone's right to a world of work without violence and harassment, to encourage and maintain a work culture based on respect and dignity mutual, ANES elaborated the Government Decision 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. The normative act, by developing a guide model and its application methodology, addresses concrete intervention measures to prevent and combat moral harassment at work, bringing innovations in terms of how the principle of gender equality is transposed into public policies .

4. Also, the Government Decision no. 969/2023 for the approval of the National strategy for the protection and promotion of child rights "Protected children, safe Romania" 2023-2027 includes objectives and measures regarding the prevention and combat of violence against children, as follows: General objective no. 5: Development of child protection mechanisms against violence

Specific objective no. 5.1: Raising the awareness of the general public in general and children in particular about the forms of violence and the impact of violence on the child

Specific objective no. 5.2: Ensuring a national mechanism for identifying and reporting all situations of violence against children.

During 2019-2023, NAPCR had been implementing a project entitled SINA in order to create an IT system, available at the national level, which will allow citizens and institutions with responsibilities in the field of child rights protection and adoption access to electronic services, information and two-way exchange of data between them. Consequently, SINA will provide gender-segregated data on each aspects of child rights protection, including violence against children.

Point 92.(i). The National Agency for Equal Opportunities between Women and Men operates under the Ministry of Family, Youth and Equal Opportunities. The institutional capacity of ANES was strengthened in 2022 by allocating 5 more positions by introducing the Interministerial Committee for the prevention and combating of domestic violence within the organizational chart of the institution.

(ii) The National Commission for Equal Opportunities between Women and Men (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. 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 aproved the ocupational standard for the equal opportunities expert.

(iii) The placement of the People's Advocate institution in Chapter IV, Title II of the Constitution gives it particular legal features. In assessing its legal nature, the legal clarifications detailing the constitutional provisions (Art. 2 of Law no. 35/1997 on the organization and operation of the People's Advocate institution, republished) must be noted, according to which: it is an autonomous public authority and independent from any other public authority, under the law; in the exercise of its duties, the People's Advocate does not substitute itself for other public authorities; the People's Advocate cannot be subject to any imperative or representative mandate; no one can compel the People's Advocate to obey their instructions or orders; has its own budget, which is an integral part of the state budget; the budget is comprehensive and sufficient for carrying out its activity; the Ombudsperson and his/her deputies are not legally liable for the opinions expressed or for the acts they perform, in compliance with the law, in the exercise of the powers provided for by the law. All this is the result of the special constitutional position of the institution and explains why, in fact, the People's Advocate answers only before the Parliament, a responsibility that is materialized through the obligation to present reports .

Also, in relation to point 94 lit. g) from the Recommendations, please note that, during April 2023, the People's Advocate completed the Special Report on harassment and violence at the workplace, a report that presents an analysis of the legal regulations and practical situations related to harassment and violence at the workplace and, at the same time, formulates a series of proposals aimed at contributing to the creation of a coherent legislative and administrative framework, likely to ensure the respect of



AGENȚIA NAȚIONALĂ PENTRU EGALITATEA DE ȘANSE ÎNTRU FEMEI ȘI BĂRBAȚI

workers' rights in terms of carrying out the activity in an appropriate work climate. The report took into account, in addition to the case file of the People's Advocate institution, the responses of the public authorities with powers in the sphere of labor relations, the practice of the courts in the field of workplace harassment, the ECHR jurisprudence on the matter, as well as the provisions of Convention no. 190/2019 on the elimination of violence and harassment in the world of work, adopted at the 108th session of the International Labor Conference of the International Labor Organization, in Geneva on 21 June 2019. To view the entire Special Report on harassment and violence at work, you can access the website of the People's Advocate institution, in the section People's Advocate Activity/Special Reports 2023. The Draft Law for Romania's accession to Convention no. 190/2019 is currently in the legislative procedure at the Chamber of Deputies (PL-x no. 735/2023).

