



**Report submitted by Romania
pursuant to Article 68, paragraph 1
of the Council of Europe Convention
on preventing and combating violence
against women and domestic violence
(First thematic evaluation round)**

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Introduction

In accordance with Article 66, paragraph 1, the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) shall monitor the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). Following its baseline evaluation procedure which provided an overview of the implementation of the full spectrum of provisions of the convention by each state party, Article 68, paragraph 3, of the convention and Rule 30 of the Rules of Procedure of GREVIO (the Rules of Procedure) mandate GREVIO to carry out subsequent evaluation procedures divided into rounds. At the beginning of each round, GREVIO shall select the specific provisions on which the evaluation procedure shall be based and shall send out a questionnaire (Rule 31 of the Rules of Procedure).

For its 1st thematic evaluation round, GREVIO adopted this questionnaire to be sent to all states parties which have undergone the baseline evaluation procedure, according to an order approved by GREVIO. States parties are requested to transmit to GREVIO a reply to this questionnaire within five months from the date it was sent.

GREVIO decided to focus its 1st thematic evaluation round on the theme of building trust by delivering support, protection and justice. To address this overarching theme, the present questionnaire aims, in its first section, to identify developments in key areas such as comprehensive and coordinated policies, funding and data collection that have ensued following the completion of the baseline evaluation procedure. In its second section, it sets to obtain more in-depth information on the implementation of selected provisions in the area of prevention, protection and prosecution, in respect of which baseline evaluation procedures and the Conclusions on the Recommendations of the Committee of the Parties to the Istanbul Convention have revealed significant challenges and the need for further sustained implementation. In its third section, it brings its attention to emerging trends in the area of violence against women and domestic violence. Its fourth and last section requests annual statistics for two complete calendar years prior to receiving this questionnaire on specific administrative and judicial data.

The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French) and should contain all the relevant information on the implementation of the Istanbul Convention since GREVIO's first baseline evaluation report, including copies or extracts of relevant legislation, regulations, case law and strategic documents or action plans referred to (Rule 33 of the Rules of Procedure).

Part I: Changes in comprehensive and co-ordinated policies, funding and data collection in the area of violence against women and domestic violence

Article 7: Comprehensive and co-ordinated policies

1. Please provide information on any new policy development since the adoption of GREVIO's baseline evaluation report on your country to ensure comprehensive policies covering the areas of prevention, protection, and prosecution in relation to stalking, sexual harassment and domestic violence, including their digital dimension, rape and sexual violence, female genital mutilation, forced marriage, forced abortion and forced sterilisation, thereby demonstrating further implementation of the convention. Please specify the measures taken particularly in relation to those forms of violence against women that have not been addressed in past policies, programmes and services encompassing the four pillars of the Istanbul Convention.

Public policies

Having regard the comprehensive and co-ordinate policies was amended the GD no.177/2016 on the organization and functioning of the National Agency for Equal Opportunities between Women and Men with subsequent amendments and additions (GD no.516/2024) in order to include within the organizational chart of the National Agency for Equal Opportunities between Women and Men (ANES), in addition to the Secretary of State, of the Interministerial Committee for the Prevention and Combating of Domestic Violence, that functions as an advisory body. Also, the regulation on the organization and functioning of the Committee is approved by order of the Secretary of State of ANES.

In order to enhance the mandate of the ANES as coordinating body, having the power to ensure co-ordination and implementation of policies and measures to prevent and combat all forms of violence covered by the convention by the Emergency Ordinance no. 153/2024 regarding the establishment of measures at the level of the central public administration¹(art.3), ANES moved from the subordination of the Ministry of Family, Youth and Equal Opportunities to the subordination of the Government and under the coordination of the Prime Minister, through the Chancellery of the Prime Minister.

Since the adoption of GREVIO's baseline report (March 4, 2022), Romania has continued strengthening its policies to prevent and combat gender-based violence, ensuring alignment with the Istanbul Convention. The National Strategy for Preventing and Combating Sexual Violence – SINERGIE (2021–2030²) is currently in its mid-phase of implementation, covering multiple forms of sexual violence addressed in the Convention. At the same time, in December 2022, the Government adopted the National Strategy on Equal Opportunities and Domestic Violence 2022–2027 (Government Decision no. 1.547/2022³).

This policy strengthens existing frameworks and introduces targeted measures for victim support, prevention, and prosecution. Also, this public policy ensures the fulfillment of the enabling condition regarding the existence of a national strategic framework regarding equal opportunities and treatment between women and men, as a mandatory prerequisite for accessing European funds in the period 2022-2027. The measures proposed in the Strategy Action Plan explicitly target interventions that aim to increase the level of access to programs

¹ <https://legislatie.just.ro/public/DetaliiDocument/293015>

² <https://legislatie.just.ro/Public/DetaliiDocument/243338>

³ <https://legislatie.just.ro/public/DetaliiDocument/262994>

and services appropriate to the multiple needs of women, absolutely necessary to reduce the level of vulnerability of specific categories (e.g. Roma women, rural women seeking work, women with disabilities).

Regarding the field of preventing and combating domestic violence, for the period 2022 – 2027, the strategy identifies measures and actions such as:

- developing a unitary system of social services aimed at the effective protection of victims of domestic violence and violence against women, as well as their rights (e.g. increasing the number of protected shelters, psychological assistance services, legal counseling, settlement of forensic certificates, facilitating access to justice, material support);
- strengthening the intervention capacity of police officers in the field of domestic violence and violence against women, in order to ensure modern technical solutions for the efficient proof of acts of domestic violence and violence against women;
- ensuring the prevention of domestic violence and violence against women, taking into account the specific needs of vulnerable groups, through an approach sensitive to cultural differences, age and gender differences;

Additionally, the National Strategy for Criminal Asset Recovery for 2021-2025⁴ set the foundation for a sustainable mechanism directing confiscated assets toward crime prevention, victim compensation and support. The initiative prioritized financial assistance and funding for NGOs assisting victims.

Further details on this mechanism will be provided under Questions 4 and 5.

By the Law no.1/2025⁵ was amended the Law no. 217/2003 on preventing and combating domestic violence, being introduced mandatory tasks for specific central administration institutions:

- to develop and disseminate annually documentary materials on the prevention, causes and consequences of domestic violence.
- to develop instructions to ensure that family doctors and specialist doctors in the public or private healthcare system note suspicions of domestic violence in the patient's file and that information about counseling services for victims of domestic violence such as the emergency telephone line – helpline is available in each healthcare unit.
- to disseminate information about counseling services for victims of domestic violence such as the emergency telephone helpline in each educational unit.

Also, similar provisions are stipulated for the public local administration institutions.

In May 2023 were introduced relevant provisions (Law no. 114/2023⁶) amending the Law no. 217/2003, regarding the prohibition for the aggressor to collect the state child allowance and the approval of its collection by the parent/person to whom the child was entrusted for upbringing and education or with whom the child's residence was established.

Another important amendment to the specific Law envisaged the extension of the duration of the measures ordered by the protection order, established by the judge, without exceeding 12 months from the date of issuance of the order. (Law no. 240/2023⁷).

Law no. 100/2024⁸ on amending and supplementing certain normative acts in the field of social assistance (point 111), stipulates that the State, through the state budget and local budgets, ensures the financing of all mandatory stages for social services granted to persons entitled to social assistance, in accordance with the provisions of this law and special laws. Financing is made on the basis of and within the limits of the cost standard per beneficiary, in compliance with the methodology provided for by special laws. Also, the level of the amounts granted

⁴ The text of the Government Decision No. 917/2021 (including the Strategy and the Action Plan) is available at <https://legislatie.just.ro/Public/DetaliiDocument/245986>.

⁵ <https://legislatie.just.ro/Public/DetaliiDocumentAfis/293549>

⁶ <https://legislatie.just.ro/Public/DetaliiDocument/270064>

⁷ <https://legislatie.just.ro/Public/DetaliiDocumentAfis/272310>

⁸ <https://legislatie.just.ro/Public/DetaliiDocumentAfis/281934>

according to these provisions to the social services dedicated to the domestic violence is established by special law (Law no. 217/2003), by types of services.

In 2024 was approved the Order no. 1040/21/5505/2024 on 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 violence⁹.

The Order regulates the principles and modalities of collaboration between the institutions responsible for reporting, collecting and monitoring data, and establishes in a unified manner, the statistical data series and the specific activities regarding reporting, collecting and monitoring data in the field of preventing and combating domestic violence, as well as the institutions that collect, centralize and manage relevant data in the field, namely: ANES, the General Inspectorate of the Romanian Police (IGPR), the Superior Council of Magistracy (CSM), the National Institute of Forensic Medicine "Mina Minovici" (INML), the Superior Council of Forensic Medicine (CSML), the Ministry of Health (MH).

In the area of prevention was approved the Order no. 20.266/50/2023 for the approval of the Methodology on measures to prevent domestic violence¹⁰. The order includes the concrete ways to implement prevention measures and is addressed, in particular, to the categories of professionals who interact in their daily activities with victims, aggressors and community members, with a main focus on the intervention of police officers and specialists from the General Directorates of Social Assistance and Child Protection/Social Assistance Directorates/Public Social Assistance Services.

In 2022 were approved two relevant order regarding the support and intervention both for victims and aggressors:

- Order no. 20840/2022 of the Minister of Family, Youth and Equal Opportunities for the approval of the Minimum Mandatory Standards on the application of case management within social services for victims of domestic violence¹¹, stipulates: principles applicable to case management in social services for victims of domestic violence to ensure the protection of the victim and social service staff during the provision of assistance, respect for human rights, each stages of case management and specific elements: initial assessment and activation of emergency protection measures, systemic assessment of the personal, social and professional context of the victim of domestic violence, establishment of the intervention plan.
- Order no. 20841/2022 of the Minister of Family, Youth and Equal Opportunities for the approval of the Minimum Mandatory Standards on the application of case management within social assistance services for aggressors¹². The Order stipulates the steps necessary for applying the case management in social services addressed to the aggressor in cases of domestic violence, to facilitate access to integrated social services, with the aim of eliminating the risk of repeating acts of aggression, empowerment, rehabilitation and social reintegration. Presently the National Agency for Equal Opportunities between Women and Men (ANES) coordinates two relevant Working Groups:

- 1) Working Group for Strengthening the Legal Framework in the Field of Preventing and Combating Domestic Violence (review of Law no. 217/2003).

This group was created in May 2023 with monthly meeting, in order to ensures the compliance with the previous GREVIO recommendations and for the complex issues that have been addressed at the group level have been designed provisions as follows:

- intersectional discrimination definition,
- extension of the cyber violence including the evidence of the use of AI.
- training and intervention of professionals from a gender perspective and obligation to follow at least 10 hours of specific training for all professionals,

⁹ <https://legislatie.just.ro/Public/DetaliiDocumentAfis/290877>

¹⁰ <https://legislatie.just.ro/public/DetaliiDocument/267261>

¹¹ <https://legislatie.just.ro/public/DetaliiDocument/260206>

¹² <https://legislatie.just.ro/public/DetaliiDocument/260207>

- procedural aspects regarding the issuance of provisional protection orders and protection orders,
- improving the quantitative and qualitative data collection on the annual training of specialists and teachers, medical staff who interact with victims and perpetrators of domestic violence, common procedure to collect administrative data on the various forms of violence against women, relevant for the reporting process at national, European and international levels from the perspective of the conventions and treaties to which Romania is a party.
- extension of protection measures at forced marriage and early marriage situations,
- inclusion within the curricula from the mandatory educations' levels of the notions such as: freely given consent and personal boundaries, preventing and combating sexism, gender-based violence and the right to personal integrity, knowledge of different forms of gender-based violence against women, especially: forced marriage, sexual violence and unequal power relations between women and men, combating gender stereotypes,
- improving the status of child witnesses in situations of domestic violence,
- measures intended to protect child victims, witnesses of femicide, granting support measures and/or compensation for children left without parental care following the death of their mother caused by domestic violence,
- the central public administration authorities shall support the annual development of nationally representative analyses or studies on the prevalence and trends of all forms of domestic violence and violence against women, such as sexual violence, sexual harassment and forced marriage or other traditional practices harmful to women, as well as violence affecting vulnerable groups of women, such as Roma women and girls, migrant women, women with disabilities, LGBTQ. Analyses and studies may also focus on and explore the effects of domestic violence on child victims and child witnesses of domestic violence, as well as the access of women victims to support services, protection measures and justice,
- the ministries and other specialized central bodies of the Romanian public administration shall ensure the integration of the perspective on multiple discrimination in the design, implementation, monitoring and evaluation of policies to prevent and combat violence against women, in close cooperation with non-governmental organizations active in the fields of equal opportunities between women and men and the prevention and combat of domestic violence,
- increasing the level of access of victims to social services and the continuity of their support measures for the transfer to an independent life,
- the possibility of providing adequate support, in accordance with the material support needs of the victim at risk (personalized support package)
- the creation of new types of residential social services for aggressors connected to a counseling program,
- financing of all social services for victims of domestic violence from the state budget (specific financing percentage for all public and private social services)
- specific provisions on custody and visitation program for children in situations of domestic violence
- measures for victims of domestic violence in relation to the world of work
- regulation of the support assistant for victims

This law project is estimated to be finalized and approved in the second semester of 2025.

Additional ANES elaborated amendments to the Law no. 202/2002 on equal opportunities and equal treatment between women and men republished, with subsequent amendments and additions, in order to define and sanction the sexist speech as "any expression, image or gesture, expressed in public space or online, that is based on the idea of the supremacy of one sex, most often appreciating that women are inferior because of their sex, by supporting gender stereotypes". Also, it is intended to be completed the gender-based definition with the sexual exploitation, cyber violence and obstetric violence.

2) Interinstitutional Sectoral Working Group for Transposition (GLIS) established for the transposition of Directive 2024/1385 of the European Parliament and of the Council of 14 May

2024 on combating violence against women and domestic violence. This group developed an analysis of the modalities for transposing the Directive, as well as the degree of harmonization of existing regulations with the provisions of the European legislative instrument, completing the Fact Sheet of Directive (EU) 2024/1385, with primary legislative norms, from the specific field of competence of each responsible institution, which require amendments or additions. Thus, it is very important to mention the future amendment to the Criminal Code in order to ensure the incrimination of some offences stipulated by the Istanbul Convention: (e.g.: Forced Marriage, Cyber Incitement to Violence or Hatred).

The newest and most comprehensive policy development, at NAATIP level, is the National Strategy against Trafficking in Persons 2024-2028 (NSATP 2024-2028), along with the subsequent National Action Plan 2024-2026, the vision of the strategy aiming to correspond to the intervention needs identified through the various national strategic documents, such as: the Governance Programme 2023-2024; Romania's National Strategy for Sustainable Development 2030; the National Strategy against Organized Crime 2021-2024; The National Strategy for Public Order and Safety 2023-2027; The National Strategy on Criminal Asset Recovery for 2021-2025; The National Strategy for Preventing and Combating Sexual Violence "SYNERGY" 2021-2030; and other relevant international legal instruments related to trafficking and exploitation (detailed within NSATP 2024-2028).

Link below, regarding the National Strategy against Trafficking in Persons 2024-2028, and the subsequent National Action Plan 2024-2026.

<https://anitp.mai.gov.ro/ro/docs/Despre%20Noi/Anexe/Strategia%20Nationala%20Impotriva%20Traficului%20de%20Persoane%202024-2028%20RO.pdf>

In order to achieve its goal, NSATP 2024-2028 outlines 5 general objectives, under which there are 18 specific objectives, structured around the 4 fundamental anti-trafficking pillars: Prevention, Punishment, Protection and Partnership. Having these aspects mentioned, there is a coherent and comprehensive alignment of NSATP's provisions, to GREVIO's objectives, in relation to vulnerable categories, sexual exploitation and any type of violence towards victims of trafficking and exploitation.

The general objectives of NSATP are:

1. Reducing the influence of risk factors and vulnerabilities leading to victimization through trafficking in persons
2. Increasing the effectiveness and efficiency of the criminal justice system in cases of trafficking in persons
3. Improving protection and assistance provided to victims of trafficking in persons
4. Standardization of data collection processes in the field of trafficking in persons
5. Enhancing cooperation in horizontal areas of the anti-trafficking system

Regarding the topic of measures taken particularly in relation to forms of violence against women, we can name the specific context with NAATIP being the first institution to react and send a notification to the YouTube platform against the display in the online space of a musical piece that promoted discriminatory messages against women and urged young girls to accept sexual exploitation with serenity." #PROTEST Music should not incite discrimination and sexual exploitation of women!", and it can be linked below:

<https://www.facebook.com/share/p/15sT3sKP11/> . Furthermore, following the notifications from NAATIP and those from the NGO environment, the National Audiovisual Council asked YouTube to remove controversial music materials from the platform.

National Strategy for the protection and promotion of child rights 2023-2027 approved by Government Decision no. 969/2023.

The general goal of the "Protected children, safe Romania" Strategy is to ensure, with the involvement of children, the effective realization of the rights of all children, including the most vulnerable, in all areas of life, by fully ensuring access to quality public services.

General Objectives (GO):

- GO no. 1 Increasing the level of children's participation in making decisions that concern them.
 GO no. 2 Reducing poverty and social exclusion among children
 GO no. 3 Improving the health of the child
 GO no. 4 Increasing children's participation in quality inclusive education
 GO no. 5 Development of mechanisms to protect children against violence
- Specific objective (SO) no. 5.1 Increasing the awareness of the general public in general and of children in particular regarding the forms of violence and the impact of violence on children
 - SO no. 5.2 Ensuring a national mechanism for identifying and reporting all situations of violence against children
- GO no. 6 Ensuring child-friendly justice
 GO no. 7 Ensuring children's access to digital services in safe conditions
 GO no. 8 Developing evidence-based policy design capacity

Improving the legislative framework

Domestic violence is an offense regulated by Article 199 of the Romanian Criminal Code, provided as an aggravating circumstance for a number of offenses committed against "family members", the circumstantial elements of these offenses being limited to physical violence only.

The offenses covered by Article 199 of the Criminal Code, which, if committed against family members, are more severely punished, are: murder (Article 188 of the Criminal Code); aggravated murder (Article 189 of the Criminal Code); assault or other violence (Article 193); bodily injury (Article 194 of the Criminal Code), assault or injury causing death (Article 195 of the Criminal Code); culpable bodily injury (Article 196 of the Criminal Code).

We point out several amendments to the provisions of the Criminal Code and the Criminal Procedure Code, as well as to Law 211/2004 on some measures to ensure information, support and protection of victims of crime, which aim to increase the protection of victims and guarantee their right to a fair trial:

Amendments to the Criminal Code

a. By Law no. 217/2023¹³ were established, as autonomous offenses, rape committed on a minor (art. 218*1 of the Criminal Code) and sexual assault committed on a minor (art. 219*1 of the Criminal Code), the new regulations presuming the absence of consent of a minor under the age of 16 to an act of a sexual nature committed by a person over the age of 16, as well as of a minor under the age of 14 to an act of a sexual nature committed by a minor over the age of 14, except in the case where the difference in age between the victim and the perpetrator does not exceed 5 years.

In these cases, prosecution is not conditional on a complaint by the victim, but prosecution is *ex officio*.

In the case of these offenses, the aggravated variant of the commission of the offense by a family member¹⁴ of the minor or a person living with the minor is provided for (in Art. 218*1

¹³ Published in the Official Gazette, Part 1 No 634 of July 11, 2023, in force from 01.01.2024.

¹⁴ Article 177 of the Criminal Code provides that:

Family member means:

(a) ascendants and descendants, brothers and sisters, their brothers and sisters, their children, as well as persons who have become such relatives by adoption according to law;

b) spouse;

c) persons who have established a relationship similar to that between spouses or between parents and children, where they live together.

(2) The provisions of the criminal law concerning the family member, within the limits provided for in paragraph f) letter a), shall, in case of adoption, also apply to the adopted person or his descendants in relation to the natural relatives."

para. (4) letter a) of the Criminal Code and Article 219*1 para. (3) letter a) of the Criminal Code), without the ground of non-punishability due to the difference in age between the victim and the perpetrator being applicable to these cases. Therefore, offenses will be punishable even if the age difference between the victim and the offender does not exceed 5 years.

b. Law no. 217/2023 amended the provisions of Art. 153 para. 2 of the Criminal Code, in the sense of extending the scope of offenses for which prescription does not exclude criminal liability. Article 153 para. (2) letter. (c) of the Criminal Code provides that prescription does not exclude criminal liability for the offenses referred to in Articles 209-211, 213, 218, 218*1, 219, 219*1 and 282 of the Criminal Code (slavery, trafficking in persons, trafficking in minors, procuring, rape, rape of a minor, sexual assault, sexual assault of a minor, torture).

The amendment is also relevant in the area of domestic violence in general, as criminal liability is not subject to a statute of limitations, including when the offenses indicated above are committed in the family or domestic environment.

c. Law no. 248/2023¹⁵ established, as an aggravating circumstance (with the consequence of increasing the penalty limits by one third), the perpetration of the crime on a minor victim in the case of the offenses of assault or other violence (Article 193 paragraph 21 letter b) of the Criminal Code), bodily injury (Article 194 paragraph 21 letter b) of the Criminal Code) and harassment (Article 208 paragraph 21 of the Criminal Code).

Amendments to the Code of Criminal Procedure

a. By Law no. 51/2023¹⁶ some provisions of the Criminal Procedure Code concerning the hearing of minors were amended, the explanatory memorandum to this law¹⁷ stating that the purpose of the new regulations is to ensure a safe hearing environment for the child, injured person or witness, without harming his/her psycho-emotional integrity and to avoid possible re-traumatization.

Following these amendments:

*- Article 111 of the Criminal Procedure Code provides in paragraphs 8*1-8*3 that:*

"(8*1) The hearing of the injured person under 14 years of age shall take place in the presence of a parent, guardian or person or representative of the institution to which the minor is entrusted for upbringing and education, as well as in the presence of a psychologist, determined by the judicial body. The psychologist shall provide specialized counseling to the minor throughout the judicial proceedings.