Point 93. (a) (b) The representation of women in our country in decision-making positions at the political level continues to be low. Considering the analyzes carried out by ANES regarding the participation of both sexes in decision-making processes, with the exception of management positions in the central public administration, where there is a balanced gender parity, the share of Romanian women in decision-making positions is still low. In the 2020 election year, 7,134 people belonging to political formations, minorities and independents submitted their candidacy. Of these, 2,105 (29.51%) women and 5,029 (70.49%) men were found on the electoral lists. Following the parliamentary elections held on December 6, 2020, 85 (18.24%) women and 381 (81.76%) men (466 parliamentarians) won a mandate in the Romanian Parliament. In the Chamber of Deputies, out of the 330 elected deputies, 60 (18.18%) are women and 270 (81.82%) are men. Regarding the Romanian Senate, of the 136 elected senators, 25 (18.38%) are women and 111 (82.62%) are men. Compared to the previous parliamentary elections in 2016, the representation of elected female parliamentarians decreased from 18.92% to 18.24%, while the male representation increased from 81.08% to 81.76%, the difference being 0.68 pp. In the Chamber of Deputies, the representation of men increased from 79.33% to 81.82% and the representation of women decreased from 20.67% to 18.18%, the difference being 2.49 percentage points, in both cases. At the level of the Senate, the representation of men decreased from 85.29% to 81.62% and the representation of women increased from 14.71% to 18.38%, the difference being in this case 3.67 pp. At the moment, there are 6 female ministers in the Romanian Executive, respectively at the Ministry of Family, Youth and Equal Opportunities, the Ministry of Labor and Social Solidarity, the Ministry of Foreign Affairs, the Ministry of Culture, the Ministry of Education and the Ministry of Justice. Regarding the representation of women at the local and county level, there are 180 female mayors and only 2 women are presidents of county councils. Regarding Representation at the central and local public administration level, in 2023 there were 669 management positions occupied by decision-making grade 1 + decision-making grade 2, of which 341 (51%) were women and 328 (49%) were men. At decision-making level 1, 140 (51.3%) women and 133 (48.7%) men occupied the 273 positions, and at decision-making level 2, 201 (50.8%) women and 195 (49.2%) men occupied the 396 positions. Regarding representation at the level of judges, there is a balanced gender balance. Regarding the prosecutors in 2022 there were a number of 1123 female prosecutors and a number of 381 women in high courts of cassation and justice. Regarding the representation at the level of the Constitutional Court of Romania, the representation is of 50% women. Furthermore, Romania continues diligences to increase the participation of women in all spheres of social life and in this context there are specific measures within the national strategy in the field. The national strategy in the field of gender equality has a distinct chapter that refers to participation in decision-making proposing general and specific objectives in the spirit of the balanced participation of women and men in the decision-making process in public and political life. Moreover, during the past 2 years there were promoted a series of legislative initiatives regarding the gender quotas. At this moment, at the level of committees in the Senate and the Chamber of Deputies is under analysis the Draft law amending and supplementing Law no. 208/2015 regarding the election of the Senate and the Chamber of Deputies, as well as for the organization and operation of the Permanent Electoral Authority. The draft normative act provides that the lists of candidates for the Senate, except for those containing one or two candidates, and the lists of candidates for the Chamber of Deputies, except for those containing less than three candidates, must be drawn up



AGENȚIA NAȚIONALĂ
PENTRU EGALITATEA DE ȘANSE
ÎNTRE FEMEI ȘI BĂRBAȚI

in such a way as to respect the minimum representation quota of 33% for both women and men, from the total number of proposed candidates.

Point 93. (c) (d) (e) Is it also very important to be mentioned that, in the recent years, in Romania, the relation with the NGOs and other civil society actors has highly improved and we emphasize 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. 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 the Inter-Ministerial Committee for Preventing and Combating Domestic Violence and the National Commission for Gender Equality. Also, at the moment ANES implements a series of projects in partnership with relevant NGOs in the field:

- The VERA project - Positive change through integrated action in difficult times is implemented by ANES, as Promoter in partnership with a Consortium of NGOs the Center for Training and Evaluation in Social Assistance (CFCECAS), the Sensiblu Foundation, the Necuvinte Association, the Community Mediation and Security Center Foundation (CMSC), and with Association for Development and Socio-Economic Promotion CATALACTICA. 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, by: training coordinators of mobile teams for emergency intervention in cases of domestic violence, training specialists from the domestic violence departments within the DGASPC and providing legal advice to victims of domestic violence and gender-based violence, facilitating access to justice and to information of a legal nature (eg: issuing a protection order, divorce application, custody of children, help judicial, etc.), the development of a barometer in the field of domestic violence and gender violence focused on the evolution of the phenomenon, practices and trends, at county level, especially in relation to the COVID 19 pandemic.

- The VioGen RoJust project is carried out within the Open Call for projects "Human rights - Implementation at the national level", Area 17 "Human rights - Implementation at the national level", implemented by the National Agency for Equal Opportunities between Women and Men, as Project Promoter, in partnership with: TRANSCENA Association, ANAIS Association, FILIA Center and GRADO Association. EEA Grants The objective of the project is to strengthen the capacity of the Romanian authorities regarding implementing/executing the decisions of the European Court of Human Rights in Strasbourg, as well as the country recommendations issued by the Council of Europe in the field of abuse, domestic violence and gender-based violence.

Regarding the recommendation outlined in point 93, letters a)-b), concerning the increase of women's representation in public/leadership positions to ensure gender equality, as well rightly noted in the report, within the judicial system, women are well represented in both executive and leadership roles. Moreover, within the supreme court, the leadership at the level of the president and vice presidents is ensured by female-judges. This existing trend is reflected within the judicial system both at the executive and leadership levels.

Regarding the recommendation outlined in point 93, letter c), concerning ensuring continuous specialized training for all relevant authorities in the field of gender equality (including the police, health services, social services, and the judicial system), we specify that according to Article 81 and following of Law no. 303/2022 regarding the status of judges and prosecutors, continuous professional training is both a right and an obligation of judges and constitutes a guarantee of independence and impartiality in the exercise of their function.

The responsibility for the continuous professional training of judges and prosecutors lies with the National Institute of Magistracy, the heads of the courts where they carry out their activity, as well as each individual judge, through individual preparation. Judges are required to participate, at least once every



AGENȚIA NAȚIONALĂ PENTRU EGALITATEA DE ȘANSE ÎNTRE FEMEI ȘI BĂRBAȚI

three years, in continuous professional training programs organized by the National Institute of Magistracy, higher education institutions in the country or abroad, or other forms of professional development.

In this context, the National Institute of Magistracy has consistently shown a concern to design continuous training programs aimed at providing judges with the opportunity to develop knowledge and skills in relevant areas (for example, combating human trafficking, addressing domestic violence, ethics, and professional ethics).

Regarding the recommendations outlined in point 93, letter f), which aim to eliminate gender biases within the police and the judicial system and ensure the application of a gender-sensitive approach in investigating and prosecuting cases of violence against women, we note that among the principles guiding the protection and promotion of the rights of domestic violence victims are the principles of equality of opportunities and treatment between women and men, the principle of respect for human dignity, as well as the principle of respect for human rights and fundamental freedoms. Furthermore, the Code of Ethics for Judges and Prosecutors, approved by Decision no. 328/2005 of the Superior Council of Magistracy, stipulates that judges must exercise their function with objectivity and impartiality. Thus, the conditions are created for the elimination of gender biases regarding judges responsible for adjudicating cases involving protection orders, within which the victims are women, considering that judges' personal perceptions of women's status represent a subjective matter. Furthermore, continuous professional training in the area of combating domestic violence represents another aspect that can contribute to the elimination of gender biases and to sensitizing judges regarding the situation and status of the victim in adjudicating cases involving domestic violence.

Access to justice is guaranteed for every individual, regardless of their social status or economic position. This fundamental right is considered one of the main pillars of the rule of law and the dignity of every person. In order to facilitate free access to justice, a series of legislative instruments were adopted at the national level, namely Government Emergency Ordinance no. 51/2008 regarding public legal aid in civil matters and Government Emergency Ordinance no. 80/2013 regarding court stamp duties, which detail the procedures for state-provided assistance aimed at ensuring the right to a fair trial and guaranteeing equal access to justice, for the realization of legitimate rights or interests through judicial means, as well as facilities for the payment of court stamp duties. These legislative acts have an objective nature, therefore they do not differentiate based on ethnicity, gender, social status, or the particular situation of the petitioner, constituting instruments that can be accessed by Roma women, as well as other women and girls in vulnerable situations.

Point 94. The National Agency for Payments and Social Inspection aims to carry out evaluation and monitoring activities of social services, as well as the control of social protection measures regarding the prevention, limitation or removal of the temporary or permanent effects of situations that can generate the marginalization or social exclusion of the person, the family, groups or communities, carried out by the central and local public administration authorities and by other natural and legal persons, as well as the carrying out of control and social investigation activities regarding the way of fulfilling the legal provisions regarding the classification in degree and type of disability, in degree of disability or dependency. The National Agency for Payments and Social Inspection and subordinate structures at the county level ensure control in the field of social assistance through the social inspection component. This is the main verification and intervention tool through which the State ensures the respect of the social rights of the citizens, as well as the correct functioning of the mechanisms specific to the assistance process in relation to the provisions of the legislative framework in the field of social assistance.