(8*2) If the persons referred to in para. (8) cannot be present or have the status of suspect, defendant, injured person, civil party, civilly liable party or witness in the case or there is reasonable suspicion that they may influence the minor's statement, the hearing of the minor shall take place in the presence of a representative of the guardianship authority or a relative with full capacity, as well as in the presence of a psychologist, determined by the judicial body. The psychologist shall provide specialized counseling to the minor throughout the court proceedings.

(8*3) If the hearing of the injured minor concerns the work of the institution to which the minor is entrusted for upbringing and education, the representative of that institution shall be replaced by a representative of the guardianship authority or a relative with full capacity, and a psychologist, to be determined by the judicial body. The psychologist shall provide specialized counseling to the minor throughout the judicial proceedings."

*- Article 124 of the Criminal Procedure Code provides in paragraphs 1-2*1 that:*

The regulation on family membership covers, for example, the commission of rape or sexual assault between cousins, by an uncle on a minor nephew, by a mother's cohabitant against her minor child, etc., situations which previously could not be included in the notion of direct line relative, brother or sister.

¹⁵ Published in the Official Gazette, Part I No 673 of July 21, 2023, in force from July 24, 2023.

¹⁶ Published in the Official Gazette, Part I No 186 of March 6, 2023, in force from March 9, 2023

¹⁷ Available on <https://www.cdep.ro/projects/2022/400/506/em548.pdt>

(1) The hearing of a minor witness under the age of 14 years shall take place in the presence of a parent, guardian or the person or representative of the institution to which the minor is entrusted for upbringing and education, as well as in the presence of a psychologist, determined by the judicial body. The psychologist shall provide specialized counseling to the minor throughout the judicial proceedings.

(2) If the persons referred to in para. (1) cannot be present or have the status of suspect, accused person, injured person, civil party, civilly liable party or witness in the case or there is a reasonable suspicion that they may influence the minor's statement, the hearing of the minor shall take place in the presence of a representative of the guardianship authority or a relative with full capacity to exercise his or her rights, as well as in the presence of a psychologist, determined by the judicial body. The psychologist shall provide specialized counseling to the minor throughout the judicial proceedings.

(2*1) If the hearing of the witness of the minor concerns the work of the institution to which the minor is entrusted for upbringing and education, the representative of this institution shall be replaced by the representative of the guardianship authority or a relative with full capacity, as well as a psychologist, to be determined by the judicial body. The psychologist will provide specialized counseling to the minor throughout the judicial proceedings.

b. By Law no. 217/2023 new amendments were made to the provisions of the Criminal Procedure Code, with the aim of increasing the protection afforded to victims of crime, including victims of domestic violence, in criminal proceedings. Thus, following these amendments:

- Art. 93 para. 4 of the Criminal Procedure Code stipulates that legal assistance is mandatory when the injured person or the civil party is a person who lacks the capacity to exercise or has restricted capacity to exercise or when the injured person or the civil party is the victim of one of the offenses referred to in Articles 197, 199, 209-2161, 218, 2181, 219, 2191, 221, 222 and 223 of the Criminal Code".

- *Article 111 of the Criminal Procedure Code provides in paragraphs 6-8 that:*

(6) In the case of injured persons for whom the existence of specific protection needs has been established by law, the judicial body shall order one or more of the following measures, without prejudice to the proper conduct of the trial or the rights and interests of the parties:

(a) Hearing them in premises designed or adapted for that purpose;

(b) their hearing by or in the presence of a psychologist or other specialist in victim counseling

c) their hearing and any rehearing shall be conducted by the same person, if this is possible and if the judicial body considers that it does not prejudice the proper conduct of the trial or the rights and interests of the parties;

d) their hearing by videoconference or other technical means of communication at the place where they benefit from the temporary accommodation protection measure.

(7) The hearing and, where appropriate, the rehearing by the criminal investigation bodies of injured persons who have been victims of the offenses referred to in Articles 197, 199, 209-2161, 218, 2181, 219, 2191, 221, 222, 223 and 374 of the Criminal Code¹⁸, as well as in other cases where, due to the circumstances of the commission of the crime, this is deemed necessary, shall be conducted only by a person of the same sex as the injured person. If this is not possible, without prejudice to the proper conduct of the trial or the rights and interests of the parties, the hearing and, where appropriate, the rehearing of such injured persons may be conducted by a person not of the same sex as the injured person, with the agreement of the lawyer and a psychologist or other specialist in counseling victims.

(8) If the injured person is a minor, the recording of the hearing of the injured person by audio-video technical means shall be obligatory in all cases. Where video-recording is not possible, recording shall in all cases be made by audio-technical means.

¹⁸ The text refers to the crimes of ill-treatment of a minor, domestic violence, domestic violence, domestic violence, trafficking in human beings, trafficking in minors, trafficking in minors, forced or compulsory labor, pimping, exploitation of begging, use of a minor for the purpose of begging, use of the services of an exploited person, use of child prostitution, rape, rape of a minor, sexual assault, sexual assault of a minor, sexual abuse of a minor, sexual corruption of minors, solicitation of minors for sexual purposes, sexual harassment and child pornography

- Article 113 para. 1 of the Criminal Procedure Code provides that, when the conditions stipulated by law regarding the status of threatened or vulnerable witness or for the protection of privacy or dignity are met or in the event that the release or escape of the offender may jeopardize the privacy or dignity of the injured person, the civil party or the threatened or vulnerable witness or may cause them harm, regardless of its nature and extent, the criminal prosecution body shall order the provisions stipulated in Art. 126 and 127 of the Criminal Procedure Code, which shall apply accordingly.

According to paragraph 2 of the same article, victims who are presumed to be vulnerable are child victims, victims who are in a relationship of dependency with the offender, victims of terrorism, organized crime, trafficking in human beings, intimate violence, sexual violence or exploitation, victims of hate crimes and victims affected by a crime because of prejudice or discrimination that may relate in particular to their personal characteristics, victims with disabilities, and victims who have suffered significant harm as a result of the seriousness of the crime.

- Article 352 para. 3*1 of the Criminal Procedure Code stipulates that, ex officio or at the express request of the injured person or the prosecutor, the court session shall be declared non-public for its entire duration if the injured person is a minor and is the victim of one of the offenses referred to in Articles 197, 199, 209-216*1, 218, 218*1, 219, 219*1, 221, 222, 223 and 374 of the Criminal Code.

- According to art. 355*1 of the Criminal Procedure Code, newly introduced by Law no. 217/2023, cases with minor injured persons, victims of one of the offenses referred to in art. 197, 199, 209-216*1, 218, 218*1 219, 219*1, 221, 222, 223 and 374 of the Criminal Code, are tried urgently and with priority. In these cases, the time limits for trial are usually 7 days, and for duly justified reasons, the court may grant shorter or longer time limits.

- Article 509 of the Criminal Procedure Code provides, in paragraphs 6-8, that:

(6) When the injured person is a minor under the age of 16, a victim of the offenses referred to in Articles 197, 199, 209-216*1, 218, 218*1 219, 219*1, 221, 222, 223 and 374 of the Criminal Code, the court, if it deems that the taking of certain evidence may have a negative influence on him, shall order the removal of the minor from the hearing. Under the same conditions, the parents or guardian, tutor, curator or person in whose care or under whose supervision the minor is temporarily placed may also be temporarily removed from the courtroom.

(7) When the persons referred to in para. (6), the Presiding Judge shall inform them of the essential acts performed in their absence.

(8) In the case of offenses referred to in Articles 197, 199, 209-216*1, 218, 218*1 219, 219*1, 221, 222, 223 and 374 of the Criminal Code, the court shall make available to the parties the audio-video or audio recording obtained under Article 111 paragraph. (8)¹⁹. The court shall hear the injured person only in duly justified cases.

Amendments to Law 211/2004 on some measures to ensure information, support and protection of victims of crime

Law no. 272/2024²⁰ amending and supplementing Law no. 211/2004 on some measures to ensure information, support and protection of victims of crime has extended the scope of

¹⁹ According to Art. 111 para. 8 of the Criminal Procedure Code, if the injured person is a minor, the recording of his/her hearing by audio-video technical means is mandatory in all cases. Where video recording is not possible, the recording shall in all cases be made by audio technical means.

²⁰ Articles 126 and 127 of the Criminal Procedure Code refer to the protective measures ordered during the criminal prosecution, respectively during the trial with the granting of the status of threatened witness, namely:

- (a) supervision and guarding of the witness's home or provision of temporary accommodation;
- b) accompanying and ensuring the protection of the witness or members of the witness's family when traveling;
- (c) not publicizing the hearing during the hearing of the witness;

victims who benefit from free legal aid and financial compensation for certain categories of damages.

Thus, Article 14 para. (1)²¹ and Art. 21 para. (1)²² of Act 211/2004 now stipulate that free legal aid and financial compensation shall be granted to the following categories of victims:

a) persons who have been subjected to attempted murder, aggravated murder, referred to in Articles 188 and 189 of the Criminal Code, a crime of bodily injury, referred to in Article 194 of the Criminal Code, an intentional crime resulting in bodily injury to the victim, a crime of ill-treatment of a minor, referred to in Article 197 of the Criminal Code, a crime of domestic violence, referred to in Article 199 of the Criminal Code, a crime of unlawful deprivation of liberty, referred to in Art. 205 of the Criminal Code, a crime of slavery, trafficking in human beings, trafficking in minors and forced or compulsory labor provided for in arts. 209-212 of the Criminal Code, a crime of rape, rape of a minor, sexual assault, sexual assault of a minor, inducing or facilitating sexual acts or sexual acts of a sexual nature between minors, sexual corruption of minors, solicitation of minors for sexual purposes and sexual harassment provided for in arts. 218-223 of the Criminal Code, an offense of torture referred to in Article 282 of the Criminal Code, an offense of child pornography referred to in Article 374 of the Criminal Code;

b) family members of persons who have died as a result of the above-mentioned offenses.

In order to allow victims of crime to be able to make a claim for compensation within a reasonable timeframe, the timeframe within which compensation can be claimed has been increased from one year to 3 years (Art. 24(1) of Law 211/2004).

The amendments to Art. 27 of Law 211/2004 broadened the scope of the categories of damages for which financial compensation is granted by including, for example, moral damages.

Article 35*3 has also been introduced in Law 211/2004, which aims at ensuring the confidentiality of the domicile or residence of crime victims and their legal representatives both in criminal cases and in all civil proceedings arising from the crime.

Thus, Article 35*3 of Law 211/2004 reads as follows:

(d) hearing the witness without the witness being present in the courtroom, by means of audio-visual means of transmission, with voice and image distortion, where the other measures are not sufficient;

(e) protection of the witness's identity data and the granting of a pseudonym under which the witness will testify.

²¹ Previously, Art. 14 para. 1 of Law 211/2004 provided the following:

(1) Free legal aid shall be granted, upon request, to the following categories of victims:

(a) persons against whom an attempt has been made to commit the offenses of murder, aggravated murder, referred to in Articles 188 and 189 of the Criminal Code, a crime of bodily injury, referred to in Article 194 of the Criminal Code, an intentional crime resulting in bodily injury of the victim, a crime of rape, sexual assault, sexual act with a minor, sexual corruption of minors, referred to in Articles 218-221 of the Criminal Code;

b) the spouse, children and dependants of persons who have died as a result of committing the offenses of murder, aggravated murder, referred to in Articles 188 and 189 of the Criminal Code, as well as intentional offenses resulting in the death of the person.

²² Previously, Art. 21 para. (1) of Act 211/2004 provided the following:

Financial compensation shall be granted, upon request, under the conditions of this chapter, to the following categories of victims: a) persons who have been subjected to attempted murder and aggravated murder, as referred to in Articles 188 and 189 of the Criminal Code, a crime of bodily injury, as referred to in Art. 194 of the Criminal Code, an intentional crime resulting in bodily harm to the victim, a crime of rape, sexual intercourse with a minor and sexual assault, referred to in Articles 218-220 of the Criminal Code, a crime of trafficking in persons and trafficking in minors, referred to in Articles 210 and 211 of the Criminal Code, a crime of terrorism, as well as any other intentional crime committed with violence:

b) the spouse, children and dependants of persons who have died as a result of committing the offenses referred to in para. (1).

(1) The names of victims of offenses referred to in Art. 14 para. (1) as well as their legal representatives shall be anonymized on the court portal, both in criminal cases and in all civil proceedings arising from the crime, including those of enforcement or in connection with enforcement.

(2) The confidentiality of the domicile or residence of the victims of the offenses referred to in Article 14 para. (1) and their family members, for the cases referred to in para. (1), shall be ensured by filing summonses, notices and communications, as well as proof of the completion of the proceedings in a confidential document book, inaccessible to the parties or representatives of the media, and the clerk of the hearing or the clerk appointed for this purpose shall draw up a record of the completion of these proceedings, on the basis of which the legality of the summons or communication proceedings shall be established, after verification by the competent judge.

(3) In all the procedural documents drawn up, the criminal prosecution bodies, the Courts, as well as the bodies for the execution of the judgment, including in the execution of the civil part of the judgment and in the enforcement incidents, shall anonymize the data on the domicile or residence of the crime victim and any other data that could lead to the identification of his/her residence.

(4) Records and any other means of evidence containing non-anonymized data on the domicile or residence of the crime victim and any other data that could lead to the identification of the victim's place of residence shall be kept by police bodies, prosecutor's offices, courts and bailiffs under conditions similar to those regulated for classified documents, not accessible to the parties or representatives of the media, and shall be subject to the obligation to record the persons who have requested access to them, to prove the interest of the applicants whose access is not denied and to the decision of the person competent to decide on the access to such information. Copies of these means of evidence, anonymizing the data concerning the domicile or residence of the victim of the crime and any other data that could lead to the identification of the victim's residence, are filed in the case file.

The Official Gazette of Romania no. 587 of June 11, 2021 published the Joint Order of the Ministry of Labor and Social Protection, the Ministry of Internal Affairs and the Ministry of Justice no. 173/65/65/3042/C/2021 of February 12, 2021 approving the Methodology for multidisciplinary and inter-institutional assessment and intervention in the provision of support and protection services for victims of crime. Annex 1 to this Methodology regulates the rights of victims of crime, including victims of domestic violence. Annex 2 to this Methodology provides for the Protocol of 2022 on institutional cooperation for the operationalization of the Special Register on victims of crime

By Order no.188 of December 19, 2022, published in the Official Gazette of Romania no.123 of February 13, 2023, the Methodology approved by Order no.173/65/3042/C/2021, as well as its two annexes, was amended and supplemented.

By Act No. 146/ 2021 on electronic monitoring in criminal judicial and enforcement proceedings, electronic monitoring of perpetrators against whom a provisional protection order/protection order has been issued was introduced.

The implementation of these measures was phased from 1 October 2022, until its full implementation in 2024, in accordance with the provisions of Government Decision No. 735 of 28 June 2024 on amending and supplementing Government Decision No. 1.025/2022 on establishing the technical and organizational aspects of the pilot system operation, as well as those concerning the operationalization of the Electronic Monitoring Information System.

2. Where relevant, please provide information on any measures taken to ensure the alignment of any definitions of domestic violence and of violence against women in

national legislation or policy documents with those set out under Article 3 of the Istanbul Convention and provide the relevant applicable provisions in English or French.

See the point 1.

The legal framework in Romania, as outlined by Law No. 217/2003 on preventing and combating domestic violence, provides comprehensive definitions that cover all forms of domestic violence, including verbal, psychological, physical, sexual, economic, social, spiritual, and cyber violence. These definitions are not exhaustive, allowing for flexibility in applying the law to various evolving situations.

Regarding female genital mutilation, forced marriage, forced abortion, and forced sterilization, the provisions of Article 4(2) of the same law emphasize that such acts cannot be justified by customs, culture, religion, tradition, or honor, underscoring a strong stance against these forms of violence.

The definition of "family member" in Article 5 of Law No. 217/2003 aligns with the scope of the Istanbul Convention. It includes a wide range of relationships, such as current and former spouses, cohabitants, parents, children, siblings, as well as others who have a relationship similar to that between spouses or parents and children, regardless of cohabitation. This broad definition ensures that domestic violence is not confined to the immediate family or situations where the victim and perpetrator live together.

In addition, the definition of "gender-based violence" is provided in Law No. 202/2002 on gender equality, further reinforcing the legal framework against violence directed at women and men motivated by gender. This includes, but is not limited to, domestic violence, sexual violence, and harmful practices such as female genital mutilation and forced sterilization.

In terms of criminal law, the Romanian Criminal Code does not exclusively address domestic violence but incorporates the concept of "family member" within a broader context of offenses, including those that are aggravated by the relationship between the perpetrator and the victim. Specifically, Article 199 of the Criminal Code imposes stricter penalties for domestic violence when committed against a family member, acknowledging the severity of such offenses based on the nature of the relationship.

While the Criminal Code provides a narrower definition of "family member" compared to Law No. 217/2003, it still offers legal protection for individuals who may not fall under this category, such as former spouses or cohabiting partners. Acts of violence against these individuals are punishable under other relevant offenses, including assault, bodily harm, and homicide.

Romanian law, therefore, aligns with the requirements of the Istanbul Convention, offering protection from various forms of violence, both within and outside the family unit, and ensures that domestic violence is treated with the seriousness it deserves through aggravated penalties. The application of Law No. 217/2003, alongside the Criminal Code and other legal provisions, ensures that victims of domestic violence are protected under multiple legal instruments.

Law no. 292/2011 on Social Assistance, with subsequent amendments and additions, in Article 6, letter rr), defines domestic violence as "any physical or verbal action, committed intentionally by a family member against another member of the same family, which causes physical, psychological, sexual suffering or material damage".

3. Please provide information on how your authorities ensure that policies on violence against women and domestic violence put women's rights and their

empowerment at the centre and on any measure taken to enhance the intersectionality of such policies, in line with Articles 4 paragraph 3 of the convention.²³

See the point 1.

Also, the ongoing strategy National Strategy on Equal Opportunities and Domestic Violence (2022–2027) stipulates measures regarding: the correction/modeling of attitudes and behavior that would lead to the exclusion or marginalization of persons of one sex or another,

- introducing the gender perspective into national policies,
- promoting the beneficiaries of building an inclusive and non-discriminatory society in which the gender dimension is integrated with regard to the areas of: education, health, the labor market and balanced participation in the decision-making process, so as to record benefits on the lives of women and men,
- strengthening the domestic legal framework for the purpose of preventing and combating domestic violence and violence against women (including, the development of norms, procedures and methodologies to ensure the adequate implementation of the provisions of the Istanbul Convention),
- developing adequate support and protection measures for victims,
- preventing domestic violence and recidivism.

In practice, there have been recorded cases of violence in the form of the offenses of assault or other violence, bodily injury, assault or injury causing death, as provided for in Articles 193-195 of the Criminal Code, deeds committed against a family member which, later, degenerated into the commission of offenses that can be included under category of attempted murder or even murder.

In the case of assault or other violence committed against a family member, criminal proceedings may also be initiated ex officio and, in this case, the victim's will to stop the aggressor from being punished can no longer be manifested.

If the offences referred to in Articles 188, 189 and 193-195 of the Criminal Code (murder, aggravated murder, assault or other violence, bodily injury, assault causing death) are committed against a family member, the special maximum penalty provided for by law is increased by one quarter.

Crimes against life are under the direct coordination and supervision of the public prosecutor. Police officers carry out investigative-operational and criminal investigation activities on the basis of delegation orders issued by prosecutors.

Within the National Strategy Against Human Trafficking (NSATP) 2024-2028,

Objective Number 1: stipulates reducing the influence of risk factors and vulnerabilities leading to victimization through trafficking in persons, with regards to the specific objective 1.1.: informing vulnerable groups about the risk of trafficking in persons

More explicit:” Adequately addressing the continuing need to inform vulnerable people about the risks and implications associated with trafficking in persons is key to preventing this phenomenon. Targeted information and awareness-raising activities should aim to cover a broad spectrum in terms of types of manifestation (sexual exploitation, labor exploitation,

²³ 1 The concept of intersectionality refers to the fact that “individuals (and groups) are affected by multiple inequalities based on various grounds of distinction rather than by discrimination based on one ground at a time. Therefore, discrimination, inequality and gender-based violence cannot be examined in relation to only one category of difference – for instance, gender – while precluding others – such as race, class, age, disability, sexual orientation or gender identity – because social categories intersect and interlock in multiple systems of discrimination that simultaneously affect an individual's life.” See in this respect the study Ensuring the Non-discriminatory Implementation of Measures against Violence against Women and Domestic Violence: Article 4, paragraph 3, of the Istanbul Convention, A collection of papers on the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, p.12-13.

forced begging), to provide target groups with the necessary information to limit vulnerability to trafficking, but also to dismantle prejudices and stereotypical ideas that may make certain categories of people vulnerable. Prevention actions also need to address reducing and discouraging the demand that fosters trafficking, encouraging the public to take action and social responsibility, sending positive and supportive messages to vulnerable people and cultivating an attitude of valuing and appreciating all human beings”.

Objective number 5. Stipulates the following concept: Enhancing cooperation in horizontal areas of the anti-trafficking system, which has a specific objective towards addressing specific measures to improve anti-trafficking approaches

More explicit,” the cooperation at territorial and regional level between authorities and organizations must be institutionalized under the institution of the Prefect (the government representative at the territorial level) to ensure consistency and effectiveness in the implementation of anti-trafficking policies at national level. County inter-agency anti-trafficking teams will then be able to respond in a coordinated and direct manner to local and territorial challenges related to trafficking in persons. Coordination and rapid and focused intervention on specific territorial or regional issues are also to be ensured through the formal establishment of a cooperation mechanism of county inter-agency anti-trafficking teams. Equally, ensuring the necessary human resources for the implementation, monitoring and evaluation of public policies and recommendations issued by European and international bodies, as well as for the coordination of victims in judicial proceedings, is a prerequisite for making the anti-trafficking system more effective”.