The prevention and combating of family violence is a component of family protection and assistance policies, social services intended for victims of family violence being provided in an integrated system with other measures of legal protection, health insurance, prevention, identification and sanctioning of acts of family violence, provided by the special legislation in the field. According to the law, local public administration authorities are responsible for establishing, organizing, administering and providing social services aimed at preventing and combating family violence, in collaboration with other institutions and authorities with competences in this field, such as the police, the county gendarmerie headquarters, the decentralized services of Ministry of Health, educational institutions, legal medicine services, etc. It is



AGENȚIA NAȚIONALĂ PENTRU EGALITATEA DE ȘANSE ÎNTRU FEMEII ȘI BĂRBAȚI

important to mention the fact that in order to diminish and reduce the phenomenon of domestic violence, specific social services address with priority the victims, but also their aggressors. In the electronic register of social services The electronic register, on December 11, 2023, at the national level in Romania, a number of 121 social services (95 public, 25 private and 1 social service developed by a university unit) operate under the law. Of these, there are 99 residential type centers, 22 services being day services. In addition, there are 6 residential care and assistance centers for victims of human trafficking (2 private and 4 public).

In 2023, 52 evaluation, monitoring and unexpected control missions were carried out by the social inspectors' teams at the level of social services aimed at preventing and combating domestic violence and the support given to victims of human trafficking, as follows: assessment for licensing: 23 social services (22 residential services and 1 day center service). 15 measures were ordered to remedy the identified non-conformities; annual monitoring of compliance with quality standards: 18 residential social services (17 intended to prevent and combat domestic violence, one intended for child victims of human trafficking) and a day center for victims of human trafficking, with 5 remedial measures in place of the non-conformities identified; evaluation of services for relicensing: 4 social services (2 residential services and 2 day center services); unannounced controls: 8 social services of a residential type, with 2 measures ordered to remedy the non-conformities ordered.

As for women's participation in the labour force and economic leadership, Law no. 76/2002 regarding the unemployment insurance system and employment stimulation provides for equally addressed measures to all categories of people, without any discrimination based on political, race, nationality, ethnic origin, language, religion, social category, beliefs, gender and age criteria.

Therefore, the package of measures dedicated to employment stimulation is equally addressed to women belonging to groups having a more difficult access to the labor market: female graduates, unemployed women over 45, sole breadwinners of single-parent families, unemployed women having maximum 5 years until retirement, young women being at risk of social marginalization, long-term unemployed and young NEETs. Labor mediation and vocational information and counseling services, including profiling and classifying people into employability levels, are equally addressed to all job seekers, including women, registered with the National Agency for Employment (NAE).

According to their legal responsibilities, NAE and its decentralized structures collect data broken down by gender (women, men) on: unemployment rate registered at national, county and local level; people included in measures to stimulate employment, people employed as a result of participation in measures to stimulate employment, including vocational training. There will be attached to the report the following: Annex 1 presents, by types of measures, the results of employment stimulation measures implemented at national level, in the year 2022 and in the period January 1 - November 30, 2023, as total and out of which, women. Annex 2 presents data for 2022 and for the period January - November 2023, calculated monthly by NAE, according to its legal attributions, based on the data managed through the county and Bucharest municipality employment agencies. Data presented include: number of registered unemployed and registered unemployment rate, in total and by gender, women and men.

In 2022, in accordance with the provisions of Directive 2019/1158/EU of the European Parliament 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 Government Emergency Ordinance 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 (for example: childcare and elderly care facilities) and physical infrastructure (to ensure adequate access to water, sewage, energy and digital services).

Also, in the spirit of initiating the harmonization of national legislation with the provisions of Convention 190, ANES elaborated the Government Decision no. 970/2023 for the approval of the methodology on



AGENȚIA NAȚIONALĂ PENTRU EGALITATEA DE ȘANSE ÎNTRE FEMEI ȘI BĂRBAȚI

preventing and combating harassment on the basis of sex, as well as moral harassment at work. The normative act, by developing a guide model and its application methodology, addresses concrete intervention measures to prevent and combat moral harassment at work, bringing innovations in terms of how the principle of gender equality is transposed into public policies. The purpose of the normative is to ensure equal opportunities and treatment between women and men in the field of work, to specifically recognize everyone's right to a world of work without violence and harassment, to encourage and maintain a work culture based on respect and dignity mutual.

Point 95. Government Decision no. 1547/2022 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, public policy document developed by ANES proposes concrete measures in the Health chapter, regarding the increase in the degree of access of health services for women and men, Increasing the level of quality pre- and postnatal care, including for vulnerable groups, Facilitating the use of medical services on sexual and reproductive health, as well as family planning, in a free, universal and appropriate way, Increasing the use of prevention and screening services, including for vulnerable groups. With regard to the measures promoted at the level of ANES, we reiterate the actions proposed in the national strategy which corroborate with the measures proposed by our institution in another public policy document, namely Decision no. 592/2021 regarding the approval of the National Strategy for the prevention and combating of sexual violence "SINERGIE" 2020-2030, draft normative act that is in the circuit of inter-institutional approval. This innovative strategy includes measures aimed at diminishing the negative evolution/increase in cases of sexual violence and preventing relapse, generally through counseling actions for children, girls/women, but also through other support measures and improving the intervention of professionals.

Point 96. The National Administration of Penitentiaries integrate the principle of non-discrimination into current practices and ensure the access of women deprived of liberty to specialized treatment. Regarding the Roma women deprived of their liberty, we mention that one of the large-scale projects, currently being implemented within the prison system, is the "Correctional" Project, financed by the Norwegian Financial Mechanism, 2020-2024. The project has an important component regarding social inclusion of inmates identified as being at risk of exclusion, especially those of Roma ethnicity. As part of it, a wide awareness campaign is being carried out among the prison population, aiming at the protecting of minority rights. Regarding the promotion of the rights of other categories of vulnerable inmates (among which we mention disabled persons or those vulnerable based on their sexual orientation or gender identity), we mention that the National Prison Administration revised, in 2023, the Procedure DRS-DM-DSDRP-DPCT-005 regarding the Identification of persons deprived of liberty with potential for discrimination/risk of vulnerability. At the same time, the theme of raising awareness about hate crimes and underlining the importance of preventing discrimination based on sexual orientation, gender identity, gender expression and sexual characteristics was included, starting in 2023, in the professional training courses of staff who carry out direct activities with persons in custody. From an educational perspective, in 2021, the Offer of educational, psychological support and social care activities and programs, available at the level of prison system, has been diversified with a special Activity Project intended for persons deprived of liberty with disabilities, aiming at maintaining/improving their psychosocial status.

Point 97. a) In order to achieve this objective, a request for technical assistance from the European Commission was developed. Thus, ANES has the status of a partner in the project Integrating the gender perspective in public policies and budget processes - Strengthening Gender Equality in Public Life in Romania: Mainstreaming, Governance and Leadership, submitted by the General Secretariat of the Government on the Support Instrument Program Technical (TSI) Regulation (EU) 2021/240 (TSI Regulation). Through this technical assistance program specifically adapted for the authorities of the EU member states, we will have access to the best existing practices both at the EU level and throughout the world regarding the integration of the gender perspective in public policies and the identification of reform opportunities related to administrations respectively. Also, was elaborated the draft Joint Order for the approval of the common working procedure at the inter-institutional level regarding the collection, reporting and monitoring of statistical data in the field of preventing and combating domestic violence, which regulates



AGENȚIA NAȚIONALĂ
PENTRU EGALITATEA DE ȘANSE
ÎNTRE FEMEI ȘI BĂRBAȚI

the principles and methods of collaboration between the institutions responsible for reporting, collection and monitoring of data and which establishes, in a unitary manner, the series of statistical data and the specific activities regarding the reporting, collection and monitoring of data in the field of preventing and combating domestic violence (<https://mfamilie.gov.ro/1/wp-content/uploads/2023/02/Ordin-MFTES-MAI-MJ-MS-Proced-colectare-raportare-data.pdf>).

(b) Presently was elaborated a project Law for the amendment o the Law no.292/2011 regardind the national social assistance system in order to complete and support the social services financing at the local level. The main provisions stipulates: Regulation of the financing of social assistance based on the principle "financing follows the beneficiary"; Establishing the allocation from the state budget according to the cost standards for social services, both for public or private social services providers. The level of amounts allocated to the state budget for the social services dedicated to the victims of domestic violence will be established through an amemdament at the Law no 217/2003. The Law is now in ongoing approval procedure at the level of the Romanian Parliament.