Also, below, we include further stipulations on child trafficking, children's rights and the fight against all forms of child exploitation, that are having an impact on trafficking in persons and human rights, being one of the top pillars for NSATP 2024-2028 provisions.

- Government Decision no.49/2011 for the approval of the Framework Methodology on prevention and intervention in multidisciplinary teams and networks in situations of violence against children and domestic violence and of the Methodology for multidisciplinary and inter-institutional intervention on exploited children and children at risk of labor exploitation, child victims of trafficking, as well as Romanian migrant child victims of other forms of violence in other countries.

- Romania's National Strategy for Sustainable Development 2030 sets as a strategic target for 2030 the elimination of all forms of violence against women and girls in public and private spheres, including trafficking, sexual exploitation and other types of exploitation. The implementation of the gender perspective in the Romanian society's mentality starts by adapting school curricula accordingly, as well as by organizing information and awareness-raising campaigns to combat gender stereotypes among young people.

Additional actions related:

- Participation of NAATIP's representatives at the invitation of the National Agency for Equal Opportunities between Women and Men, in the meeting of the Interinstitutional Working Group for improving the response of the health system to gender-based violence and sexual violence;

- Participation of NAATIP in three training sessions held in partnership with the International Organization for Migration (IOM) and "Micu Bogdan" Foundation Braşov, aimed at specialists involved in preventing and combating trafficking in human beings, as well as in assisting and protecting victims (social workers and psychologists, national policemen, local policemen, DGASPC representatives). The training sessions addressed topics such as "Migration – Global and national context; Intercultural communication"; "NIRM use in relation to victims of human trafficking; Repatriation of victims and migrants"; "Protection and

assistance to victims of trafficking in human beings and prevention of sexual exploitation and abuse – PSEA" and benefited from the financial support of the ILO.

Article 75 of Law no. 292/2011 expressly mentions that preventing and combating domestic violence is a component of family protection and assistance policies, and social services for victims of domestic violence are provided in an integrated system with other legal protection measures, health insurance, prevention, identification and punishment of acts of domestic violence, provided for by special legislation in the field.

Also, in accordance with the provisions of Article 76 of Law no. 292/2011, local public administration authorities are responsible for setting up, organizing, managing and providing social services aimed at preventing and combating domestic violence and violence against women. In order to ensure efficient social services, the local public administration authorities collaborate with other institutions and authorities with competences in this field, such as the General Directorate of Police of the Bucharest Municipality or the county police inspectorates, the county gendarmerie inspectorates, the deconcentrated services of the Ministry of Health, educational institutions, forensic medical services, under the conditions of the law. At the same time, the law stipulates that social services developed in the field of preventing and combating domestic violence and violence against women are addressed in priority to the victims, as well as to their aggressors.

Article 8: Funding

4. Please provide information on any new development since the adoption of GREVIO's baseline evaluation report on your country concerning the allocation of appropriate and sustainable financial and human resources for the implementation of integrated policies, measures and programmes to prevent and combat all forms of violence covered by the Istanbul Convention.

Some information regarding these aspects is provided at the point 1.

A step forward in ensuring financial sustainability for victim protection and crime prevention is the operationalization of the National Mechanism for Sustaining Crime Prevention, established under the National Strategy for Criminal Asset Recovery (2021–2025).

Legislative amendments adopted in 2022²⁴ not only strengthened the legal framework governing the National Agency for the Management of Seized Assets (ANABI) but also introduced an innovative funding mechanism that reinvests confiscated criminal assets into victim support programs, crime prevention, and legal education.

This mechanism is based on the principle of social reutilization of confiscated assets, ensuring that 50% of recovered funds are redirected toward projects supporting victims and enhancing institutional responses. It became operational in January 2023, with the budget allocated annually as follows:

- 20% – Ministry of Education
- 20% – Ministry of Health
- 15% – Ministry of Internal Affairs
- 15% – Public Ministry
- 15% – Ministry of Justice

²⁴ By Law No. 230 of July 19, 2022, amending and supplementing Law No. 318/2015 on the establishment, organization, and operation of the National Agency for the Management of Seized Assets, as well as amending and supplementing other legislative acts, and amending and supplementing Law No. 135/2010 on the Code of Criminal Procedure, published in the Official Gazette No. 734 of July 21, 2022.

- 15% – Non-reimbursable funding managed by ANABI for grant programs supporting victim assistance and social protection projects by NGOs and foundation

Additionally, the same legislative amendments improved the state compensation framework by:

- expanding eligibility for financial compensation, allowing victims to claim compensation for both material and moral damages;
- eliminating the previous cap of 10 gross minimum salaries for material damages, ensuring fairer compensation based on individual cases;
- introducing an emergency advance system, enabling victims of serious crimes to receive immediate financial assistance in the form of vouchers for essential needs. For further details on the voucher system, please refer to the response to Question 18.

Relevant articles of Law No. 318/2015²⁵ :

Article 37¹

(1) The National Mechanism for Sustaining Crime Prevention, hereinafter referred to as the Mechanism, constitutes the institutional and financial framework through which:

- a) resources are allocated to implement activities and projects aimed at legal education, crime prevention, victim assistance and protection, as well as strengthening the administrative and logistical capacity of institutions responsible for identifying, managing, or utilizing seized assets;
- b) victims of crimes, as defined under Law No. 211/2004 on measures to ensure the information, support, and protection of crime victims, with subsequent amendments and additions, gain access to fair and appropriate compensation for damages suffered.

(2) The Mechanism is funded through the annual supplementation of the budgets of the main credit holders of the public authorities listed under Article 37², para. (1), points a)-f). These funds consist of 50% of confiscated funds from criminal proceedings, 50% of revenues from the capitalization of seized assets, and 50% of amounts obtained from the enforcement of confiscation orders in criminal proceedings, after deducting capitalization costs, amounts subject to international distribution by the Agency, and other legally required deductions.

(3) The Mechanism becomes operational in January 2023 and will function for a period of five years, with the possibility of extension by law.

(4) The Ministry of Justice is responsible for analyzing and evaluating the effectiveness of the Mechanism every two years. Based on this assessment, the Ministry may initiate legislative proposals to extend its operation. For this purpose, the institutions and entities listed under Article 37², para. (1) shall submit their evaluations and proposals to the Ministry of Justice.

Article 37²

(1) The funds allocated through the Mechanism are distributed as follows:

- a) 20% – Ministry of Education;
- b) 20% – Ministry of Health;
- c) 15% – Ministry of Internal Affairs;
- d) 15% – Public Ministry;
- e) 15% – Ministry of Justice;
- f) 15% – the Agency for non-reimbursable funding of projects proposed by associations and foundations active in the field of victim assistance, protection, and social support.

(2) The non-reimbursable funds allocated to the associations and foundations under paragraph (1), point f) shall be granted in accordance with Law No. 350/2005, which regulates public funding for non-profit activities of general interest, as subsequently amended and supplemented. Each non-reimbursable financing contract cannot exceed 20% of the total annual funds allocated for associations and foundations under paragraph (1), point f). The maximum duration of a financing contract is 24 months.

²⁵ The full version of the normative act is available at:
<https://legislatie.just.ro/Public/DetaliuDocumentAfis/174284> .

(3) The funds allocated to the institutions listed under paragraph (1), points a)-e) shall be used exclusively for crime prevention projects or programs, in accordance with Article 37⁷.

National Agency Against Human Trafficking (NAATIP) continued in 2024, after the operationalization of the National Crime Prevention Support Mechanism, the institutional adaptation process in order to enroll institutions and organizations for easy access for victims to an compensation advance, involving the allocation of resources for legal education, crime prevention, assistance and protection of crime victims, as well as the directing of funds to victim compensation by the state, registered in the Voucher Distribution Mechanism, thus being able to manage any requests from victims of human trafficking.

5. Please provide information on any development concerning the provision of appropriate and sustainable financial and human resources for women's rights organizations that provide specialist support services to victims, including those supporting migrant women and girls.

In June 2023, the Romanian Government approved Government Decision No. 541/2023²⁶, establishing the methodological norms for the implementation of the new voucher-based advance system. The Methodology provides specific elements for issuance, distribution and settlement of vouchers for victims of crime, for establishing their amount, as well as the criteria for selecting public and private entities enrolled in the granting mechanism.

The voucher covers the urgent needs of the victims of the crimes and represents the advance payment of the financial compensation approved by the Commission (the Commission within the court of domicile), according to art. 30 of Law no. 211/2004 on some measures to ensure information, support and protection of victims of crimes, with subsequent amendments and completions.

The victim who filed a criminal complaint may file a request for financial compensation or a request with an advance payment of the financial compensation in the form of a voucher to cover urgent needs at the court in whose jurisdiction the victim resides and is resolved by two judges from the Commission for granting financial compensation to victims of crimes, established in each court.

This advance will be granted within the maximum limit of an amount equivalent to 5 minimum gross basic salaries per country, 18,500 lei. According to the art 10 the following:

- public entities and authorities registered in the list of public and private entities enrolled in the voucher distribution mechanism are authorized to distribute vouchers:

- a) the general directorates of social assistance and child protection;
- b) the National Agency against Trafficking in Persons, within the Ministry of Internal Affairs;
- c) the National Agency for Equal Opportunities between Women and Men;
- d) any other public entity that has, according to the law or the constitutive act, as its object of activity the assistance and protection of victims and/or social assistance;
- e) any other state institution that, in the exercise of its duties, comes into contact with persons who are potential victims of crimes.

- Associations and foundations with an object of activity in the field of assistance and protection of victims and/or social assistance, registered in the list of public and private entities enrolled in the voucher distribution mechanism are authorized to distribute vouchers.

²⁶ <https://legislatie.just.ro/Public/DetaliuDocumentAfis/271156>

According to the Law no. 100/2024 on amending and supplementing certain normative acts in the field of social assistance (point 111), was stipulated responsibility for the state budget and local budgets to ensure the financing of all social services, public or NGO. Financing will be granted within the limits of the cost standard per beneficiary, in compliance with the methodology provided for by special laws. Also, ANES will ensure the specific legal frame through the future amendments to the special law (Law no. 217/2003), for each type of services.

As mentioned in the response to Question 4, Article 37², paragraph (1), point f) of Law No. 318/2015 ensures that 15% of the funds generated through the National Mechanism for Sustaining Crime Prevention are allocated to non-reimbursable financing for associations and foundations active in victim assistance and social support. This financing is administered by ANABI, which, under Article 37⁸, is responsible for developing an annual funding program that defines eligibility criteria, objectives, and funding priorities for non-profit organizations.

To ensure transparency and efficiency in grant allocation, the selection of beneficiaries follows a structured evaluation process under Article 37⁹, which mandates that:

- a selection committee evaluates project proposals based on predefined scoring criteria assessing relevance, methodology, budget feasibility, sustainability, and innovation;
- the committee includes representatives from ANABI and relevant public institutions to align funding with national priorities;
- the evaluation process guarantees that resources are directed toward high-impact projects.

The National Mechanism for Sustaining Crime Prevention has already facilitated direct financial support for organizations delivering specialized victim support services. In 2024, the selection process for non-reimbursable funding took place between March and May, with 11 associations and foundations submitting project proposals. Following a rigorous evaluation, three projects were selected to receive funding, with a total allocation of 824,394.38 lei (approximately €165,700) from the overall budget of 1,737,703.62 lei (approximately €349,000). In accordance with the funding guidelines, the non-reimbursable grants provided by ANABI are complemented by a 10% contribution from the beneficiaries, based on the total eligible value of each project. The implementation period for these projects is six months, with unused funds being carried over to the following year for the same purpose.

These projects focus on enhancing victim support services, crime prevention, and community resilience, ensuring a practical application of the social reutilization principle by directing confiscated funds toward assisting victims:

- "Justice for victims with intellectual and psychosocial disabilities" – focused on improving specialized services for victims with intellectual and psychosocial disabilities residing in social care institutions;
- "It starts with you: education, prevention, and action against crime" – designed to raise awareness among 140 children and youth about crime prevention, recognizing and reporting violence, and risks related to human trafficking.
- "Active measures for crime prevention and community resilience in Argeş county" – offering legal, psychological, and social counseling to vulnerable individuals and at-risk communities.

Relevant articles of Law No. 318/2015²⁷ :

Article 37⁸

²⁷ The full version of the normative act is available at:
<https://legislatie.just.ro/Public/DetaliuDocumentAfis/174284> .

(1) For the funds to be distributed by the Agency to the associations and foundations referred to in Article 37², paragraph (1), point f), the General Director shall annually approve, by decision, the annual program for grant funding allocation.

(2) Through the annual program for grant funding allocation, the Agency establishes the general conditions applicable to grant funding contracts, as well as the objectives it aims to achieve through the financing of non-profit activities of general interest.

(3) In order to establish the annual program for grant funding allocation, the Agency shall organize consultations with public institutions, associations, and foundations.

Article 37⁹

(1) The selection of beneficiaries from among the associations and foundations referred to in Article 37², paragraph (1), point f) shall be carried out following an evaluation of the submitted project proposals.

(2) The evaluation of project proposals and the selection of beneficiaries shall be conducted by a committee composed of five members, appointed by order of the Minister of Justice, upon the proposal of the General Director of the Agency. The committee shall include two representatives from the Agency and three representatives from other institutions or public authorities, whose priorities align with the annual program for grant funding allocation.

(3) During the selection procedure, as well as for monitoring the execution of grant funding contracts, including financial aspects, the Agency may contract experts, entities, or specialized companies, selected in compliance with public procurement regulations.

(4) The rules of procedure of the committee shall be approved by decision of the General Director of the Agency.

(5) The evaluation of project proposals shall be conducted based on a scoring grid, approved as part of the documentation for project proposal preparation and submission. The scoring grid shall include evaluation criteria as well as points assigned to each sub-criterion.

(6) The methodology for promoting, evaluating, selecting, and implementing projects shall be established through the applicant's guide, approved by decision of the General Director of the Agency.

(7) Project proposals shall include information regarding the purpose and specific objectives, how the project aligns with the objectives of the annual program for grant funding allocation, planned activities and associated costs, expected results, measurable through objective indicators, duly justified in the proposal.

(8) The evaluation criteria for project proposals shall include:

- a) the relevance of the project in relation to the objectives set forth in the annual program for grant funding allocation;
- b) the project methodology;
- c) the realism of the project budget;
- d) the sustainability and added value of the project;
- e) innovative aspects and tangible results the project brings to its field.

(9) The winning project(s) shall be those that obtain the highest scores, based on a calculation algorithm that identifies the most technically and financially advantageous proposals. The calculation algorithm shall take into account the project budget and the evaluation criteria specified in paragraph (8). The detailed calculation algorithm shall be specified in the project proposal documentation.

Article 37¹⁰

Project proposals submitted by the associations and foundations referred to in Article 37², paragraph (1), point f) may be modified during their validity period only to clarify financial calculations or technical indicators included in the financial or technical proposal. Corrections may be made to arithmetic errors, or to errors or omissions, provided that such corrections are

unequivocally supported by the meaning and content of other information contained in the submitted documents. Clarifications may also be made to confirm or validate information.

Article 37¹¹

(1) The Agency may stipulate in the grant funding contract that payments to beneficiaries shall be made in installments or in advance, depending on the stage of project implementation, associated expenses, financial risk assessment, project duration and progress, internal organizational and operational costs of the beneficiary.

(2) Beneficiaries of grant funding shall have the right to an advance payment and a final payment. Beneficiaries who do not request an advance payment shall submit only the final payment request.

(3) The grant funding beneficiary referred to in Article 37², paragraph (1), point f) shall open a bank account in national currency (RON) exclusively dedicated to the project, and all payments shall be made by the Agency into this account.

Article 37¹²

(1) Eligible expenses may only be covered if they are justified, necessary, and contracted during the budget year in which the grant contract is executed.

(2) The Agency shall not release the final installment of the grant funding before validating the final activity and financial reports, which the beneficiary is required to submit to the Agency within 30 days of project completion. The validation process shall be completed within 30 days of report submission.

Article 37¹³

(1) Public authorities referred to in Article 37², paragraph (1), points a)-e), as well as the associations and foundations referred to in Article 37², paragraph (1), point f)—beneficiaries of allocated funds - shall submit to the Agency an annual report on the use of allocated funds, by January 31 of the following year.

(2) The reports specified in paragraph (1) shall be published on the Agency's website.

Article 11: Data collection and research

6. Please provide information on any new development since the adoption of GREVIO's baseline evaluation report on your country on the introduction of data collection categories such as type of violence, sex and age of the victim and the perpetrator, the relationship between the two and where it took place, for administrative data of relevance to the field of violence against women and domestic violence emanating from law enforcement agencies, the justice sector, social services and the public health care sector.

See the point 1.

Statistical data on crimes of violence against women are collected indirectly, to the extent that the crime is motivated by "gender hatred", the aggravating circumstance provided for in Article 77 letter h) of the Criminal Code being taken into account, by filling in the statistical form in Annex 19 on hate crimes, provided for by Order of the Prosecutor General of the Prosecutor's Office attached to the High Court of Cassation and Justice No. 213 of 15.07.2014 on the organization and functioning of the information system of the Prosecutor's Office, as amended and supplemented.

According to the Annex, the prosecutor's offices have to fill in, in addition to the data on the number of cases in progress, the number of cases resolved, the type of solutions ordered, the number of victims, the number of suspects/defendants, and the ground of discrimination.

On the other hand, the modernization of the information system of the Prosecutor's Office included the extension of the ECRIS - National Repository application, which centralizes the data collected by each prosecutor's office through the ECRIS system. The main purpose of the ECRIS system is to manage information about files and documents related to files within a structure of the Public Ministry. The system also allows, however, the identification of those files that correspond to broad search criteria, such as age, gender, nationality or marital status of the victim, possible psycho-social disability, etc.

We believe that the development of the ECRIS V system, as part of the program to develop and implement a strategic management system for the judiciary, will be useful for monitoring all forms of domestic violence. This system aims to provide an integrated approach to data collection on all forms of crime, in order to increase transparency and accessibility to the services provided by the judiciary.

7. Where relevant, please provide information on any new development since the adoption of GREVIO's baseline evaluation report on your country to enable disaggregated data collection:

a) on the number of emergency barring and protection orders and the number of breaches and the resulting sanctions;

Year	Provisional Protection Orders Issued	Provisional Protection Orders Violated	Protection Orders Issued	Protection Orders Violated
2022	12.972	856	11.082	3.440
2023	13.231	864	11.887	4.279
2024	13.274	851	13.151	5.224

b) on the number of times custody decisions have resulted in the restriction and withdrawal of parental rights because of violence perpetrated by one parent against the other.

These aspects will be regulated within the future amendments to the special law (Law no. 217/2003), regarding the child custody, visitation rights and safety.

8. Please provide information on measures taken to allow cases of violence against women and domestic violence to be tracked from reporting to conviction, at all stages of the law-enforcement and judicial proceedings.

The judicial statistical data available at the Ministry of Justice is managed through the reporting system implemented at the level of the Superior Council of Magistracy and the Ministry of Justice. These data pertain exclusively to the activity conducted within national courts. Information on cases pending before the courts is entered into the ECRIS system by specialized personnel based on a standardized classification of case types, with a portion of this data periodically replicated in the databases supporting the reporting system.

At present, statistics on individuals within this system refer only to definitively convicted persons, with indicators including the type of person (natural or legal entity), age group (minor or adult), and the sentencing modalities applied by the court. However, ongoing efforts to enhance the

judicial statistical reporting system are underway as part of the ECRIS development project, implemented by the Ministry of Justice in partnership with key judicial actors. This initiative aims to integrate a comprehensive statistical framework covering both prosecution offices and courts, allowing for an expanded data set that will no longer be limited to convicted individuals but will also include information on suspects, defendants, and victims.

In the design phase of this new reporting system, various parameters have been considered, including the vulnerability status of individuals, sex and gender, age groups, citizenship, education level, place of origin, the location of the offense, the relationship between the victim and the perpetrator, forms of exploitation, and legal measures applied, such as custodial sentences, protective measures, and asset security measures. The final structure of this enhanced system will be determined in accordance with the policy needs of the judicial system's key institutions.

Regarding the collection of data on protection orders, the current judicial statistics reporting system provides information on the volume of cases and the average duration of case resolution for those categorized under "Protection Orders" within the "Minors and Family" case category. Additionally, under the criminal law framework, data concerning "Failure to Comply with Protection Orders" (Law No. 217/2003) is also available, including details on case volume, the duration of legal proceedings, and statistics on definitively convicted individuals.

In order to eliminate any ambiguity regarding the availability of judicial statistics at the Ministry of Justice, it is important to reiterate that the data currently collected pertains exclusively to court activity. While the ECRIS expansion project aims to integrate statistical reporting from both prosecution offices and courts, the final technical details and implementation framework will be established based on institutional needs and policy priorities.

Part II: Information on the implementation of selected provisions in priority areas in the field of prevention, protection and prosecution

Article 12: General obligations

9. Please provide information on any primary prevention measures aiming to change mentalities and attitudes in relation to violence against women and to reduce women's exposure to gender-based violence by:

- a. addressing harmful gender stereotypes and prejudices, customs and traditions based on the idea of the inferiority of women;**

We provided some information regarding these aspects at the point 1.

- b. addressing the heightened exposure to gender-based violence by women and girls at risk of intersectional discrimination;**

We provided some information regarding these aspects at the point 1.

- c. encouraging all members of society, including men and boys, to contribute actively to preventing all forms of violence against women covered by the scope of the Istanbul Convention, and promoting the empowerment of women and girls in all areas of life, notably their participation in politics at all levels and in the labour market.**

We provided some information regarding these aspects at the point 1.

ANES implemented the project “Gender Mainstreaming in Public Policy and Budgeting” aimed at approaching gender mainstreaming, gender budgeting and women's access to leadership and decision-making.

The National Action Plan for the Political and Economic Empowerment of Romanian Women (PNA) for 2025-2029 was launched in 2024 and started from the existing legal framework and from Romania's international commitments, as well as being aligned with EU objectives and commitments assumed by the Romanian state within the framework of the Sustainable Development Goals (SDGs). This plan has a dual objective: to strengthen and support the implementation of existing legislation and policies/measures, and to introduce or at least prepare the ground for the introduction of new legislation and policies/measures that reflect national and international commitments and which can address gender differences in the economic and political fields and the existing discriminatory practices in these fields.

Therefore, and in accordance with the main pillars of the National Strategy, the strategic objectives proposed for a National Action Plan for the economic and political empowerment of women in Romania are the following:

1. Introducing the gender perspective in labor market policies, including those financed by EU structural funds.
2. Improving the balance between professional and private life and identifying and strengthening the elements of the care economy in Romania.
3. Increasing women's participation in decision-making in the economic and political sphere, with the objective of parity.
4. Reducing gender violence in the world of work and in the public space by improving the legislative framework and by increasing the awareness of actors in the mass media, religious institutions, and the public.

During 2025, this national plan will be approved by a Government Decision.

Article 14: Education

10. Please provide a few examples of promising teaching or prevention programmes, materials, or initiatives for use in formal education (from pre-school to higher education) that:

- a. educate children and youth about equality between women and men, the right to personal integrity, mutual respect and non-violent conflict resolution in interpersonal relationships, including the notion of freely given consent;**

ANES was partner within the project "Safe Education - Peer to Peer" financed under the Active Citizens Fund Romania Program part of the Norwegian EEA Grants 2014 –2021 RO2020/ACF_A5_MM_29, implemented by Teach Association for Romania during 2022-2024. The project's mission was to combat domestic and gender violence by creating a safe framework for respecting the principle of equal opportunities in pre-university education, by providing the necessary tools to teachers, social workers and children, and by developing materials and interventions that can be taken over at the level of the county institutions involved. In the scenario in which violence against children manifests itself, one of the constant points of interaction of minors with the state is the school.

Through this project were created specific tools and was designed a curriculum for support the professors' intervention, aiming the observance of child right education, the equal treatment, nonviolent environment and without gender-based discrimination. See more on: <https://educatieinsiguranta.ro/ce-facem-in-acest-proiect/>

The ongoing national strategy regarding equal opportunities and treatment between women and men and the prevention and combating of domestic violence for the period 2022 – 2027 stipulates concrete measures in the field of Education - Objective: Preventing and combating gender stereotypes and prejudices in the education system:

- a) Inclusion of related notions of stereotypes, prejudices, equal rights, equal opportunities and of treatment between women and men, discrimination, discrimination multiple, within the programs school, according to the calendar curriculum developments for high school and secondary school.
- b) Inclusion in the program national "Other school" from the units of pre-university education of some activities that promote equality of chance and treatment.
- c) Hiring/appointing an equal opportunity expert at the level school inspectorates and/or a school unit, which in fulfilment his attributions, to organize periodic information sessions and interactive exercises with students, parents and teaching staff, with the aim of a promote equality of opportunity and of treatment between women and men.
- d) Initial and continuous training a equal opportunities experts from School inspectorates and units school as well as staff didactic, including principals and school counsellors, from education pre-university to have a pedagogical approach that promote equality of opportunity and treatment between women and men.
- e) Campaign at national level regarding stereotypes, addressed the general public, in particular parents, legal representatives and carers.
- f) Campaign at national level regarding the observance of the right to equal treatment for subject persons multiple discriminations (gender, disability, ethnicity, status socioeconomic, migration, religion, etc.), addressed to pupils and students.

Through the predefined project "Support for the implementation of the Istanbul Convention in Romania" financed through the Norwegian Financial Mechanism 2014-2021, ANES ran a national campaign targeting 10.000 young students from high schools and universities around the country. Over 150 information sessions were held, regarding the prevention and means to combat domestic and gender-based violence, Istanbul Convention provisions, national legal framework, available services for victims and perpetrators, where to seek help and guidance.

By the end of 2023, 10.108 young people had participated to the sessions held during the campaign. Also, a National Conference entitled "Education - the premise of equal opportunities for girls and women", was organized within the national campaign.

Through the "VioGen – RoJust" project implemented by ANES during 2022-2023, the "We are all responsible!" Campaign was carried out. The campaign website (www.centrulfilia.ro/vdg) explores the universe of responsibility and how stereotypes, preconceptions and lack of involvement circulate in different situations of gender-based violence: emotional abuse in couples, sexual violence, psychological violence in the workplace. The campaign's messages reached over 3.5 million users online.

In the same project, another campaign entitled "When I understand, I can choose!" was carried out in several high schools in the country, the messages addressed to young people aged between 15 and 19, with the aim of intensifying efforts to promote zero tolerance towards domestic violence and combat gender-based violence. Over 2,000 students and over 100 teachers participated in the "When I understand, I can choose!" debates. With the support of several students, six scenarios were created with situations that emphasized the importance of gender equality and the negative effects of gender-based violence – Media –VIOGEN (transcena.ro).

During 2024, National Agency Against Human Trafficking implemented both individually and in partnership with other actors involved in the fight against trafficking, a number of 128 educational projects, 26 national and local campaigns to prevent human trafficking and 20 local prevention initiatives/projects. Within them, 3,555 informative-preventive activities were carried out, which led to the transmission of anti-trafficking messages to over 316,200 direct beneficiaries from different social and professional categories, namely: pupils, students, teachers, parents and foster parents, priests, job seekers, institutionalized young people, refugees, asylum seekers, specialists involved in the fight against trafficking, as well as representatives of the general public. The vast majority of anti-trafficking activities were addressed to pupils and students, one of the most vulnerable groups to the risks of human trafficking, covering a total of over 118,000 beneficiaries in this category. The process of promoting anti-trafficking messages on the mentioned social networks has led to an impact of over 9,000,000 people.

b. address some or all the forms of gender-based violence against women and girls covered by the Istanbul Convention;

We provided some information regarding these aspects at the point 1.

c. promote the inclusion of digital literacy and online safety in formal curricula as foreseen under GREVIO General Recommendation No. 1 on the digital dimension of violence against women;

The strategy regarding the digitization of education in Romania 2021-2027 stipulates the following priorities:

- Accessibility - ensuring digital infrastructure and emerging technologies for access to inclusive and quality education;
- Connectivity – developing digital skills for the digital transition towards a competitive society, centered on sustainable development, social equity and resilience; digital literacy and combating disinformation; use of open educational resources;
- Community – stakeholder consultation and involvement;
- Digital educational ecosystem – creating a high-performance digital educational environment respecting digital ethics, personal data protection, cyber security, data analysis, etc.;
- Innovation – use of all resources and digital/emerging technologies, stimulation of creativity and entrepreneurial spirit;

- Sustainability – ensuring predictability in the medium and long term, through cross-sectoral cooperation, for quality education and a green and digital economy.

d. **ensure that teaching material used in school does not convey negative gender stereotypes of women and men of all ages;**

See the point 1.

e. **offer tailored interventions aimed at preventing gender-based violence and empowering all girls, including those at risk of intersectional discrimination.**

See the point 1.

The post-secondary schools (2) that function under the authority of the General Inspectorate of Romanian Police provides for initial professional training for the Romanian Police personnel who form the police agent corps.

Post-secondary education is a compulsory education, the costs of which are borne by the state budget. In the current school curriculum, the issues under evaluation are treated separately and the subjects are covered by all students enrolled in the two post-secondary educational establishments.

Below is an excerpt from the curriculum regarding domestic violence:

- ✓ „Module 4: PREVENTION AND COMBAT OF ANTISOCIAL ACTS
 - Topic 5. Prevention and combating domestic violence
 - 5.1 General considerations regarding domestic violence
 - 5.2 Causes of domestic violence
 - 5.3 The role and duties of Police in preventing and combating domestic violence
 - 5.4 Establishing the specific activities carried out by the first police officer arriving at the scene in cases of domestic violence reports
 - 5.5 Filling-in the risk assessment form
 - 5.6 Preparing the provisional protection order and the Report („Proces Verbal”) on the measure taken.
- ✓ Module 6: IDENTIFYING AND INVESTIGATING CRIMES
 - Topic 10. Crimes against body integrity or health and crimes committed against a family member
 - 10.1 Hitting or other violence
 - 10.2 Bodily injury
 - 10.3. Bodily injury through negligence
 - 10.4. Cruel treatment of minors
 - 10.5. Domestic violence
 - 10.6. Legal classification of the crime
 - 10.7. Justification of the legal classification
- ✓ Module 7: POLICE INTERVENTION
 - Topic 34. Intervention towards certain categories of people
 - 34.1 Carrying out the intervention in case of persons under the influence of alcohol or intoxication
 - 34.2 Carrying out the intervention in the case of females
 - 34.3 Carrying out the intervention in the case of lost, unsupervised minors, runaways from home or from care facilities, as well as minors who have committed a criminal act
 - 34.4 Carrying out the intervention in the case of mentally ill persons.
 - Topic 36. Action in cases of domestic violence
 - 36.1 Entering a private residence
 - 36.2 General concepts about domestic violence

36.3 Intervention in cases of domestic violence

36.4 Entering a private residence in different situations

36.5 Preparing the entry report

36.6 Execution of intervention in cases of domestic violence."

The „Alexandru Ioan Cuza Police Academy" also organizes training sessions as follows:

- Within the Career Initiation Courses, on subjects "Gender Equality Between Women and Men", "Combating Domestic Violence - Protection Orders and Provisional Protection Orders", and "Crimes Committed Against a Family Member";
- Within the Bachelor's Degree program in "Public Order and Safety" (1st year), through the course "Legal Protection of Human Rights" and within the Bachelor's Degree program in "Law" (2nd year), through the "International Protection of Human Rights" course;
- Within the Master's Degree program in "International Relations and Organizations in Contemporary Law", subjects addressing the relevant issue are provided, as well as in the Master's Degree program in "Administrative Law" – through the course "Social Policies in the Field of Family and Child Protection"

The Ministry of Education and Research has a key role in preventing and combating school violence by implementing specific public policies and measures aimed at ensuring a safe and conducive learning environment. The main lines of action in this regard include:

- taking the necessary steps to introduce into the classroom curriculum learning activities on: equal opportunities and treatment between women and men, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence and the right to personal integrity, and combating discriminatory stereotypes based on gender roles, adapted to the age and understanding of the pupils.
- the development of a legislative framework and a procedure applicable by county school inspectorates for the urgent temporary transfer of child victims or witnesses of domestic violence to the school unit recommended by the institutions providing social services for the prevention and combating of domestic violence.
- creating educational programs for teachers, parents and children to prevent domestic violence, harassment and sexual violence, including school-community-family partnerships, with the support of other ministries involved and in collaboration with non-governmental organizations active in the field.

1. Legislation

In the Law no. 198 on pre-university education/2023, with subsequent amendments and additions, defines the concept of Psychological Violence, also known as Bullying, as the action or series of physical, verbal, relational and/or cyber actions, in a social context difficult to avoid, committed intentionally, involving an imbalance of power, resulting in an attack on dignity or the creation of an intimidating, hostile, degrading, humiliating or offensive atmosphere, directed against a person or a group of persons and concerning aspects of discrimination and social exclusion, which may be related to belonging to a particular race, nationality, ethnic group, religion, social category or disadvantaged group or to beliefs, gender or sexual orientation, personal characteristics, and which take place in pre-university educational institutions and in all places intended for education and vocational training.

According to the same Law no. 198/2023, the County Centers of Resources and Educational Assistance (CJRAE/CMBRAE) develop, coordinate, monitor and evaluate services for intervention in situations of school violence, mediation of school conflicts and counseling of preschoolers/students involved in situations of school violence, as well as information, counseling and support services for school staff and pupils in order to prevent drug trafficking

and drug use, juvenile delinquency and pre-delinquency and other risk behaviors, as well as any form of violence in the school environment, including bullying, cyberbullying, harassment. The framework regulation for the organization and functioning of the county/ Bucharest municipal centres for educational resources and assistance (CJRAE/CMBRAE), approved by Order no. 5.701 of 31 July 2024, establishes the general framework for the organization and functioning of CJRAE/CMBRAE, institutions that provide specialized educational services, such as psycho-pedagogical counselling, speech therapy and school and vocational guidance. The regulation details the specific tasks of the CJRAE/CMBRAE, such as ensuring and monitoring assessment, screening and early intervention activities for children/students with low cognitive and/or socio-emotional abilities, as well as promoting educational methodologies and resources that support inclusive education and facilitate the adaptation of the teaching-learning-assessment process for various categories of children at risk of school exclusion.

The methodology for monitoring, identifying, evaluating, preventing and combating school segregation in pre-university education, approved by OME no. 7.701 of December 6, 2024, establishes the unitary framework for identifying and eliminating forms of school segregation. The main objectives include the monitoring and assessment of segregation situations in pre-university educational establishments, the identification of forms of segregation based on various criteria, such as ethnicity, disability, socio-economic status, school performance and students' residential environment, and the prevention and combating of segregation through the implementation of specific measures and the promotion of inclusion. The main aim of this Order is to ensure an inclusive and equitable educational environment through concrete measures aimed at:

- Identification and evaluation of school segregation on the 5 criteria.
- Implementation of action plans to prevent and combat segregation, with clear responsibilities for schools and school inspectorates.
- Regular monitoring and reporting on the situation of segregation in schools to ensure that the principle of equal opportunities is respected.
- Promoting educational policies that support the integration and inclusion of all pupils, regardless of origin or social status

The procedure for the management of cases of violence against pre-schoolers/ preschoolers/pupils and school staff, as well as other related situations in the school environment and of suspected violence against children outside the school environment, approved by OME no. 6235/2023, provides for the management, at the level of pre-university educational establishments, of acts of verbal, physical, psychological - bullying, emotional, sexual, social, cultural, cyber, and other activities or behaviors that may endanger the health or integrity of primary beneficiaries and educational staff.

2. Public policies on school violence

The National Framework Action Plan on School Safety (PNCASS), is the result of the collaboration of the technical teams of the Ministry of Internal Affairs, Ministry of Education, Ministry of Development, Public Works and Administration, Ministry of Family, Youth and Equal Opportunities, Ministry of Labor and Social Solidarity, Ministry of Culture, Ministry of Health, Department for Romanians Abroad, and the Ministry of Education, aimed to increase the safety of students and teachers in educational establishments at national level (valid for the period 2023-2024).

The National Plan to Combat School Violence (PNCVS), for the period 2024-2027, approved by HG no. 1.065/ 02.09.2024, continues and develops the measures from (PNCASS) and provides:

- a) Schools' responsibilities:
 - Setting up an action group at the level of each educational unit to prevent and combat violence and increase school safety - including teachers
- b) Obligations of school inspectorates (ISJ/ISMB) and CJRAE/ CMBRAE
 - National promotion of school curricula for the optional subjects "Emotions Management", "Health Education", "Life Skills", "Inclusive Education and Critical Thinking Development"
- c) Responsibilities of the CJRAE/ CMBRAE
 - They will be responsible for the implementation of support measures for staff members of the pre-university educational establishment who have been victims of violence or have been victims of aggressive behavior.

Activities foreseen in the PNCVS:

- Developing and implementing the procedure on violence case management
- Procedure approved: OME on the management of cases of violence; Content: regulating the modalities of intervention in cases of physical, psychological, bullying, emotional, sexual, cyber, etc.;
- Partners: National Authority for the Protection of the Rights of the Child and Adoption. (ANPDCA), School Safety Directorate, teachers, school principals, inspectors, school counselors;
- Applicability: Violence between children (in school), against staff or children (outside school); Suspected use of psychoactive substances, carrying dangerous weapons or other offenses committed by students in school.
- Dissemination and uptake of the procedure
- Presentation and debate: Organize meetings at county/municipal level (September 2023 and March 2024) with school principals and school counselors;
- Monitoring: Display of info-graphs with intervention steps and implementation of a confidential violence reporting system in each school.
- School Safety Plans
- Develop Territorial Framework Action Plans (TFAPs) in all counties before the start of the 2023-2024 school year;
- Reports: submitted to the county police directorates and the Ministry of Interior.

The Teachers' Code of Ethics, approved by OMEN no. 4831 of August 30, 2018, promotes appropriate behavior and healthy relationships between teachers and students. This code establishes the rules of professional and moral conduct for teaching staff, aiming to ensure equal opportunities and promote the principles of inclusive education, safeguard the physical, mental and moral health of the educable by combating any form of abuse, ensure the protection of each educable by reporting forms of verbal/physical violence exercised on them, and ensure an educational environment based on mutual respect, integrity and responsibility.

The National Strategy for Supporting Parents 2024-2030, approved by the Romanian Government by Decision no. 1.353/2024, aims to support parents in ensuring the harmonious development of their children, including by preventing and combating school violence.

Strategy objectives in the context of school violence:

- Promoting positive parenting: the strategy encourages an educational style based on respect for the rights of the child, balancing authority with permissiveness in a climate of tolerance and understanding.
- Informing and educating parents: the aim is to develop parenting skills through parenting education programs in order to create a positive family environment, thus reducing the risk of violent behavior in children.
- Collaboration between institutions and the community: the Strategy underlines the importance of cooperation between schools, authorities and non-governmental organizations to provide

integrated support to parents, contributing to the prevention of violence in the school environment.

Through these measures, the strategy aims to reduce incidents of school violence by ensuring a safe and nurturing educational environment for children.

The strategy aims to ensure the harmonious development of children and to improve, in the medium and long term, the quality of their lives and the quality of the communities to which they belong. It is also expected to lead a sustainable lifestyle, which involves protecting the environment, promoting and respecting human rights, a culture of peace and non-violence, a better quality of life including a fair sharing of responsibilities within the family and reconciling work obligations with personal and family life.

Also, the Ministry of Education and Research has substantial contributions in implementing the following strategies:

The national strategy on promoting equal opportunities and equal treatment between women and men and preventing and combating domestic violence for the period 2021-2027, approved by GD no. 1547/2022, includes specific measures in the field of education, with the main objective of integrating the principles of gender equality in the education system. The proposed actions are related to updating the school curriculum to reflect and promote equal opportunities and equal treatment between women and men, continuous training of teachers in the field of gender equality and the implementation of educational programs and awareness campaigns for students, parents and school staff, with the aim of preventing and combating gender stereotypes and domestic violence, etc.

The national strategy to prevent and combat sexual violence "SYNERGY" 2021-2030, approved by GD no. 592/2021, includes the specific objective Primary prevention, measure: Informing and training students and parents in order to raise awareness of the need for education to prevent and combat sexual abuse of any kind and in any environment: educational institution, family / extended family, community, society and measure annual implementation of parental education activities organized by local intersectoral teams for the prevention and combating of violence against children and domestic violence.

3. *"Together we take courage" program*

The Ministry of Education and Research continues to support schools in their efforts to create the safest possible environment for children and all staff. Acts of verbal, physical, psychological violence - bullying, emotional, sexual, social, cultural, cultural, cyber, as well as any other activities or behaviors that may endanger the health or integrity of primary beneficiaries and educational staff, are managed at the level of pre-university educational establishments. Under the National Program for the Prevention of Violence "Together we take courage", funds have been transferred annually to school inspectorates for the implementation of activities/measures set out in the plans for the prevention and reduction of violence in schools. By OMEC no. 3406/2025 1.55 million lei are allocated, by OME no. 6.196/2024 - 3.20 million lei and by OME no. 6.631/2023 the amount of 1.4 million lei was transferred.

-Duration: November 2023 - August 2024; Units involved: 500 pre-university education units from all counties and Bucharest Municipality;

-Financing: maximum 4.000 lei/school project; budget managed by the National Mechanism for Crime Prevention Support;

-cop: Support schools to create a safe and conducive learning environment.

4. *Studies and other activities*

The study "Safety at School" was developed in the school year 2023/2024 in partnership with the General Inspectorate of the Romanian Police. The study aimed to identify the main issues related to the safety of students in the school space and in the areas adjacent to it, i.e. in the physical space and online.

ASPnet schools in Romania carry out activities to promote inclusion by valuing collaboration and constructive communication with others, understanding the environment and culture of belonging, respect for the dignity and rights of each individual, and respect for diversity. The patronage of the Romanian National Commission for UNESCO (CNR UNESCO) was granted for the project "Simulation of the Eichmann trial", for the realization of activities to commemorate and carry out lessons on the history of the Holocaust, ethnic minorities.

Ensuring equal opportunities for visually impaired, hearing impaired and neurodevelopmental impaired students who took the national exams, the national assessment for 8th grade graduates and the national baccalaureate exam - 2024 session

Special attention has been paid to special situations, in accordance with the provisions of the Procedure no. 31.816/25.10.2023 on ensuring equal opportunities for visually impaired, hearing impaired and neurodevelopmental disabled students taking the national examinations: the national assessment for 8th grade graduates and the national baccalaureate exam - 2024 session. At the same time, in order to ensure the compliance of the Romanian education system with the requirements of the international legal framework on the rights of persons with ESCs and/or disabilities, the admission program to state secondary education includes a section on the admission of students with ESCs to secondary education.

Article 15: Training of professionals

Given the role of the **National Institute of Magistracy (NIM)** in ensuring the continuous professional training of the entire judicial system in Romania and given the fact that violence against women and domestic violence encompass a wide range of manifestations, NIM has addressed this specialized topic within training activities that have covered broader areas such as combating domestic violence, human trafficking, juvenile justice, and combating discrimination.

The continuous professional training activities that NIM organized in these 4 fields during the reference period 2020-2024, with judges and prosecutors as the target groups, are detailed below:

Between 2019 and 2023, NIM implemented the project "Justice 2020: Professionalism and Integrity", SIPOCA code 453, MySMIS2014+ code 118978 (POCA). One of the objectives of this project was the training of judges and prosecutors in the field of combating domestic violence.