(c) Through the implementation of the predefined project "Support for the implementation of the Istanbul Convention in Romania" were organized several multidisciplinary training sessions for a number of 250 judges, prosecutors, police officers and forensic specialists on the key elements for a relevant approach to cases of domestic violence and violence against women, in at the same time, taking into account the specific characteristics of ethnic minorities (such as Roma women). Intervention procedures and methodologies in the field of preventing and combating family violence were developed for police officers, taking into account the changes in the legislation related to family and gender-based violence, changes that will give them new attributions in the field.

Under the VioGen - RoJust project a program of initial and continuous professional training/training of judges, lawyers, prosecutors and police officers was carried out regarding the implementation of international documents on human rights ratified by Romania (ECHR, CEDAW, Convention from Istanbul, Lanzarote Convention) for 2598 specialists

Under the project VERA- Positive change through integrated action in difficult times, are considered: training sessions for coordinators and members of mobile teams as well as specialists from social services - 3228 people and for specialists from domestic violence departments and legal advisors within DGASPC - approximately 400 people.

Partnerships with WHO, UNFPA, UNCHR, UNWOMEN and the organization of trainings for professionals regarding the management of sexual violence situations and case management for victims (approx. 300 trained professionals).

The National Administration of Penitentiaries as part of the National Implementation Group of the "National Strategy and National Action Plan on the Implementation of United Nations Security Council Resolution 1325 (2000) - Women, Peace and Security for the period 2020-2023", organized trainings on gender equality with the participation of 40 penitentiary police officers, with the support of representatives of the Office of Gender Management, Management and Monitoring of Gender Implementation of the Ministry of National Defence.

(d) Within the Project "VENUS - Together for a safe quality life!" 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 housing for victims of domestic violence (one protected housing in each county), together with 84 complementary services (42 Support Groups that will provide specific psychological assistance and personal development programs and 42 vocational counseling offices that provide vocational counseling services, professional guidance and support for identifying a new job in order to overcome crisis situations related to VD and professional reintegration).

(e)Through the "Support for the implementation of the Istanbul Convention in Romania" project, 10 regional intervention centers for victims of sexual violence were established, equipped and are operational, through which specialized care and counseling services are provided to victims of sexual violence, including the provision of sampling kits for collecting biological samples. The intervention center



AGENȚIA NAȚIONALĂ
PENTRU EGALITATEA DE ȘANSE
ÎNTRE FEMEI ȘI BĂRBAȚI

for victims of sexual violence is dedicated to all victims, without discrimination, and the services provided are free of charge.

(f) Within VioGen 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.

(g) According to Decision no. 69/2022, in the year 2023, for the operationalization of SIME, funds in the amount of 32 million lei were provided in the budget of the Ministry of Internal Affairs, for the purchase of a no. of 964 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 within the pilot project. Other relevant legal documents: Government Decision no. 426/2020 on the approval of cost standards for social services; Decision no. 1547/2022 on the approval of the National Strategy on the promotion of equal opportunities and treatment between women and men and the prevention and combating of domestic violence for the period 2021-2027; Decision no. 1.253 of October 12, 2022 for the amendment of Government Decision no. 426/2020 on the approval of cost standards for social services; a package of 5 normative acts to ensure the effective implementation of the provisions of the Istanbul Convention (5 Orders/Common Orders regarding: case management for victims of domestic violence (Order no. 20840/2022), case management for the aggressor (Order no. 20841/2022), unitary data collection procedure (under approval), intervention methodology for Intervention Centers in situations of sexual violence (under approval), Domestic violence prevention measures (Order no. 20266/2023).

(h) Within the Project VENUS, 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 housing for victims of domestic violence (one protected housing in each county), together with 84 complementary services (42 Support Groups that will provide specific psychological assistance and personal development programs and 42 vocational counseling offices that provide vocational counseling services, professional guidance and support for identifying a new job in order to overcome crisis situations related to VD and professional reintegration). Also were created 1452 intervention mobile teams at the local level .

(i) Through the predefined project Support for the implementation of the Istanbul Convention in Romania, 8 counseling centers for aggressors were created (Bucharest, Giurgiu, Timisoara, Sibiu, Slobozia, Constanța, Bacău, Craiova)

(j) 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

Through the VENUS project, 42 vocational counseling offices are created that provide vocational counseling services, professional guidance and support for identifying a new job and empowerment, in order to overcome crisis situations generated by domestic violence and the professional reintegration of victims (during the project, 40% of the victims were reintegrated into the labor market - 1600 people).