Thus, for this area, the project planned and organized 10 seminars, each lasting two days, aimed at a total of 200 judges and prosecutors with jurisdiction over cases related to domestic violence.

The key topics covered during these 10 training seminars included:

- awareness of the phenomenon of domestic violence;
- the provisional protection order;
- the protection order – procedural and substantive elements;
- domestic violence offenses and other crimes against family members, including violence against women;
- evidence management in criminal cases;
- preventive measures;
- sentencing individualization;
- complementary penalties;
- compatibility with the obligations imposed by protection orders;
- protection orders with extraterritorial elements.

Another objective of the project was the training of judges and prosecutors in the field of human trafficking. In this area, NIM planned and organized six seminars, each lasting two days, aimed at a total of 120 judges and prosecutors with jurisdiction over cases related to human trafficking.

The key topics covered during these six training seminars included:

- human trafficking: theoretical and practical aspects; typologies of offenses;
- investigation techniques for human trafficking offenses;
- rights of human trafficking victims under national and international legislation;
- procedural aspects related to human trafficking – case studies;
- international judicial cooperation in human trafficking cases, including:
 - o European Investigation Order / International Letters Rogatory;
 - o EUROJUST / European Judicial Network (EJN);
 - o Joint investigation teams;
 - o Video conference hearings;
- the role of national institutions in preventing human trafficking.

Additionally, discussions addressed the use of the Schengen Information System (SIS) for issuing alerts concerning missing or vulnerable individuals who must be prevented from traveling. These regulations were introduced through Regulation (EU) 2018/1862 of the European Parliament and of the Council of November 28, 2018, aiming to enhance international judicial cooperation and the tools available to professionals in the field.

Another objective of the project was the training of judges and prosecutors in the field of juvenile justice, covering both civil and criminal aspects separately. In this area, NIM planned and organized 10 seminars, each lasting two days, aimed at a total of 200 judges and prosecutors with jurisdiction over cases related to juvenile justice.

The key topics covered during these 10 training seminars included:

- Parental authority, with examples from comparative law;
- Parental authority in Romanian law;
- Parental alienation – an integrated perspective;
- Child's residence and personal relationship schedule;
- Hearing of minors – legal and psychological aspects;
- Psychological expertise as evidence in cases involving minors;
- Enforcement of court decisions and psychological counselling;
- Implications of assisted human reproduction on filiation;
- The concept of child-friendly justice: judicial procedures as a means of abuse and victimization of children;
- Consequences of escalating initial trauma through interaction with judicial authorities;
- Therapeutic justice;
- Child development psychology;
- Trauma and the role of psychologists;
- Techniques for interviewing children in judicial proceedings.

The Ministry of Justice, as the Program Operator for the Norwegian Financial Mechanism 2014-2021, and the Superior Council of the Magistracy, as the Project Promoter, in partnership with the National Institute of Magistracy, the National School of Clerks, and the Norwegian Courts Administration, implemented the project "Judicial Training and Capacity Building", funded by the Justice Program under the Norwegian Financial Mechanism (NFM) 2014-2021.

As part of this project, 15 seminars on hearing techniques for minors, particularly those of Roma ethnicity, were organized, along with the development of a guide and a long-term curriculum on the same topic.

The team of experts selected for this field, consisting of magistrates and psychologists, adopted an interdisciplinary approach to the content of these seminars, establishing the national implementation of the NICHD Hearing Protocol.

Another project carried out by NIM starting in 2023 was the one entitled Strengthening the proactive response of the justice system to human trafficking in Romania funded by the International Justice Mission with the support of the Office for Monitoring and Combating Human Trafficking (TIP Office) within the U.S. State Department.

In the first half of 2023, the National Institute of Magistracy implemented an intensive training program through five-day seminars for prosecutors and police officers, funded by UNICEF Romania and carried out in collaboration with the Association for Victims of Sexual Crimes. This program expanded the nationwide training of prosecutors and police officers in modern techniques for interviewing minors and introduced the revised 2018 version of the NICHD Protocol.

In 2023, NIM implemented a program of 2 seminars - 2 days each - in collaboration with the German Foundation for International Legal Cooperation (IRZ) in the field of Combating discrimination. Hate crimes. Legal Basis, Prosecution and Assessment of Cyber Hate Crimes. Finally, NIM organized other numerous training activities either exclusively funded from its own budget or with partial coverage of certain organizational aspects, covering topics such as:

- Sexual abuse committed against minors;
- Investigating crimes involving sexual abuse committed against minors;
- Summer School on topic Juvenile Justice;
- Interaction with minors during judicial proceedings;
- Statement Validity Assessment training;
- Effective instrumentation of criminal cases with crimes against sexual freedom and integrity committed against minors;
- The legal framework of acts of sexual aggression committed against minors;
- Specific means of evidence in cases of sexual assault against minors.

Description of continuous training activities per years:

2020

- Combating domestic violence (POCA): 1 seminar 2 days long (24 judges and 13 prosecutors);
- Justice for minors – civil aspects (POCA): 1 seminar 2 days long (14 judges and 1 psychologist);
- Hearing techniques for minors, especially of Roma ethnicity (MFN): 3 seminars 2 days long (21 judges, 26 prosecutors, 8 police officers, 5 probation counsellors, 1 counsellor from Social Assistance and Child Protection Directorate);

2021

- Combating domestic violence (POCA): 2 seminars 2 days long (21 judges and 20 prosecutors);
- Human trafficking (POCA): 2 seminars 2 days long (17 judges and 14 prosecutors);
- Justice for minors – criminal aspects (POCA): 1 seminar 2 days long (4 judges and 14 prosecutors);
- Effective instrumentation of criminal cases with crimes against sexual freedom and integrity committed against minors (NIM budget funds): 2 seminars of 5 days each (32 prosecutors);
- Sexual abuse of minor victims (NIM budget funds): 2 seminars 2 days long (22 judges and 15 prosecutors);

- Investigating crimes involving the sexual abuse of minor victims (with the support of the Federation of Non-Governmental Organizations for Children - FONPC): 1 seminar 2 days long (10 prosecutors and 13 police officers);
- The 16th edition of the Summer School on topic Juvenile Justice (NIM budget funds): 1 seminar of 5 days (14 judges, 4 prosecutors, 1 legal staff assimilated to judges and prosecutors and 12 future judges and prosecutors);
- Interaction with minors during judicial proceedings, listed in the EJTN Catalog 2 days long (6 judges, 2 prosecutors, 1 European magistrate);
- Statement Validity Assessment training: 1 seminar of 4 days in online format (12 prosecutors, 11 psychologists and 3 legal staff assimilated to judges and prosecutors);

2022

- Hearing techniques for minors, especially of Roma ethnicity (MFN): 6 seminars 2 days long (56 judges, 77 prosecutors, 11 police officers);
- Combating domestic violence (POCA): 3 seminars 2 days long (33 judges and 20 prosecutors);
- Human trafficking (POCA): 2 seminars 2 days long (9 judges and 19 prosecutors);
- Justice for minors – civil aspects (POCA): 2 seminars 2 days long (30 judges and 1 prosecutor);
- Justice for minors – criminal aspects (POCA): 2 seminars 2 days long (16 judges and 65 prosecutors);
- The 17th edition of the Summer School on topic Juvenile Justice (NIM budget funds): 1 seminar of 5 days (9 judges, 13 prosecutors, 2 assistant magistrates from the High Court of Cassation and Justice, 2 representatives of the Ministry of Justice and 5 participants magistrates from the Republic of Moldova);
- Effective instrumentation of criminal cases with crimes against sexual freedom and integrity committed against minors (NIM budget funds): 1 seminar 2 days long (18 prosecutors);
- The anniversary conference on the legal framework of acts of sexual aggression committed against minors, part of the series of scientific events through which NIM celebrated 30 years of existence. At the event, together with NIM trainers and other Romanian specialists, judges and prosecutors specialized in solving cases that have as their object sexual life crimes with minor victims from Spain, Germany and France were invited (NIM budget funds): 2 days long (24 judges, 37 prosecutors and 5 representatives of the National Institute of Justice from the Republic of Moldova);
- Specific probation in cases of sexual assault on minors (NIM budget funds): 2 seminars 2 days long (7 judges, 26 prosecutors and 4 prosecutors from the Republic of Moldova);
- Combating discrimination. Hate crimes (NIM budget funds): 2 seminars 2 days long (4 judges, 19 prosecutors, 11 legal staff assimilated to judges and prosecutors, 6 assistant magistrates from the High Court of Cassation and Justice and 2 prosecutors from the Republic of Moldova);

2023

- Hearing techniques for minors, especially of Roma ethnicity (MFN): 6 seminars 2 days long (84 judges, 41 prosecutors, 1 police officer, 20 psychologists from Social Assistance and Child Protection Directorate, 2 lawyers);
- Human trafficking (POCA): 2 seminars 2 days long (12 judges and 24 prosecutors);
- Combating domestic violence (POCA): 3 seminars 2 days long (26 judges and 20 prosecutors and 2 legal staff assimilated to judges and prosecutors);
- Justice for minors – civil aspects (POCA): 1 seminar 2 days long (17 judges, 1 prosecutor and 1 legal staff assimilated to judges and prosecutors);

- Justice for minors – criminal aspects (POCA): 1 seminar 2 days long (5 judges, 12 prosecutors and 1 legal staff assimilated to judges and prosecutors);
- Strengthening the proactive response of the justice system to human trafficking in Romania (TIP Office): 3 seminars 3 days long (42 judges);
- Investigating the causes of sexual abuse with minor victims. A new approach (UNICEF funds): 5 seminars of 5 days each (41 prosecutors, 18 police officers, 1 forensic doctor and 2 future judges and prosecutors);
- Combating discrimination. Hate crimes. Legal Basis, Prosecution and Assessment of Cyber Hate Crimes (IRZ): 2 seminars 2 days long (19 judges, 9 prosecutors, 1 advisor from the People's Advocate Institution, 8 legal staff assimilated to judges and prosecutors and 3 representatives of the National Council for Combating Discrimination).

2024

- Combating domestic violence (NIM budget funds): 1 seminar 2 days long (15 judges and 6 prosecutors);
- Human trafficking (NIM budget funds): 1 seminar 2 days long (5 judges, 11 prosecutors and 2 lawyers);
- Strengthening the proactive response of the justice system to human trafficking in Romania (TIP Office): 3 seminars 3 days long (29 judges);
- Justice for minors – civil aspects (NIM budget funds): 2 seminars 2 days long (17 judges and 1 legal staff assimilated to judges and prosecutors);
- Justice for minors – criminal aspects (NIM budget funds): 2 seminars 2 days long (12 judges, 4 prosecutors and 2 lawyers);
- Combating discrimination. Hate crimes. Legal Basis, Prosecution and Assessment of Cyber Hate Crimes (IRZ): 1 seminar 2 days long (18 prosecutors, 15 prosecutors from the Republic of Moldova, 3 police officers and 1 representative of the National Council for Combating Discrimination).

We underline that, under national law, continuous training is both a right and an obligation for judges and prosecutors. They are required to participate in professional development programs at least once every three years, either through the National Institute of Magistracy, accredited higher education institutions—domestically or abroad—or other recognized training initiatives. Participation in these programs is a key criterion in their regular professional evaluations.

It also worth noting that, through Decision No. 224/2024, the Superior Council of Magistracy approved the 2025 Continuous Training Program, which includes combatting domestic violence as a priority training area. The specific objectives of the training program in this field are:

- understanding the phenomenon of domestic violence, including its causes, the victim's profile, and the offender's profile;
- identifying the types of judicial interventions and the interconnected roles of different justice system actors;
- enhancing case management approaches centered on victim protection;
- analyzing differences in judicial practice between courts and prosecution offices, with the aim of ensuring a unified and consistent approach;
- exploring the interdisciplinary dimension of domestic violence cases and the interaction between the judiciary, law enforcement, and social services;
- addressing key legal aspects, including domestic violence offenses, evidentiary procedures, preventive measures, sentencing individualization, complementary penalties, and the compatibility of protective orders with other legal obligations.

THE PROBATION SYSTEM

With regard to the probation system, in 2024, six specialists were trained to pilot the ICPM MULTI-TARGET Integrated Correctional Program. This training was conducted under the Correctional Project, with sessions led by experts from the Correctional Service of Canada.

THE PENITENTIARY SYSTEM

The National Administration of Penitentiaries prioritizes improving the quality of life of penitentiary police officers and integrating a gender perspective into daily institutional activities. There is no discriminatory legislation within the penitentiary system, and both male and female personnel hold executive and managerial positions without restrictions.

As part of its institutional training strategy, the National School of Penitentiary Police "Constantin Brâncoveanu" Târgu Ocna includes topics on human rights protection and combatting discrimination in its curriculum. Additionally, in alignment with gender equality principles, the National Administration of Penitentiaries is an active member of the National Implementation Group for the National Strategy and National Action Plan for the Implementation of United Nations Security Council Resolution 1325 (2000) - Women, Peace, and Security (2020-2023). In this context, gender equality training sessions were conducted, with 40 penitentiary police officers receiving specialized training supported by representatives from the Gender Issues Management, Managing and Monitoring the Implementation of the Gender Perspective Office within the Ministry of National Defense.

Furthermore, on October 31, 2024, Decision No. 667/31.10.2024 of the General Director of the National Administration of Penitentiaries was approved, introducing instructions on ensuring equal opportunities and treatment between women and men and eliminating all forms of gender-based discrimination.

From April 24 to June 23, 2023, the National Agency for Equal Opportunities for Women and Men (ANES), as promoter of the project "VioGen-RoJust", under the Call for Projects "Human Rights - Implementation at National Level", funded by EEA and Norwegian Grants 2014-2021 and implemented in partnership with several non-governmental organizations with concerns in the field (FILIA Centre, TRANSCENA Association, ANAIS Association and GRADO Association), organized a series of training activities in the field of domestic violence and sexual abuse.

The National Agency for Equal Opportunities between Women and Men (ANES) has shown particular concern and interest in training professionals who interact with victims of this type of violence, in particular actions involving the training of a large number of prosecutors who investigate and participate in the resolution of cases of domestic violence/violence against women, and prosecutors involved in issuing provisional protection orders.

In this regard, according to the activities established to be carried out within the "VioGen-RoJust" project, the Public Ministry was the beneficiary of training activities together with other categories of professionals with specific duties in the field of domestic violence and gender-based violence

Thus, on the basis of good inter-institutional cooperation, ANES asked the Prosecutor's Office attached to the High Court of Cassation and Justice to support the training program by designating 200 prosecutors to participate in the training courses.

Following the invitation, a total of 103 prosecutors expressed their willingness to participate in the training program and were trained on a number of topics, such as:

1. Confirmation of the protection order, the role of the prosecutor in formulating and deciding the application for the issuance of the protection order, the application of electronic monitoring devices in the execution of the provisional protection order and the protection order, and the obligation of the aggressor to participate in specialized counseling programs to reduce aggressive behavior.

2. Communicating with the victim - trauma and post-traumatic behavior, the role of the psychologist in court proceedings in cases of domestic and sexual violence.

3. Consent to sexual intercourse with a minor versus rape, reaction of a child sexually abused by an adult and post-abuse behavior, disclosure of sexual abuse and child's statement;

4. Offenses in the sphere of domestic violence and sexual abuse, protective measures for the victim, specific evidence;

5. Judgments of the European Court of Human Rights and country recommendations of the CoE Council of Ministers on domestic violence and sexual violence.

The courses were held from April 24 to June 23, 2023, with online participation through Google Workspace.

This training activity responded both to the need for training in this area, a need recognized by all the prosecution units, and to GREVIO's recommendation in this respect.

In this respect, the GREVIO report of March 4, 2022 on legislative and other measures implementing the provisions of the Council of Europe Istanbul Convention on preventing and combating violence against women and domestic violence notes the insufficiency of continuous training focused on violence against women as a form of gender-based violence or gender equality, the level of relevant training being low both in terms of the topics covered and the number and duration of training sessions, as well as the number of participants.

At the same time, on the same coordination of the VIOGEN project on professional training, it is worth welcoming the documentation effort finalized with the elaboration of the Study on the case law of the European Court of Human Rights on sexual, domestic and gender violence and the Council of Europe standards on the subject relevant for judicial professionals, drafted within the "VioGen RoJust" Project, implemented by the National Agency for Equal Opportunities for Women and Men, as Project Promoter, in partnership with: FILIA Center, TRANSCENA Association, ANAIS Association and GRADO Association.

This study was sent, during February 2024, in electronic format, for information, to the prosecutor's offices of the Courts of Appeal, with the intention of being communicated to all prosecutors of the prosecutor's offices of the district prosecutor's offices in order to be used as a documentary resource in the training process at decentralized level.

In relation to these aspects, we conclude that the project "VioGen-RoJust" has successfully achieved its set targets, the activities carried out within this project contributing to the improvement of protection measures against domestic violence, strengthening the capacity of authorities to ensure proper implementation of the legislative framework on protection and non-discrimination of victims, effective application and implementation of ECHR recommendations and CoE human rights standards.

The National Institute of Magistracy has communicated that the topic of preventing and combating sexual violence in all its forms has been addressed in the framework of the Continuing Training Program of the INM for 2023, in several training areas or projects.

Thus, 5 training seminars were organized within the project "Setting national standards in the science-based investigation of sexual violence against children - a train-the-trainer program and strengthening the national network of professionals" funded by UNICEF Romania and implemented by the Association for Victims of Sexual Offences, in collaboration with the INM. The 5 seminars, with the theme "Evidence specific to the hearing of child victims of sexual abuse" lasted 5 days each and were intended to train 41 specifically designated prosecutors from several counties and DIICOT, as well as police officers. The training focused on modern techniques of juvenile hearings and presentation of the NICHD Protocol, revised in 2018.

The INM also carried out in 2019-2023 the project "Justice 2020: professionalism and integrity", code SIPOCA 453, code MySMIS2014+ 118978. Within the framework of this project, seminars were held during 2023 in the following areas:

- 3 seminars in the field of Hearing Techniques in Criminal Proceedings, with a focus on hearing vulnerable persons (children, adults, persons with mental disabilities) attended by 34 prosecutors;
- 3 seminars in the field of Combating Domestic Violence, attended by 20 prosecutors;
- seminars were organized in the field of Combating trafficking in human beings, attended by 24 prosecutors;
- 2 seminars on Combating cybercrime, attended by 31 prosecutors;

- seminars were organized in the field of Juvenile Justice - criminal aspects, attended by 12 prosecutors.

At the same time, the Superior Council of Magistracy, in partnership with the National Institute of Magistracy, the National School of Court Clerks and the Norwegian Court Administration implemented the pre-defined project "Training and capacity building in the judiciary", funded under the Norwegian Financial Mechanism (MFN) 2014-2021.

Within this project it was foreseen to conduct 15 seminars dedicated to the topic of Hearing Techniques for Minors, with a focus on the specific Roma population, as well as to draft a guide and a long-term curriculum in the same subject. The team of experts selected in this field, consisting of magistrates and psychologists, had an interdisciplinary approach to the content of these seminars, establishing the national implementation of the NICHD Hearing Protocol.

During 2023, the last 6 seminars out of the 15 planned were organized and 41 prosecutors participated.

The National Institute of Magistracy (I.N.M.) reported that the topic of preventing and combating sexual violence in all its forms was addressed in the I.N.M.'s Continuing Training Program for 2024, as well as in training activities organized at international level, providing training for a total of 62 prosecutors.

Specifically, within the framework of the continuous training program, I.N.M. organized the following training activities dedicated to the theme of preventing and combating sexual violence:

- a seminar on Combating Domestic Violence, on May 23-24, 2024, attended by 6 prosecutors;
- one seminar in the field of Combating Trafficking in Human Trafficking, on April 18-19, 2024, attended by 11 prosecutors;
- an online seminar in the field of Combating Cybercrime, on November 14-15, 2024, attended by 21 prosecutors;
- a seminar in the field of Juvenile Justice - Criminal Aspects, on September 23-24, 2024, attended by 4 prosecutors;
- a seminar in the field of Techniques of hearing of minors in criminal cases on November 28-29, 2024, attended by 14 prosecutors.

In the framework of the project "Protection of Crime Victims" (implemented by the Project Implementation Unit of the Prosecutor's Office attached to the High Court of Cassation and Justice, on the topic of minor victims of crime and victims of hate/prejudice crimes), regarding Activity 2. 3 - "Provision of training sessions on children as victims of crime to prosecutors and other professionals", during 2024 training programs were organized in the period from February to April 2024, for a number of 64 prosecutors, police officers and non-commissioned officers, lawyers, representatives of various NGOs and other professionals (3 training sessions organized in the periods: 13-15 March 2024, 27-29 March 2024 and 10-12 April 2024). The training sessions were coordinated by the partner FRA (European Union Agency for Fundamental Rights).

The above-mentioned continuous training sessions have been included in Table II attached to this questionnaire.

Within the continuous training provided by the Romanian Police units, without leaving their positions, the police officers studied the following mandatory topics:

1. Police ethics and deontology code;
2. Respecting human rights in police activities;
3. Prevention and combating gender-based violence: prevention and combating crimes involving children, victims of violence, and abuse;
4. Hate crimes;
5. Prohibition of torture and ill-treatment;
6. Prevention and combating antisemitism, xenophobia, radicalization, and hate speech, especially against Roma communities, and improving the quality of police service.

The quality and effectiveness of training is assessed in the process of verifying the specialized training of police officers. The results obtained during the testing process are taken into account by the hierarchical superiors when drawing up the annual performance evaluations.

In 2022, five police officers from the Romanian Police General Inspectorate (Public Order Directorate, Criminal Investigations Directorate, and Crime Prevention and Research Institute) participated in the "Domestic Violence – An Interdisciplinary Perspective" conference, organized at the initiative of the Court of Bucharest.

In 2023, the Professional Training Directorate undertook measures to designate police officers to participate in training programs on domestic violence/human rights as part of externally funded projects:

- The "VioGen RoJust" project, carried out in partnership with four NGOs with background in preventing and combatting domestic violence and human rights observance: FILIA Center, TRANSCENA Association, ANAIS Association, and GRADO Association – 29 training sessions – 687 police officers;
- The "Partnership for LGBTI Equality: Implementing the ECHR Jurisprudence on Sexual Orientation and Gender Identity" project (managed by the Public Ministry – the Prosecutor's Office with the High Court of Cassation and Justice) – 64 police officers from criminal investigation structures were designated as trainees (in the training session – Activity: A5).

We also mention that at the Nicolae Golescu Police Training and Professional Development Center, in Slatina (under the Romanian Police General Inspectorate), training programs were organized in which topics related to domestic violence were addressed.

In 2023:

- 2 career initiation courses, addressing topics such as: Intervention with certain categories of persons, Intervention in intra- and inter-family conflicts, Interviewing persons (TOTAL: 262 students + 268 students = 530 students)
- 1 professional qualification course for obtaining professional grades of sub-inspector/chief police officer/10 series, addressing the topic: Preventing domestic violence (TOTAL: 429 students)
- 1 training session in the field of "Electronic Monitoring within Judicial and Penal Execution Procedures," addressing topics such as: The procedure for issuing provisional protection orders; Managing activities regarding compliance with protection orders and provisional protection orders; Theoretical aspects of electronic monitoring; How to apply the Electronic Monitoring Information System (SIME) methodology; Cooperation between the SIME operator/dispatcher and the police officer from the street segment who ensures intervention at the event (TOTAL: 79 students).

The topics are mandatory for all training programs and all students.

In 2024:

- 3 career initiation courses, addressing topics such as: Intervention with certain categories of persons, Intervention in intra - and inter - family conflicts, Interviewing persons (TOTAL: 284 students + 323 students + 53 students = 660 students)
- 1 professional qualification course for obtaining professional grades of sub-inspector/chief police officer/10 series, addressing the topic: Preventing domestic violence (TOTAL: 512 students)
- 1 course for changing specialty/work profile/5 series, addressing the topic: Preventing domestic violence (TOTAL: 677 students)
- 1 training session in the field of "Electronic Monitoring within Judicial and Criminal Execution Procedures," addressing topics such as: The procedure for issuing provisional protection orders; Managing activities regarding compliance with protection orders and provisional protection orders; Theoretical aspects of electronic monitoring; How to apply the

SIME methodology; Cooperation between the SIME operator/dispatcher and the police officer from the street segment who ensures intervention at the event (TOTAL: 46 students).

The topics are mandatory for all training programs and all personnel.

In fulfilling the specific mission of professional training for the Ministry of Internal Affairs (M.A.I.) staff, the topic of actions against violence against women and domestic violence was addressed through the postgraduate training and continuous development program organized by the „Alexandru Ioan Cuza” Police Academy, as follows: "Human Rights in Public Institutions" – in the subjects "International and National Regulations on the Protection of Children's and Women's Rights", "Preventing Family Conflicts through Rational Communication", and "Legal Protection of Victims".

The Ministry of Education and Research has allocated 1,200 new school counselor posts nationwide, bringing the national average to about one counselor for every 740 pupils. These posts were distributed in all 42 counties, taking into account objective criteria such as correcting disparities between counties caused by differences in school population density from one county to another. Therefore, school counseling offices have been set up in small and medium-sized schools, most of which are located in rural areas. The situation in some counties has visibly changed, as the ratio of counselor/student ratio has been improved even 4 times. This distribution made it possible to organize competitions to fill the 1,200 posts. Thus, more than 3,700 counselors are employed in psycho-pedagogical counseling offices, for a total of 2,784,576 pupils and pre-school children in the country's public mass education system. The increase in the number of school counselors has led to increased access of pupils and pre-school children to psycho-pedagogical counseling services, school and vocational guidance and information, counseling and support activities for pupils at risk of school exclusion and their families, together with the expansion of the network of school psycho-pedagogical assistance offices. In 2024, there was an additional 450 posts mainly for speech therapists respectively itinerant and support teachers. The Ministry of Education drafted OME No. 5.701 of 31 July 2024 for the approval of the framework regulation on the organization and functioning of county/municipal centers for educational resources and assistance.

Professionals in the education system are teachers of different specializations, who teach in pre-university education, school counselors and psychologists.

In the school curricula, according to the calendar of curricular developments for the secondary and secondary school cycle, the provisions of the Operational Procedure no.26/13.02.2023 of the National Center for Policy and Evaluation on the development, endorsement and approval of school curricula for optional subjects / areas of study in pre-university education were applied.

In analyzing the draft curricula for optional subjects in the national offer, Criterion I.2 was used:

- not to include any reference/text/information/content that undermines national identity and values, anti-Semitic, racist, xenophobic or promoting nationalist-extremist ideology, as well as hate speech

- eliminating stereotypes and prejudices about women's and men's roles and responsibilities in the family and in society".

With regard to alternative school textbooks, the Methodology for assessing the quality of school textbook projects for pre-university education, approved by OMEN no. 3.103/28.01.2019, Sheet A, provides a criterion that refers directly to gender equality, as follows:

- Criterion 2. - The draft textbook must be ethical, moral and non-discriminatory: it must respect the principles of non-discrimination on the basis of race, nationality, ethnicity, language, religion, religion, social category, beliefs, gender, sexual orientation, age, disability, chronic non-contagious disease, HIV infection, membership of a disadvantaged category.

The new national curriculum for secondary education is being developed. New curricula for secondary school education will be developed, in this respect the previously highlighted eliminatory criterion for future curricula will be found.

The introduction in school curricula of notions related to gender equality, integrating economic, social, cultural and ethnic diversity has materialized in:

- Curriculum-specific learning activities including gender equality concepts, integrating economic, social, cultural and ethnic diversity
- Counseling and guidance - Counseling and personal development, secondary cycle, Social Education.

Example:

- a. Self-awareness and healthy and balanced lifestyle- Stereotypes, discrimination, 6th grade
- b. Harmonious relationships with others in school and out-of-school contexts, grade VII
- c. Formulating personal goals related to education, career and lifestyle - exercises to identify how personal interests and gender influence the choice of activities, 7th grade;
- d. Assessment of the correspondence between personal aspirations, the requirements of an occupation and the level of education required, the gender dimension in education, the choice of a particular career and educational path;
- e. Socio-emotional development - Emotions, reactions and behaviors towards diversity (gender, age, social belonging, economic situation, health status, children with special education needs), 7th grade;
- f. Career Management - Personal goals relating to education, career and lifestyle. Gender dimension in education and career, grade VII.

Examples of programs implemented by the Ministry of Education and Research with beneficiaries belonging to groups at high risk of inequality and violence:

- PNRAS - 35,817 Roma pupils, of which girls: 17,115;
- School after School Program - 7444 Roma pupils, of which girls: 1482;
- Healthy Meals Program: 58,836 Roma pupils, of which girls: 27,975;
- Ticket for school supplies program: 64.402 Roma pupils, of which girls: 33.412;
- Remedial Learning Program: 14.885 Roma pupils, of which girls: 7418;
- Home school program: 72 Roma pupils, of which girls: 35;
- Euro 200 program: 2578 Roma pupils, of which girls: 219;
- Free transport program: 15.525 Roma pupils, of which girls: 9107;
- Free room and board program in boarding schools: 105 Roma pupils, of which girls: 53;
- Social vouchers program for kindergarten: 772 Roma pupils of which girls: 457;
- School Refresher Program: 3906 Roma pupils, of which girls: 1867;
- Merit scholarships: 4022 Roma pupils, of which girls: 2535
- Resilience Scholarship: 6731 Roma pupils, of which girls: 3683;
- Social scholarship: 72.233 Roma pupils, of which girls: 36.857;
- Technological scholarship: 4580 Roma pupils, of which girls: 1996.

Training teachers to prevent and combat violence

- The Teaching Staff Houses, CCD, will permanently ensure the continuous professional training of teachers and school counselors in terms of promoting well-being in the school environment and fostering school community cohesion.

According to the National Register of Accredited Continuing Professional Development Programs as of 2024, there are 21 programs in the field of equal opportunities and gender, namely:

1. University of Pitesti, Faculty of Educational Sciences, Social Sciences and Psychology
- *Psychopedagogy of diversity, interculturality and inclusive education

2. University of Pitești, Faculty of Education, Social Sciences and Psychology - *Strategies for addressing and preventing risk situations in education
 3. Casa Corpului Didactic Bihor - *Education in school for all
 4. Casa Corpului Didactic Brașov - *Teacher - facilitator of lifelong learning
 5. Casa Corpului Didactic Brașov - * Educational intervention techniques in school reintegration
 6. "Transilvania" University of Brașov, Faculty of Psychology and Educational Sciences - Preventing school dropout - activities and ways of approach
 7. Casa Corpului Didactic Brăila - SECOND CHANCE
 8. Association for Sustainable Development in Education, Bucharest - <A DOUA ȘANSĂ> in education, a chance for society
 9. "Spiru Haret" University - Center for Professional Training, Bucharest - Methods and tools for school inclusion
 10. Casa Corpului Didactic Harghita - REAL - Open school for ages
 11. Association Regional Center for Employment and Social Protection, Petroșani - Remedial education: tools and solutions for improving access to education
 12. Association Regional Center for Employment and Social Protection, Petrosani - Inclusion in the educational environment
 13. General Association of Teachers from Romania "The Romanian Teachers' Association", Ialomița - *Didactic play in inclusive school
 14. Casa Corpului Didactic "Spiru Haret" Iași - Social inclusion through inclusive school - REMEDIAL AND SECOND CHANCE EDUCATION
 15. Casa Corpului Didactic Neamț - School integration/reintegration through ADȘ program
 16. Casa Corpului Didactic Neamț - Innovative strategies in the Second Chance program
 17. Association PROEURO-CONS, Slatina - School mediator. School Mediation Program
 18. Casa Corpului Didactic Olt - Quality education for children from disadvantaged backgrounds
 19. Suceava County Center for Educational Resources and Assistance - Inclusive practices in school management
 20. Romanian-French Friendship Association, ROMFRA", Alexandria, Teleorman - Curriculum Second Chance - approaches and strategies
 21. Casa Corpului Didactic Tulcea - Integration of vulnerable groups in the school environment
- The Romania Secondary Education Project (ROSE) offers various in-service training programs for secondary school teachers in the period 2024-2025, focused on the development of pedagogical and personal skills. The participation of secondary school teachers in the in-service teacher training activities offered by the Romanian Secondary Education Project ROSE is a key opportunity to improve pedagogical and teaching skills.
 - The IST project "Policies and Resources for Safe and Supportive Schools in Romania" (2024-2026), funded by the European Commission, aims to support the continuous professional development of teachers and school counselors. This project adopts a holistic whole-school approach, focusing on promoting the psychological well-being of pupils and teaching staff, creating a safe and conducive educational climate for learning, developing pupils' social and emotional competences and providing psychological and social support for pupils and teachers.

Training through master's programs:

Univ Code	Name	Domain	Program name	Lb. teaching	No credits	No. max stud/are a

S05	UNIVERSITY OF BUCURESTI	Psychology	Clinical psychology and child and family psychotherapy*	Romanian	120	650
	UNIVERSITY OF BUCURESTI	Psychology	Educational psychology and psychological counseling	Romanian	120	650
S05	UNIVERSITY OF BUCURESTI	Political science	Equal opportunities policies in the Romanian and European context	Romanian, French	120	225
S05	UNIVERSITY OF BUCURESTI	Sociology	Social deviance and crime*	Romanian	120	675
S05	UNIVERSITY OF BUCURESTI	Social welfare	Social work counseling*	Romanian	120	375
S05	UNIVERSITY OF BUCURESTI	Social welfare	Risk groups and social support services*	Romanian	120	375
S05	UNIVERSITY OF BUCURESTI	Social welfare	Health and social services management*	Romanian	120	375
S06	"CAROL DAVILA" UNIVERSITY OF MEDICINE AND PHARMACY OF BUCURESTI	Medicine	Research and operational interventions in medico-social services and public health management	Romanian	120	200
S12	BUCHAREST NATIONAL SCHOOL OF POLITICAL AND ADMINISTRATIVE STUDIES	Political science	Politics, gender and minorities*	Romanian	120	1180
S13	"DECEMBER 1, 1918" UNIVERSITY OF ALBA IULIA	Social welfare	Design and management of health and social services	Romanian	120	75
S14	"AUREL VLAICU" UNIVERSITY OF ARAD	Social welfare	Social care services*	Romanian	120	50
S17	TECHNICAL UNIVERSITY OF CLUJ-NAPOCA	Social welfare	Care and social inclusion of elderly and disabled people	Romanian	120	50
S19	"BABEȘ-BOLYAI" UNIVERSITY OF CLUJ-NAPOCA	Social welfare	Mental health social care*	Hungarian	120	350
S19	"BABEȘ-BOLYAI" UNIVERSITY OF CLUJ-NAPOCA	Social welfare	Counseling and support in social services*	Hungarian	120	350

S19	"BABEȘ-BOLYAI" UNIVERSITY OF CLUJ-NAPOCA	Social welfare	Management of social care services*	Romanian	120	350
S19	"BABEȘ-BOLYAI" UNIVERSITY OF CLUJ-NAPOCA	Social welfare	Social Services Management*	Romanian, English	120	350
S30	"ALEXANDRU IOAN CUZA" UNIVERSITY OF IAȘI	Social welfare	Family and family resource management	Romanian	120	300
S30	"ALEXANDRU IOAN CUZA" UNIVERSITY OF IAȘI	Psychology	Clinical assessment, couple and family counseling and psychotherapy*	Romanian	120	225
S30	"ALEXANDRU IOAN CUZA" UNIVERSITY OF IAȘI	Sociology	Community security and violence control	Romanian	120	75
S30	"ALEXANDRU IOAN CUZA" UNIVERSITY OF IAȘI	Social welfare	Probation, mediation and social work for victims of crime	Romanian	120	300
S33	UNIVERSITY OF ORADEA	Social welfare	Management of social services	Romanian	120	150
S34	UNIVERSITY OF PETROȘANI	Sociology	Social protection policies*	Romanian	120	50
S35	NATIONAL UNIVERSITY OF SCIENCE AND TECHNOLOGY POLITEHNICA BUCUREȘTI	Social welfare	Social work counseling	Romanian	120	150
S35	NATIONAL UNIVERSITY OF SCIENCE AND TECHNOLOGY POLITEHNICA BUCUREȘTI	Social welfare	Management of social and health services	Romanian	120	150
S37	"LUCIAN BLAGA" UNIVERSITY OF SIBIU	Social welfare	Social assistance for vulnerable groups. Intervention policies and strategies*	Romanian	120	75
S45	WEST UNIVERSITY OF TIMISOARA	Social welfare	Management and supervision in child and family welfare	Romanian	120	350

S45	WEST UNIVERSITY OF TIMISOARA	Communication Sciences	Communication and mediation in social conflicts	Romanian	120	300
	WEST UNIVERSITY OF TIMISOARA	Education Sciences	Counseling and educational integration	Romanian	120	300
S45	WEST UNIVERSITY OF TIMISOARA	Social welfare	Values-centered social work practice	Romanian	120	350
S46	"VICTOR BABEȘ" UNIVERSITY OF MEDICINE AND PHARMACY OF TIMISOARA	Medicine	Management of social and health services	Romanian	60	250
PA02	"TITU MAIORESCU" UNIVERSITY OF BUCURESTI	Psychology	Communication techniques and social influence*	Romanian	120	400
PA15	"VASILE GOLDIȘ" WESTERN UNIVERSITY OF ARAD	Medicine	Social medicine and health management	Romanian	90	100
PA28	"EMANUEL" UNIVERSITY OF ORADEA	Social welfare	Social work and family counseling in the community	Romanian	120	30
PA28	"EMANUEL" UNIVERSITY OF ORADEA	Social welfare	Counseling through expressive therapies in community settings	Romanian	120	30
PA29	PARTIUM CHRISTIAN UNIVERSITY OF ORADEA	Social welfare	Social Welfare - European Social Policies*	Hungarian	120	75

Training courses in the National Register of Postgraduate Programs - RNPP

Nr. crt	Program name	Organizer
1	Equal opportunities expert	University of Bucharest
2	Inclusive education and diversity pedagogy	Stefan cel Mare University of Suceava
3	Personal development for inclusive education in academic communities	Roman Academy

Examples of doctoral theses in the field of equal opportunities

1. Gender equality in leadership structures and positions in sport - Doctoral School National University of Physical Education and Sport of Bucharest
2. Organized Solidarity and Gender Equality - Doctoral School of Political Science - University of Bucharest

3. Civil service: legal regime. Equal access between women and men in its employment and exercise - Doctoral School Law - University of Bucharest

Examples of training activities/ projects in pre-university and university education:

Inter-disciplinary information/training workshops for specialists involved in preventing and combating domestic and gender-based violence (police, social workers, psychologists, teachers, judges, etc.) have been organized annually, both at national and county level.

County information sessions were organized with social workers from rural communities on the theme 'Stereotypes and prejudices in vulnerable environments', workshops on 'Inclusive education - access to education' for teachers, school counselors, school mediators.

With the support of the School Safety Service of DGPMB, CMBRAE, e-Liberare Association, ECLER, Romanian Gendarmerie, National Agency Against Trafficking in Persons (ANITP) and other local partners, information sessions were organized for vulnerable groups, aiming to raise awareness about victims' rights, responsible institutions and measures to prevent abuse. These activities were aimed at providing essential information for recognizing the signs of abuse and accessing support resources available in the community. The counseling and information sessions, conducted in the framework of the guidance classes and meetings with parents, were aimed at promoting respect for victims' rights and preventing discrimination. The main strands of these actions:

- Awareness and prevention campaigns such as "Open your eyes! The right decision is up to you!", carried out in partnership with the National Agency Against Trafficking in Human Beings, to inform about the risks of exploitation and methods of protection;
- Counseling and information sessions, carried out during classes and meetings with parents, aimed at promoting respect for victims' rights and preventing discrimination;
- Workshops and interactive workshops, organized together with partners to provide participants with practical tools to recognize the early signs of abuse and protect against it;
- Dissemination of information materials provided by specialized institutions to support access to resources and services for victims and people at risk.

Through these initiatives, vulnerable groups have received concrete support and essential information, helping to create a safer and more protective climate in the community.

Sessions were organized covering key topics on victims' rights, responsible institutions and preventive recommendations. These sessions aimed to raise awareness among participants about the importance of victim protection and abuse prevention. Topics discussed included:

- Fundamental rights of victims and how they can access help from responsible institutions.
- Measures to prevent violence and abuse in various forms, including online.
- Recommendations for personal protection and early intervention in cases of abuse.

Information programs/campaigns/sessions for the prevention of school violence, aggressiveness and all forms of bullying were carried out in schools by teachers - school counselors, with the participation of students, parents and teachers. Pupils and pre-school children participated in educational projects aimed at preventing school violence, including bullying, projects carried out in partnership with CJRAE's in the country, the project "Stop Bullying/ Say NO to violence", "Explorers in the world of emotions" and "Let's find solutions without violence", "Nonviolence Day in schools", activity carried out with the aim of preventing and combating domestic violence against girls.

In the framework of the project, "Together we overcome gender-based violence", 50 school counselors were trained by the Society for Contraceptive and Sexuality Education.

The "Education for Equal Opportunities" program endorsed by the Ministry of Education and Research has as its main objective to ensure equal access to quality education for all students, regardless of ethnic origin, disability, socio-economic status or other criteria that may lead to

discrimination. The program includes training components for teachers, auxiliary staff and other actors involved in the educational process with the aim of promoting inclusive practices and combating discrimination in schools.

Start in Education project coordinated by the World Vision Foundation in which kindergarten staff were trained in Children's Rights and Domestic Violence. The courses took place three times a week (total 168 sessions with 25 participants each).

Information and awareness-raising sessions for students were organized at the beginning of each academic semester, aimed at presenting in detail the academic regulations, available educational resources and opportunities for personal and professional development. The permanent tutoring activity was carried out throughout the whole year of study, specific to each specialization and aimed at providing continuous support to students in their learning, academic orientation and integration into the university community.

Within the CNFIS FDI 2024-010 project, students were trained to deliver presentations in disadvantaged environments on the following topics:

1. Educational, professional and financial planning in the short, medium and long term in order to prevent school dropout and reduce poverty in line with the UN Goal - MDG1-"Poverty Free";
2. Health, reproductive health and first aid education campaigns targeting rural and disadvantaged pupils, including Roma, aligned with the UN - MDG3 "Health and Well-being";
3. Counseling sessions in high schools/communities -especially disadvantaged- on gender equality, the importance of education for girls, prevention of violence against women and girls, exposure to risks of sexual exploitation, reproductive health, aligned with the UN -ODD5 "Gender Equality".

Within the project JUSTinACT- Justice, social action and civil capacity building to combat child sexual abuse, two specialists from the Babeş-Bolyai University contributed to the training of 250 pre-university teachers in this field in 10 sessions with the participation of 25 people each. Experts in equal opportunities participated in training courses in the field, through the courses: „Let's talk (more) about gender, baby!", a project funded by the Erasmus+ program through the Romanian National Agency and implemented by A.R.T. Fusion on feminism and gender equality issues; „The 9th EEA Webinar" organized by UNESCO on the inclusion of vulnerable students in educational institutions (pre-university to university); the information obtained was subsequently disseminated among employees as well as students.

The project "Integrated Children and Youth for a Better World (CTIL)", code PN2019, within the call Inclusive Education for Children and Youth at Risk, has received a grant of € 1,212,665, provided by Norway through the Norwegian Grants in Local Development Program. The project involved schools in Suceava, Harghita, Botoşani and Tulcea counties. Specific objectives include:

- Promoting the active participation in the educational process of 80 children with special educational needs and 790 children at risk of dropping out of school, in order to strengthen an inclusive education system and the development of human resources in rural, marginalized or isolated communities, throughout the project (36 months.)
- to promote equitable and inclusive education among 150 children and young people and 50 parents/guardians of 150 children and young people, with a view to applying the principle of desegregation, throughout the duration of the project (36 months)
- developing the necessary skills of 211 education staff, 500 parents/guardians and family members of children from the main target groups and 10 professionals/volunteers from the social services to facilitate access to quality, equitable and inclusive education for children at risk, in relation to their individual needs, over 36 months.