(k) Under the ANES coordination was created a Working Group for the revision of legislation in the field of domestic violence taking into account the recommendations formulated in the US State Department Report on Human Rights and in the GREVIO Report (Council of Europe) on the implementation of the Istanbul Convention in Romania, including measures aimed at granting custody, protecting child victims/witnesses of femicide.

(l) ANES organized conferences regarding roma women including this topic and opened a collaboration and dialog on this issue with the National Authority for Roma, other specialized institution and NGOs.

(m) Review legislation on sexual violence to ensure that all non-consensual sexual relations are adequately prosecuted, and that girls, and women with disabilities, are adequately protected;



AGENȚIA NAȚIONALĂ PENTRU EGALITATEA DE ȘANSE ÎNTRE FEMEI ȘI BĂRBAȚI

By the Law no. 217/2023 was amended the Criminal Code (see the Article 218[^]1)

(n) Were created 10 integrated centers for victims of sexual violence (Bucharest, Timișoara, Piatra-Neamț, Satu Mare, Sibiu, Slobozia, Constanța, Braila, Bacău, Craiova). The creation of these centers marks a change in approach to the way medico-social services are available to victims of sexual violence, by ensuring an integrated management, so that the victim can benefit from all the necessary services in the hospital, directly. In 2021, the Barnahus type service, the first integrated center for supporting the investigation of violence against children in Romania was opened in Săftica village, Ilfov county, by the Association for Victims of Sexual Crimes in partnership with the Prosecutor's Office of the Ilfov Court, Ilfov County Council and National Center for Mental Health. In July 2022, Save the Children Romania Organisation in partnership with General Direction for Social Assistance and Child Protection from District 6 of Bucharest established the first Barnahus center, which is an intervention model for children, especially for victims of sexual violence, who are involved in legal proceedings where children receive all the specialized services that they need in one space. Thus, the child victims can be interviewed, evaluated and monitored, and then receive the counselling and therapy they need from specialized staff. <https://www.salvaticopiii.ro/ce-facem/protectie/centrul-barnahus> .

(o) Undertake efforts to strengthen the implementation of legislation, policies and strategies to effectively combat the trafficking of women and girls. Between November 2021 and September 2022, NAPCRA organized an online course on preventing and combating violence against children, which also included the revised National mechanism for identifying and referring of victims of trafficking in human beings (MNIR). MNIR was approved by Government Decision no. 88/2023 and includes specific chapters on trafficking in children. The online course ensured training for 97 specialists from General Departments for Social Assistance and Child Protection, respectively: the representatives in the Local Intersectoral Team for the prevention and combat of violence against children and specialists from the compartment for intervention in case of child abuse, neglect, trafficking, migration and repatriation.

(t) Decision no. 592/2021 regarding the approval of the National Strategy for preventing and combating sexual violence "SINERGIE" 2020-2030 is an innovative strategic document that includes measures aimed at reducing the negative evolution/increase in cases of sexual violence and preventing relapse, generally through counseling actions of children, girls/women, but also through other measures to support and improve the intervention of professionals. By the Law no. 171/2023/2023 for the amendment and completion of art. 226 of Law no. 286/2009 regarding the Criminal Code new provisions were introduced in order to prevent and address sexual harassment, revenge pornography and online sexual abuse against girls. It is also important to mention that by the Decision of the Director General of the ANP no. 440/18.04.2022 a working group was appointed to prepare a draft Decision of the Director General of the ANP on the Minimum Standards of Behaviour for the Prevention of Gender Discrimination and Sexual Harassment applicable to the Prison Administration System.

(v) Under the project implemented by ANES(VERA, PREDEFINIT, VioGen) were included within the training session and campaign, modules focused on the barriers to women and girls accessing justice, particularly Roma girls and women.