By the end of the project, 1401 students (grades IV and VIII) were involved, including 160 children with CES and/or disabilities. During the activities, they received food and clothing packages and the schools were provided with school supplies, consumables, sports

equipment and books worth more than 14000 lei per school unit. For over 100 pupils with CES and/or disabilities and their parents, the project provided counseling, speech therapy and kinetotherapy sessions, with experts who traveled to partner schools attended by children. 5 follow-up sessions were organized for 211 teachers, supported by teachers from the partner schools, who benefited from both the skills training course on inclusive education and ESC/disability issues and the "Inclusive Education and Skills for a Democratic Culture" Programme.

During the period November 2021 – September 2022, The National Authority for the Protection of Children's Rights and Adoption (NAPRCA) organized an online training program for specialists from General Departments for Social Assistance and Child Protection (social workers, psychologists, legal counselors) interacting with child victims of violence. The curriculum included specific issues such as: identification, case management, interinstitutional cooperation, prevention.

The training program was delivered by 4 trainers from NAPRCA and 78 specialists were trained.

Through the predefined project "Support for the implementation of the Istanbul Convention in Romania" ANES held training sessions for 250 law enforcement professionals, 200 social workers, 90 public servants and 154 specialists from local level, members of the Local Intersectoral Teams for prevention and combating domestic violence.

Also, the Norwegian partners of the predefined project, held a training for 90 psychotherapists, on the Brøset anger management program (SBM), developed at the Brøset Centre of Expertise in forensic, security, and prison psychiatry at St. Olavs Hospital in Norway.

11. Please complete tables I and II included in the Appendix in order to provide a comprehensive overview of the professional groups that receive initial and in-service training on the different forms of violence against women and domestic violence. Please specify the frequency and scope of the training and whether it is compulsory.

The following institutions have completed the table in the appendix:

- Ministry of Justice
- Ministry of Internal Affairs
- The National Agency Against Human Trafficking (NAATIP)
- Ministry of Education and Research

The National Agency for Equal Opportunities for Women and Men (ANES)

12. Please specify if the expertise of women's rights organizations or specialist support services is integrated in the design and/or implementation of the training.

In the implementation of continuous professional training, the National Institute of Magistracy collaborates with several organizations specializing in gender equality, victim protection, and support services. Among others, collaborators include:

- The National Agency for Equal Opportunities for Women and Men, the specialized institution under the Government of Romania. As part of this collaboration, NIM presents reports related to its area of activity in the implementation of action plans associated with the following national strategies:
- The National Strategy for Preventing and Combating Sexual Violence SINERGIE 2021-2030;
- The National Strategy for Promoting Equal Opportunities and Treatment between Women and Men and for Preventing and Combating Domestic Violence for the period 2022-2027;

- The ANAIS Association, an NGO that supports victims of domestic violence through the development of specialized services and policy advocacy;
 - The Federation of Non-Governmental Organizations for Children (FONPC), an umbrella organization representing 100 NGOs, working to protect children's rights and support vulnerable communities;
 - The Association for Victims of Sexual Crimes (VIS), an organization dedicated to changing the perception and approach of the justice system toward victims of sexual offenses.
- Additionally, it is worth mentioning that NIM is part of the working group responsible for transposing Directive (EU) 2024/1385 of the European Parliament and the Council of May 14, 2024, on combating violence against women and domestic violence

Article 16: Preventive intervention and treatment programmes

13. Please provide information on measures taken to increase the number of available preventive intervention and treatment programs for perpetrators of domestic and sexual violence both for voluntary and mandatory attendance.

Through the implementation of the Norwegian grant "Support for the implementation of the Istanbul Convention in Romania" ANES established during 2022, 8 counseling centers for perpetrators, rising to 15 the total number of this kind of counseling centers. Also, 86 psychologists were trained in applying the Brøset counseling technique for anger management. A total number of 238 perpetrators have been benefiting from counseling, on both voluntary or mandatory attendance, in these 8 centers, from 2022 to 2024.

14. Please provide information on measures taken to:

a. increase the number of men and boys attending perpetrator programs for domestic and sexual violence;

To increase number of man and boys attending perpetrator programs for domestic and sexual violence, provided by the 8 counseling centers for perpetrators established by ANES in partnership with the local authorities, General Directions for Social Assistance and Child Protection (DGASPC) concluded collaboration agreements with the local police sections and county probation services. Also, local social services providers, judges and courts were informed regarding the new counselling services provided.

b. ensure that the perpetrator programmes apply standards of best practice;

The Brøset Violence Checklist (BVC) has been widely translated and implemented in more than 20 different countries around the world in a variety of mental health and other settings as both a risk assessment tool to guide clinical practice and as a formally structured intervention to minimize violence. It is valued as a brief but effective tool in clinical practice.

c. ensure the safety of victims and co-operation with specialist support services for victims;

d. ensure that the outcomes of the programmes are monitored and evaluated.

1. THE PROBATION SYSTEM

At the probation system level, specialized intervention programs have been developed to address the criminogenic needs of supervised persons and to support the correction of criminal behavior, based on the risk-needs-responsivity principle and the estimated risk of recidivism.

As of now, considering the existing caseload within probation services (out of a total of 93,821 supervised persons, 1,069 were sentenced for family violence in 2024), there is no nationwide program exclusively dedicated to this type of offense. However, an intervention program containing a specific module for domestic violence is currently being piloted in two probation services.

Additionally, probation services continue to implement specialized intervention programs for supervised persons, including:

A. The Anger Management Program (IMAP) – focuses on developing anger management mechanisms, handling crisis situations, and addressing pre-violent behavioral manifestations to prevent escalation;

B. Development of Social Skills (DAS) – designed to enhance social skills, particularly those necessary to avoid high-risk situations that could lead to recidivism, addressing issues such as aggression, low self-control, and challenges in interactions with authorities;

C. ICPM MULTI-TARGET Integrated Correctional Program – implemented in two probation services, targeting individuals who have committed violent crimes, including domestic violence. We also underline that at the beginning of this year, the National Probation Directorate initiated a collaboration with the Institute for Research and Prevention of Crime within the General Inspectorate of the Romanian Police. This initiative aims to enhance the expertise of probation staff through joint training and information sessions, conducted either in-person or online, covering:

- violent behavior, including domestic violence;
- recent legislative updates;
- best practices in procedural workflows.

Regarding programs for sex offenders, the National Probation Directorate worked with the Correctional Service of Canada under the "Correctional" Project (2019-2024) to implement a specialized intervention program for this category of offenders. However, at present, probation personnel training required for the implementation of this program has not yet been completed by Canadian specialists.

Finally, we emphasize that participation in rehabilitation programs is generally carried out as a court-mandated obligation imposed on the supervised individual.

2. THE PENITENTIARY SYSTEM

At the level of the entire penitentiary system, a Standardized Offer of educational activities, psychological assistance, and social assistance programs is available, covering the full range of rehabilitative efforts for incarcerated individuals. This offer is updated annually and customized by each penitentiary unit, taking into account the specific needs of beneficiaries. Currently, the offer includes 112 programs, of which 23 are specific psychological assistance programs.

As part of the National Administration of Penitentiaries' (NAP) efforts to diversify the range of programs for preventing domestic violence and sexual assaults, the "Passport to Freedom" - Specific psychological assistance program for reducing recidivism in sexual abuse (2024 edition) was developed and approved through NAP Decision No. 452/24.04.2024.

This program consists of two sequential modules, coordinated by a psychologist, and categorized as a specific psychological support program:

- Module I: Aims to develop a lifestyle that allows the offender to function optimally in society, by acquiring self-management strategies and skills to prevent recidivism;
- Module II: Focuses on encouraging the offender to take responsibility, a key factor in reducing recidivism.
- Duration & frequency: 24 sessions per module, held bi-weekly.
- Target group: Male prisoners convicted of crimes against sexual freedom.

Regarding offenders convicted of acts of violence in close relationships, the Standardized Offer includes the following specific intervention programs:

- a) Specific psychosocial assistance program for reducing aggressive/violent behaviors

- Coordinator: psychologist;
 - Program type: specific psychological assistance program;
 - Objective: to reduce the risk of aggression in individuals convicted of violent crimes and/or exhibiting conflictual behavior during their sentence. this program is particularly aimed at offenders who challenge authority or are under social pressure;
 - Duration & frequency: 24 sessions (meetings), held twice per week.
 - Target group: individuals convicted of violent offenses (e.g., aggravated murder, assault, bodily harm, deprivation of liberty, robbery) and/or:
 - o who committed crimes under peer pressure, either during the offense or while serving their sentence;
 - o displaying hostile attitudes, aggressive verbal or behavioral conduct towards staff, fellow inmates, or institutional property (e.g., destruction of objects, breaking windows);
 - o with psychiatric diagnoses, provided they are not psychiatrically decompensated (excluding psychotic disorders).
 - Group size: maximum of 10 participants (semi-open/open regime) and maximum of 8 participants (closed/maximum-security regime); smaller groups are required due to the specific behavioral challenges of participants.
- b) "Stop Violence!" primary prevention program for domestic violence
- Coordinator: social worker;
 - Program type: general social assistance program;
 - Objective: to raise awareness among incarcerated individuals about the factors contributing to domestic violence and its perpetuation;
 - Duration & frequency: 12 sessions, held once per week;
 - Target group:
 - o individuals convicted of violent offenses against family members;
 - o prisoners identified through initial or ongoing social assessments as having difficulty managing family relationships due to aggressive or violent behavior;
 - Group size: the program can be carried out with a maximum of 12 semi-open/open inmates and a maximum of 10 closed/maximum security inmates.

In recent years, there has been a notable increase in the number of participants enrolled in domestic and sexual violence prevention programs, as follows:

- In the specific psychosocial assistance programme for reducing aggressive/violent behaviors, 133 groups were registered in 2020 and 182 groups in 2024;
- In the primary prevention program for domestic violence "Stop Violence!" 28 groups were registered in 2020 and 36 groups in 2024;
- In the specific psychosocial assistance programme for reducing recidivism in sexual abuse, 29 groups were registered in 2020 and 42 groups in 2024.

The National Administration of Penitentiaries remains committed to integrating the principle of non-discrimination into its rehabilitative and intervention programs, with a particular focus on ensuring access to specialized interventions for incarcerated women who are victims of violence.

Regarding the evaluation and monitoring of the results of these interventions, the penitentiary system has established methodologies and procedures to assess the participation, focusing on addressing identified risks and needs.

Article 18: General obligations

15. Please provide information on any multi-agency co-operation mechanisms, structures or measures in place designed to protect and support victims of any of the

forms of gender-based violence against women covered by the Istanbul Convention (e.g., interdisciplinary working groups, case-management systems, cross-sectoral protocols/ guidelines...). Please describe:

a. the state agencies involved in their functioning (law-enforcement agencies, judiciary, public prosecutor, local authorities, healthcare services, social services, educational institutions etc.);

Presently, the Interministerial Committee for the Prevention and Combating of Domestic Violence is included within the organizational chart of the National Agency for Equal Opportunities between Women and Men (ANES), in addition to the Secretary of State, as an advisory body. Also, the regulation on the organization and functioning of the Committee is approved by order of the Secretary of State of ANES.

Please see more information at point 1.

ANES coordinated several working groups as such:

1) Working Group for Strengthening the Legal Framework in the Field of Preventing and Combating Domestic Violence (review of Law no. 217/2003 and the Order).

This group was created in May 2023 with monthly meeting, in order to ensure the compliance with the previous GREVIO recommendations. The working group is composed of specialists from the following ministries and public institutions with competences in the field of preventing and combating domestic violence: Ministry of Labor and Social Solidarity, Ministry of Internal Affairs, Ministry of Justice, Public Ministry, Superior Council of Magistracy, People's Advocate, General Inspectorate of Romanian Police, General Directorates for Social Assistance and Child Protection, General Directorates for Social Assistance (Bucharest), National Agency for Payments and Social Inspection, National Union of Bars in Romania, College of Psychologists in Romania, Pension House of Bucharest Municipality, National Health Insurance House, National Penitentiary Administration, National Agency for the Administration of Seized Assets, National Center for Mental Health and Drug Control, experts and scientific researchers from Romanian Academia, as well as experts from non-governmental organizations that carry out activities in the field of preventing and combating domestic violence.

2) Working Group for elaboration of amendments to the Law no. 202/2002 on equal opportunities and equal treatment between women and men republished, with subsequent amendments and additions. This Working Group comprised the relevant ministries and public institutions and experts from non-governmental organizations that carry out activities in the field of gender equality.

3) Interinstitutional Sectoral Working Group for Transposition (GLIS) established for the transposition of Directive 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence. This Working Group includes all the ministries and public institutions with specific responsibilities in this area.

At the level of The Ministry of Health is organized a Working Group for elaboration of the Reproductive Health Strategy 2025 -2030 and the specific Action Plan. ANES is member of this group alongside with representative of the Ministry of Health and other institutions from this field, doctors, NGOs and other specialist.

The Romanian Government, through the General Secretariat of the Government coordinates the Inter-ministerial Committee for Intersectoral Strategic Coordination of the Fight Against Human Trafficking, with specific Working Groups. One relevant Working Group is dedicated to "Doctors – identification/referral/victim assistance", as part of the National Action Plan 2024-2026 of the National Strategy Against Trafficking in Persons 2024-2028. This group comprises all the ministries and public institutions with specific responsibilities in this area and non-governmental organizations that carry out activities in this field.

b. whether they involve specialist support services provided by civil society organisations, especially women's rights organisations;

All the Working groups described above involved specialist support services provided by civil society organisations, especially women's rights organisations.

c. how they adopt a gender-sensitive approach to violence against women, including the prioritisation of the safety of women and girl victims, their empowerment and a victim-centered approach;

This approach guided all activities at the Working groups level. The leadership of these groups envisages a victim-centered approach in order to ensure that risk assessment leads to the identification of a victim's specific needs in order to ensure a tailored response at the level of the legal framework, public policies, support services, prevention and protection measures.

d. the financial and human resources dedicated to their implementation; and Financial resources are provided through the state budget, European funds and other types of non-reimbursable financing.

A transversal and continuous priority is represented by the continuous training for all professionals involved in the preventing and combating domestic violence.

Moreover, the Ministry of Labor, Family, Youth and Social Solidarity has launched this year, the selection process for 2,000 communes that will benefit from funding under the project "Provision of integrated services in rural communities - facilitating access of vulnerable people to efficient and quality basic services". The program - carried out in partnership with the Ministry of Education and Research, the Ministry of Health and the National Agency for Social Payments and Inspection (ANPIS) - aims to increase social inclusion and reduce poverty. The main purpose of this project consists in creating of the Integrated Community Teams (ECI) consisting of specialists in social assistance, health and education that will operate in the 2,000 rural communities, who will find personalized solutions for each beneficiary. The Implementation period will be: January 2025 – December 2029 with a total budget of 815 million Euros, co-financed by the European Union through the Social Inclusion and Dignity Program 2021-2027.

e. any available information on the evaluation of their outcome or impact.

According to Article 106 of Law no. 292/2011, the Ministry of Labour, Family, Youth and Social Solidarity is also responsible, in the field of social assistance, for "identifying the priorities for the development of social services by categories of beneficiaries and types of needs on the basis of which it develops public policies, strategies and social programs for the elderly, people with disabilities, victims of domestic violence, homeless people, people and families affected by poverty, as well as other categories of people in need".

At the same time, the National Strategy on Social Inclusion and Poverty Reduction for the period 2022-2027 (SNISRS), approved by Government Decision 440/2022 and the Action Plan for its implementation, includes victims of domestic violence in the category of vulnerable groups and provides for measures to set up and improve the quality of social services for them, through community mechanisms and the development of an integrated package of personalized measures, as well as actions to raise community awareness of the social risks of domestic violence and the needs of its victims. It should be noted that the MMFTSS has shared responsibilities with the National Agency for Equal Opportunities for Women and Men (ANES) for the implementation of specific measures to tackle domestic violence.

Based on the actual provisions of the national legislation, namely the article 4 of the Law no. 292/2011, the right to the social assistance measures is granted in Romania without discrimination, for all Romanian citizens, for the citizens of the EU member states, as well as for all the foreigners and stateless persons who have the domicile or residence in Romania. Following this principle, the vulnerable persons are entitled to social protection measures

without any restriction or preference of race, nationality, ethnic origin, language, religion, social status, opinion, gender or sexual orientation, age, political affiliation, disability, chronic illness or belonging to a disadvantaged category.

According to Law of social assistance no. 292/2011, social assistance benefits, depending on their purpose, are classified as follows:

- a) social benefits for the prevention and combating poverty and social exclusion risk, namely: minimum inclusion income, with two components: inclusion aid and aid for families with children, social protection measures for vulnerable energy consumers, namely heating aids and energy supplement, etc.;
- b) social assistance benefits for child and family support, namely: state allowance for children, parental leave and child raising indemnity, monthly insertion incentive, benefits and aids for raising the children with disabilities, accommodation leave and indemnity, etc.;
- c) social assistance benefits to assist people with special needs, namely: monthly indemnities granted to adult with disabilities; monthly complementary budget for adults with disabilities; social benefits with children with disabilities;
- d) social assistance benefits for special situations: emergency aids, non-refundable aids for refugees, etc.

The Romanian law of social assistance stipulates that the social assistance benefits and social services are being granted to all categories in vulnerable situations, without discrimination.

At the national level, the aim is to provide social assistance benefits to all people and families in difficulty, as a form of support in order to promote social inclusion and increase their quality of life, to progressively reduce existing inequalities in social protection, by accessing adequate jobs and by ensuring the access to quality social services.

No specific social assistance benefit is stipulated for the victims of domestic violence or sexual violence. The persons can enjoy the rights to any of the social assistance benefits, without discrimination, if the eligibility conditions are met.

Recently, was approved the Law no. 114/2023 on the completion of article 38 paragraph (1) of Law no. 217/2003 on the prevention and combating of domestic violence, as well as on the amendment of article 4 paragraph (1) of Law no. 61/1993 on the state allowance for children. This law stipulated the possibility of changing the holder of the state allowance for children in a situation of domestic violence, so that the abused parent, who benefits from a protection order issued by the court, can benefit from the right to state allowance for children. Therefore, the parent/person beneficiary of the protection measure during the validity of the protection order, can benefits from the right to state allowance as long as the child was entrusted to him/her or in the situation in which the child has established residence with him/her.

16. Please detail whether any such co-operation mechanisms or structures set up for the delivery of support services for a specific form of violence covered by the Istanbul Convention is based on a legal or policy document advocating for or requiring such approaches.

Such co-operation mechanisms or structure set up for the delivery of support services for a specific form of violence covered by the Istanbul Convention is based mainly on the legal documents and public policies, described at point 1.

17. Please explain whether all or some of the services of protection and support offered for victims of the different forms of violence against women are provided on the basis of a one-stop-shop approach.

Some of the services of protection and support offered for victims of the different forms of violence against women are provided on the basis similar of the one-stop-shop approach such as: the centers for the intervention for victims of sexual violence (10 centers created by ANES in collaboration with Emergency Hospitals) and the network of protected houses (42 protected

houses) created by ANES through the project Venus for combating violence against women and domestic violence.

A measure for preventing cases of violence against women is the use of electronic monitoring systems, which allow for an increased level of protection. The use of these systems does not equate to the physical protection of the individuals, but it enables the adoption of measures to prevent and counteract any potential physical contact between the domestic violence victim and the perpetrator, or in the future, to ensure compliance with the rules imposed by the house arrest measure and remote surveillance.

Clear roles, rules, and monitoring, alerting, and intervention procedures have been established for electronic monitoring, through the sharing of information, so that during monitoring process the personal data of the individuals wearing the surveillance devices are not revealed, but only the identifiers (IDs) of these devices, thus eliminating human intervention where possible and replacing it with objective rules.

To implement this initiative, the number of positions within the Romanian Police has been increased by 3.342 positions.

Article 20: General support services

18. Please provide information on programmes and measures aimed at ensuring, through general services, the recovery of victims of violence, including in the health and social areas, financial assistance, education, training and assistance in finding employment and affordable and permanent housing.

As outlined in response to Question 4, in 2022, through the legislative amendment of Law No. 318/2015, a new system was introduced to facilitate crime victims' access to an advance from the state-awarded financial compensation.

Thus, to cover urgent needs, crime victims can receive an advance in the form of vouchers, up to a maximum equivalent to five gross minimum national salaries, as set for the year in which the victim requests the advance. These vouchers may be used exclusively to cover the costs of food, accommodation, transport, medicines, sanitary materials, as well as hygiene and personal care products.

Relevant legal provisions of Law No. 318/2015:

Article 37¹⁵

(1) To cover urgent needs, crime victims may be granted an advance from financial compensation in the form of vouchers. The vouchers are issued within the limit of an amount equivalent to five gross minimum national salaries, as set for the year in which the victim applies for the advance.

(2) The vouchers are exclusively used by crime victims to cover expenses related to food, accommodation, transport, medicines, sanitary materials, hygiene, and personal care products.

(3) The vouchers are distributed to victims through competent public institutions and authorities, as well as associations and foundations operating in the field of victim assistance, protection, and social support. The selection of public and private entities involved in voucher distribution is carried out based on geographical distribution criteria, ensuring that all victims have access to this form of support.

(4) The list of public and private entities involved in the voucher distribution process is published and updated annually on the website of the Ministry of Justice.

(5) The methodology for issuing, distributing, and reimbursing vouchers, their value, and the criteria for selecting public and private entities are established by Government Decision. The methodology outlines the stages, responsibilities, and required documentation, ensuring that

vouchers are issued to crime victims within a maximum of 72 hours from their referral, as defined under Law No. 211/2004, as subsequently amended and supplemented.