97 p),q),r),s),u) The fight against trafficking in persons remains a top priority on the agenda of the Romanian Government. Substantial efforts to combat trafficking in persons have been undertaken by the Romanian authorities, together with civil society and private sector partners. These efforts have ensured the continuation of initiatives from previous years and improved the coherence of the Romanian anti-trafficking system. The long-term strategic vision is to ensure that this system maintains continuity and room for expansion as it develops in line with European and international approaches in this field. A number of important steps have been taken to further strengthen these efforts, on various levels, such as Coordination, following a decision of the Prime Minister, the Prime Minister's Chancellery ensures the coordination of the Inter-ministerial Inter-sectoral strategic Coordination Committee for the fight against trafficking in persons, thus ensuring continuity of approach and cooperation between the responsible state institutions and other actors involved in these efforts; - An Integrated Plan: The first Integrated Plan of Measures to respond to international recommendations on trafficking in persons has been developed and approved; - the National Identification and Referral Mechanism: An extensive process to update the



AGENȚIA NAȚIONALĂ PENTRU EGALITATEA DE ȘANSE ÎNTRE FEMEI ȘI BĂRBAȚI

National Identification and Referral Mechanism (MNIR) was completed through a collaborative process with all actors involved and approved by GD 88/2023. The new MNIR aims to generate a more effective response so that victims can receive integrated support based on their specific needs and situation;

- Early identification: The first government partnership to train frontline emergency physicians to improve the identification of victims of human trafficking has been completed;
- Ukraine Action Plan: The Action Plan on Prevention of Sexual Exploitation, Abuse and Risk of Trafficking for Refugees in Ukraine has been approved and is being implemented.
- Online registration system for minors in Ukraine: A computer application for the registration of all children from Ukraine, called PRIMERO, was launched by the National Authority for the Protection of Children's Rights and Adoption, with technical and financial support from UNICEF, as part of the coordination mechanism in the Ukrainian refugee crisis. It includes a child trafficking assessment (screening) in the initial stage and, if there are reasonable indications, the minor will be referred as a potential victim of trafficking;
- Legislative changes: the Constitutional Court and the High Court of Cassation and Justice have strengthened the special statute of limitations for criminal liability for the crimes of slavery, trafficking in persons, child trafficking and procuring. It also increased the average sentence for a convicted trafficker to more than 5 years in 2022, compared to an average sentence of 3 years for the same offence in 2021;
- Support for the hearing of victims: 42 hearing rooms for victims of child trafficking have been set up across the country, where multidisciplinary teams provide support services to victims;
- Creation of the Emergency Fund for Victims of Human Trafficking and the possibility of funding non-governmental organizations providing services to victims from funds derived from the recovery of assets seized by ANABI, Surveillance: An online forensic system has been implemented to improve online detection of child sex abusers and pedophiles, New Anti-trafficking strategy: A dynamic evaluation process of the National Strategy against Trafficking in Persons for the period 2018-2022 has been carried out by a team of independent experts and the process of developing the new anti-trafficking strategy for the period 2024-2028 has already started, which will have priorities based on opportunities and needs, clear targets and indicators, and a realistic action plan, owned by all partners, including civil society;
- Political-diplomatic efforts: the leadership of the Romanian Government has been directly involved in the fight against trafficking in persons, together with national, European and international actors in the field, disseminating the key elements of the new anti-trafficking vision which refers to leadership and coordination, the strategic vision being that Romania should become a country hostile to trafficking in persons and at the same time a safe place for victims of trafficking in persons and harmonizing the anti-trafficking measures in the supply and demand mechanism on which trafficking in persons is based between countries of origin and destination.

Paragraph 97 c) p) t). In a society where gender equality is a core value, the National Administration of Penitentiaries aims to integrate the principle of gender mainstreaming in institutional practices, being part of the National Implementation Group of the "National Strategy and National Action Plan on the Implementation of United Nations Security Council Resolution 1325 (2000) - Women, Peace and Security for the period 2020-2023".

In this context, trainings on gender equality were carried out with the participation of 40 penitentiary police officers, with the support of representatives of the Office of Gender Management, Management and Monitoring of Gender Implementation of the Ministry of National Defence. It is also important to mention that by the Decision of the Director General of the ANP no. 440/18.04.2022 a working group was appointed to prepare a draft Decision of the Director General of the ANP on the Minimum Standards of Behaviour for the Prevention of Gender Discrimination and Sexual Harassment applicable to the Prison Administration System.

□ Also, by LAW no. 217 of July 10, 2023 for the amendment and completion of Law no. 286/2009 regarding the Criminal Code, of Law no. 135/2010 regarding the Criminal Procedure Code, as well as the Audiovisual Law no. 504/2002 a greater protection of minors has been proposed, so it covers criminal provisions regarding sexual life and procedural criminal provisions regarding victims' rights.