(6) The voucher-based advance from financial compensation is subject to reimbursement under the provisions of Article 22(2) and Article 30(5) and (6) of Law No. 211/2004, as subsequently amended and supplemented.

In June 2023, the Romanian Government approved Government Decision No. 541/2023 (GD No. 541/2023), establishing the methodological norms for the implementation of the new voucher-based advance system. This regulation describes the procedure that victims must follow to obtain the voucher while also defining specific stages and responsibilities for all stakeholders involved in issuing, distributing, and monitoring the use of vouchers.

Vouchers for crime victims are granted upon request, which is reviewed and approved by a committee composed of two judges from the tribunal in the victim's place of residence. GD No. 541/2023 provides standardized forms (including the voucher request form and the expense estimate report for covering urgent needs), ensuring a uniform procedure for judicial bodies and courts.

Public and private entities enrolled in the voucher distribution system are authorized to support and assist crime victims, including completing the expense estimate report and, if necessary, assisting the victim before the tribunal committee.

The normative act establishes specific responsibilities and obligations for the Ministry of Justice, issuing units, affiliated units, and public and private entities involved in the voucher distribution process for covering urgent needs.

Thus, vouchers are issued and distributed by an authorized issuing unit, authorized by the Ministry of Finance, under a contract concluded with the Ministry of Justice, following a public procurement procedure. To ensure nationwide geographical coverage, issuing units are required to have affiliated entities for each type of urgent need in every county. Beneficiaries may only use vouchers within the network of affiliated units.

The issuance of vouchers must comply with specific security conditions, and their personalization is carried out using neutral graphic elements to prevent stigmatization of beneficiaries. The value of the vouchers is approved by the tribunal-level committee, and they remain valid for 90 days from the issuance date.

Regarding the distribution of vouchers, this is carried out through:

- competent public institutions and authorities;
- associations and foundations whose primary activity involves victim assistance, protection, and social support.

To enroll in the voucher distribution mechanism:

- public entities are required to submit a registration form to the Ministry of Justice;
- private entities may submit an enrollment request, in accordance with the templates provided under GD No. 541/2023.

The verification of eligibility for private entities enrolling in the voucher distribution mechanism is conducted by an inter-institutional committee, composed of five members, appointed by order of the Minister of Justice, for a three-year term.

The list of entities involved in the voucher distribution mechanism is published and updated annually on the Ministry of Justice website.

For the year 2024, three victims of crimes (two victims of human trafficking, one victim of sexual assault) received financial support in the form of vouchers to cover urgent needs, amounting to a total of 30,500 lei.

Further details on the mechanism are available on the Ministry of Justice website, under the "Vouchers for Victims" section: <https://www.just.ro/informatii-de-interes-public/vouchere-victime/>.

ANES developed through the Venus Project (2019 -2023) a network of 42 protected houses of adequate geographical distribution, covering all counties in Romania and the municipality of Bucharest. Through these social services, victims of domestic violence can benefit from psychological and legal counselling, social assistance and vocational counseling for finding employment. All the support services are provided with the purpose to ensure victims' professional (re)integration and economic independence, including affordable and permanent housing to reach the transfer to an independent life.

See also information from the art. 14- 15 and point 15 lit. a), d).

Questions specific to the public health sector:

19. Have specific measures been taken to ensure that public health services (hospitals, health centres, other) respond to the safety and medical needs of women and girls victims of all forms of violence covered by the Istanbul Convention on the basis of national/regional standardized protocols?

Through the predefined project "Support for the implementation of the Istanbul Convention in Romania" ANES established in 2022 10 intervention centers for sexual violence victims within 10 emergency county hospitals. Based on partnership agreements signed with the local administrations and institutions providing assistance for victims of sexual violence (police, forensic medical institutions, social assistance services providers) the 10 centers for immediate intervention in situations of sexual violence provide medical care, first line psychological counseling, information regarding the social services support, like safe house, long term counselling, legal counselling. The centers were equipped with necessary instruments, medical and technic equipment, medical furniture and also biological samples collecting kits for the use of the forensic examination. An intervention procedure was elaborated and several training sessions were held, in 2022 (10 training sessions for the intervention team members working in the medical care, police, forensic and social assistance services), 2023 (for health and social workers) and 2024 (for medical and forensic staff).

Since 2016, the Department for Emergency Situations (DSU) within the Ministry of Internal Affairs has signed a series of collaboration protocols with civil society, including associations, foundations, academic institutions, representatives of the private sector, etc., aiming to increase preparedness among the population, contribute to understanding risks, and strengthen community resilience. The collaboration is not limited to coordinating emergency interventions but also includes educational projects and awareness campaigns to enhance the population's preparedness and develop a culture of prevention.

Furthermore, it is important to mention that, within the DSU's civil society collaborators, the defense of the rights of women victims of all forms of violence is a key issue in the DSU's activities, both in terms of prevention and risk awareness actions, as well as response efforts. In this context, DSU has signed collaboration protocols with the following associations:

□ „eLiberare” Association: aims to conduct activities in the field of human trafficking prevention training and identification and referral of potential trafficking victims by healthcare professionals. The proposed activities include:

- o organizing training sessions for resident doctors;
- o ensuring the management of the training program;
- o other activities aimed at facilitating the implementation of human trafficking legislation in medical units in Romania;
- o awareness campaigns;
- o analyses and studies.

Based on this protocol, two online courses (on the Teams platform) were organized for resident doctors specializing in emergency medicine from emergency departments across the country

during November-December 2023, titled "Detecting Human Trafficking Cases in Medical Units and Understanding the Impact of Trauma on Victims of Violence and Abuse," delivered by psychologist instructors. Around 115 people participated in these sessions.

Materials (posters, videos) and a practical guide for identifying and reporting human trafficking cases for healthcare staff, as well as a curriculum for the detection and reporting of human trafficking cases, were developed by eLiberare, with support from the National Agency Against Human Trafficking and the Embassy of the United Kingdom of Great Britain and Northern Ireland in Romania, and were agreed upon by DSU. These were created by taking and adapting information from the National Referral Mechanism for Identifying and Referring Victims of Human Trafficking.

□ Social Workers Association "ASproAS" and the Continuing Education and Competency Evaluation Center in Social Work: aim to collaborate on analyzing training needs, professional training, and the preparation of specific working procedures for social workers in emergency units, as well as providing support in emergency intervention actions, including those involving vulnerable persons in disasters.

Developed procedures:

- Applied procedure by the social worker employed in emergency units for social assistance to adult victims of domestic physical violence;
- Applied procedure by the social worker employed in emergency units working with adult victims of sexual abuse.

The involvement in the process of fulfilling and monitoring the indicators set for the Cat DDO2 loan (Loan Agreement between Romania and the World Bank, related to the second development policy loan for disaster risk management, with a withdrawal deferral option until the occurrence of a catastrophe). Among the indicators is the organization, in 90% of the national intervention units, of training courses for firefighters aimed at developing mechanisms to identify gender-based violence (GBV) cases and guiding victims in accessing services that will allow them to survive safely.

To capture the geographical coverage and the change of the system, the indicator will measure the share of intervention units nation-wide with first responders who receive GBV training in relevant format/delivery mode, as well as the number of trained intervention units. Designed in collaboration with CSOs covering GBV aspects, the trainings will cover appropriate and sensitive response mechanisms on how to identify GBV cases and employ effective referral mechanisms to link survivors with essential services, ensuring that their dignity, safety, and access to services are prioritized during CC-induced disasters or other type of emergencies.

20. Do such protocols detail the procedure to:

- a. **identify victims through screening;**
- b. **provide treatment for all the medical needs of victims in a supportive manner;**
- c. **collect forensic evidence and documentation;**
- d. **ensure that a clear message of support is conveyed to the victim;**
- e. **refer to the appropriate specialist support services that form part of a multi-agency co-operation structure; and**
- f. **identify children who may have been exposed to domestic violence or other forms of gender-based violence against women and girls and require further support.**

See the information from the point 19.

21. Please provide information on the procedures in place for the documentation and collection by actors of the public health sector of forensic evidence in relation to victims of domestic violence, victims of sexual violence, including rape, and victims of female genital mutilation.

Forensic medical examinations are carried out by specialized institutions, such as the National Institute of Forensic Medicine "Mina Minovici" in Bucharest and forensic medical institutes in major cities.

According to Article 189 of the Code of Criminal Procedure, a forensic medical certificate must include certain elements such as: a detailed description of the traumatic injuries, the expert's opinion on the nature and severity of the injuries, the mechanism of injury, the date of their occurrence and the consequences they caused.

The forensic certificate has multiple legal and administrative applications, including filing a criminal complaint, obtaining a protection order, establishing the degree of bodily harm and documenting the consequences of assaults where it documents the injuries suffered by the victim.

According to Article 172 of the Code of Criminal Procedure, the forensic certificate has the value of a report of findings, giving it particular importance in judicial proceedings and being able to serve as evidence in various types of cases.

22. Are all women victims of violence, irrespective of any of the grounds listed in Article 4 paragraph 3 of the Istanbul Convention, in particular asylum-seeking women, refugee women, migrant women, women from national or ethnic minorities, women with irregular residence status, women with disabilities and LBTI women, able to benefit on an equal footing from existing healthcare services? Please describe any measure taken to reduce legal or practical barriers to their accessing regular healthcare services.

According to legal provisions, asylum seekers are entitled to receive free primary healthcare and appropriate treatment, emergency hospital care and corresponding treatment, as well as free treatment for acute or chronic conditions.

Additionally, individuals with a form of international protection or those legally residing in Romania have access to healthcare under the same conditions granted to Romanian citizens. The complementarity of healthcare services provided by the Romanian state is achieved through the use of the Asylum, Migration, and Integration Fund. Through this fund, if a person is identified as being in a vulnerable situation, they benefit from subsidized costs for medical investigations and treatments, as well as from obtaining insured status.

23. Please provide information on the measures in place to facilitate the identification and care of victims of violence against women in institutions for persons with disabilities and for the elderly as well as for those in closed reception facilities for asylum-seekers and to respond to their safety and protection needs.

The internal regulations of the regional centers for asylum procedures and accommodation provide measures for managing situations of sexual or gender-based violence by:

- Informing residents about sexual or gender-based violence and the consequences of such acts;
- In the event of such incidents, the competent public authorities and institutions are notified, and sanctions provided by the regulations are applied gradually, depending on the severity of the act;
- Collaborating with national and international non-governmental organizations, as well as with public authorities and institutions responsible in this area, to provide appropriate assistance to victims during their stay in the center.

At the level of the Regional Centers for Asylum Procedures and Accommodation of the General Inspectorate for Immigration (GII), the Procedure for the Identification, Needs Assessment, Assistance, and Referral of Vulnerable Persons is applied. This procedure supports staff in the

early identification of vulnerable individuals among asylum seekers and those who have obtained a form of international protection. Thus, upon identifying a suspicion of vulnerability, the person in question will be reported to the staff of the Assistance and Integration Department, who will then refer them to specialists within the responsible institutions to provide appropriate assistance based on the identified needs.

Additionally, persons with special needs accommodated in the GII regional centers benefit from adapted accommodation and assistance conditions.

24. Please provide information on how the authorities ensure that different groups of women and girls, *inter alia* women with disabilities, Roma women and other women belonging to national or ethnic minorities, migrant women and intersex persons are fully informed, understand and freely give their consent to procedures such as sterilisation and abortion.

The patient's informed consent is regulated in the case of medical abortion (Recommendation Guide approved by the Order 1241/2019, Order 2082/2020)²⁸

Article 22: Specialist support services

25. Please describe the type of specialist support services dedicated to women victims of the forms of gender-based violence covered by the Istanbul Convention (e.g., stalking, sexual harassment and domestic violence, including their digital dimension, female genital mutilation, forced marriage, forced sterilisation, forced abortion), including those specialist support services providing:

a. shelters and/or other forms of safe accommodation

According to the Law there are 6 types of social services for preventing and combating domestic violence (Law no. 217/2003 - art. 16):

Residential centers:

- 1) Emergency reception centers (shelter): 5-60 days of accommodation, information and social counseling, psychological counseling and, where appropriate, specialized therapies, vocational counseling/guidance, facilitating access to training/professional retraining courses, facilitating access to a job; facilitating access to medical services, support for drawing up identity documents, if applicable, legal counseling.
- 2) Recovery centers: up to 180 days accommodation - Services provided idem 1).
- 3) Protected houses: accommodation up to 1 year - depending on the complexity of the case. Within the protected housing, in addition to food and accommodation, a wide range of integrated interventions is provided, depending on the needs of each victim, which may include the following types of services: psychological counseling, legal counseling, social assistance, vocational counseling, orientation and professional training, employment and social reintegration, medical assistance, depending on the beneficiary's situation at the time of registration of the case.

Day centers:

- 4) Centers for preventing and combating domestic violence ensure information to the general public, specialists, and potential beneficiaries about the activities carried out and the services offered in the field of preventing and combating domestic violence.
- 5) Centers for information and awareness-raising services for the population – their mission is to constantly carry out and promote domestic violence prevention activities in the community.

²⁸ <https://lege5.ro/gratuit/gm4tmnbqgyzq/consimtamant-informat-al-pacientei-formular-de-consimtamant-informat-ghid?dp=gmdsobyge3tgoi>

6) Centers for aggressor's assistance with the purpose to rehabilitate and reintegrate them into society, by providing specific education, counseling and therapy programs.

All these social services operate according to Order of the Minister of Labor and Social Justice No. 28/2019 on the approval of minimum quality standards for the accreditation of social services intended to prevent and combat domestic violence.²⁹

Also, there are Maternal centers for the mother-child/children couple (integrated within the child protection system) that provide, for a fixed period of maximum 2 years, accommodation, care, education and training services for independent living, as well as for family and socio-professional integration/reintegration. This type of center can be accessed also by the victims of domestic violence, mother-child/children couple.

b. medical support

Specialized services are provided through the ER units, family doctors and hospitals.

c. short- and long-term psychological counselling

Specialized services are provided through General Directorates of Social Assistance and Child Protection/Social Assistance Directorates/Public Social Assistance Services.

d. trauma care

- Integrated emergency services for victims of sexual violence that provide medical and forensic examination, post-traumatic assistance and counseling for victims of sexual violence. (art. 16 and 26 from Law no. 217/2003)

e. legal counselling

Specialized services are provided General Directorates of Social Assistance and Child Protection/Social Assistance Directorates/Public Social Assistance Services.

f. outreach services

See the lit.a)-4), 5) and General Directorates of Social Assistance and Child Protection/Social Assistance Directorates/Public Social Assistance Services

g. telephone helpline

ANES coordinates the national helpline dedicated of the victims of domestic violence, gender-based discrimination and human trafficking, which is available 24/7, free of charge, and offers multilingual support (in Hungarian, Italian and English). The helpline can be reached on 0800 500 333 by victims of domestic violence, witnesses or any other persons wishing to disclose an act of domestic violence, gender-based discrimination and human trafficking. The victims can benefit of primary counseling, information about victims' rights and legal options, guidance and referral to the relevant social and support services.

h. other forms of support (e.g. socio-economic empowerment programmes, online assistance platforms etc.)

According to the provisions of the article no. 96 line (2) of the Law no. 272/2004 for the protection and promotion of the rights of the child, a helpline (telephone) for reporting cases of abuse, neglect, exploitation or any other form of violence against children was established within each General Directorate for Social Assistance and Child Protection (GDASCP). Until December 2021, each GDASCP had its own helpline or a dedicated phone number for reporting the cases of violence against children, including child sexual exploitation and sexual abuse.

Since January 2022 there is one national helpline 119.

²⁹ <https://www.mmuncii.ro/j33/index.php/ro/2014-domenii/54-familie/politici-familiale-incluziune-si-asistentia-sociala/5505-ordinul-nr-28-2019?highlight=WyJvcnRpbmVslwiwbnliLDI4LDlwMTksIm9yZGludWwgbnliLCJvcnRpbmVslG5yIDI4liwbnliMjgiLCJuciAyOCAyMDE5liwiMjggMjAxOSJd>

In 2022, the unique national number for reporting cases of violence against children - 119 - became operational at the level of C, as a measure carried out from the National Program "Care for children" approved by Emergency Ordinance no. 105/2021.

This EO was approved to ensure the optimal support framework for children in the context of the COVID-19 pandemic. The program had an implementation duration of 2 years and the support measures aimed at ensuring psycho-emotional support for children, as well as increasing their safety.

Related to the launch of 119 within that National Program, the Special Telecommunications Service had the role of establishing the unique national number for reporting cases of abuse, neglect, exploitation and any other form of violence against children and to develop the necessary infrastructure for its operation for situations that do not require the immediate intervention of specialized agencies within the Emergency Service 112.

GDASCP operate the unique national number, according to a unitary implementation procedure developed by the National Authority for the Protection of the Rights of the Child and Adoption.

After the case is report to 119, notification is registered at GDASPC and the intervention mechanism comes into operation.

Also, during the period September-November 2022, a training program was delivered and financially supported by E-Liberare Association for 350 specialists who operate the helpline 119.

Also, Law no. 292/2011, in Article 6 (ii) and (ss) defines the emergency social assistance service, namely, social emergency, including with reference to victims of domestic violence:

- "emergency social assistance service is the inter-institutional social assistance service, organized on the basis of cooperation protocols concluded between administrative-territorial units/subdivisions and deconcentrated public institutions of ministries and public or private social service providers, which provides information, emergency counselling or emergency intervention outside the working hours of public social assistance services, as well as on public holidays and public holidays for emergency situations that cannot wait until the first working day; public authorities provide emergency social assistance in the following situations: child abused, neglected, found, elderly person abused, neglected, abandoned, persons with disabilities, victims of domestic violence, victims of crime; the emergency social assistance service also includes emergency helplines for victims of domestic violence, victims of sexual violence, victims of trafficking in human beings and victims of crime, regardless of the nature of the crime, child helpline and elderly person's helpline";

- "social emergency refers to situations of risk in which persons belonging to vulnerable groups may be at risk and in need of immediate intervention, consisting of shelter, food, clothing, medical or forensic care, psychological therapy/counselling, access to support services for persons who are victims of abuse, neglect, abandonment, crime; the trigger of the emergency may be a natural disaster, accident, fire, or violent human actions and behavior with traumatizing consequences for the victims; the intervention mechanism in a social emergency requires coordinated and rapid intervention, over a given period of time, by all public and private actors with a role in the social and medico-social, health or civil protection fields".

Accreditation of social service providers is carried out by the accreditation department of the Ministry of Labour, Family, Youth and Social Solidarity (MoLFYSS), in accordance with the provisions of Law no.197/2012 on quality assurance in the field of social services, as amended and supplemented. The categories and types of social services, the activities and functions related to each type of service, as well as the framework regulations for their organization and functioning are established by the Nomenclature of Social Services, approved by H.G. no. 867/2015, as amended and supplemented.

- Street outreach services for homeless people, people with different disabilities addicts, victims of domestic violence, victims of natural disasters, etc.:
- mobile team, code 8899 SIS-I: 3 licensed social services, including 1 public and 2 private services;
- social ambulance, code 8899 SIS-II: 6 licensed social services, of which 5 public and 1 private social service.

26. Which type of specialist support service includes child psychologists or other professionals specialised in supporting children who have been exposed to domestic violence, including violence perpetrated by one parent against the other?

Specialized services are provided General Directorates of Social Assistance and Child Protection/Social Assistance Directorates/Public Social Assistance Services

27. Do specialist support services exist that cater to the specific needs of migrant women and girls or those belonging to national or ethnic minorities who are victims of violence against women, including women and girls seeking asylum and those granted refugee or international protection status?

The complementarity of assistance provided by the Romanian state is achieved through the use of the Asylum, Migration, and Integration Fund. Through this fund, individuals identified as victims of any form of violence benefit from special assistance measures tailored to their identified needs (counseling, medical and psychological assistance, financial support, reimbursement of rent and maintenance expenses, etc.).

The National Authority for the Protection of the Rights of the Child and Adoption (NAPRCA), with the technical and financial support of UNICEF, developed a computer application on the basis of which all children in Ukraine are registered - called PRIMERO. The application is being implemented since August 2022. The detection of child trafficking is included as part of the initial assessment, which includes an initial assessment form, based on which, depending on the information provided or observed by the person making the registration, a child can be referred as a potential victim, if these preliminary conclusions raise such a suspicion.

In Romania, PRIMERO's role is to support the rapid identification and registration of all children in Ukraine, with a focus on unaccompanied and separated children (UCS). In the current context, CNS also refers to children who travel with the consent of their parents, with another family or with a person who cares for them. These children can be identified on the move, in transit or located in the general population; they may be children who intend to remain in the place of registration or who wish to move to Romania or across 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-border transfer or follow-up, if necessary (to maximize support and minimize suspicion of risk). The registration form, implemented in PRIMERO, is filled out on tablets by social workers and psychologists within the DGASPC.

The registration process comprises 6 main parts:

- case registration and early identification,
- the initial assessment, which involves the generation of suspicions of risk, as well as the association of a risk level for the case,
- entering the reference data together with the details associated with the institution to which the reference is made,
- obtaining feedback from the child/caregiver regarding the registration process,
- verification of the purpose of the referral and
- closing the registration, as a result of the referral to DGASPC, SPAS or IGI

As of December 31, 2024, 38,068 children from Ukraine have been registered in PRIMERO, as follows: 18,997 boys and 19,071 girls; 8,383 age 0-5 years old, 20,541 age 6-13 years old and 9,144 age 14-17 years old.

Since its application, no case of violence against children was registered with PRIMERO.

Article 25: Support to victims of sexual violence

28. Please indicate if any of the below services are available in your territory:

a. sexual violence referral centres (e.g. specialist support services offering immediate medical care, forensic examination and crisis intervention to victims of sexual violence);

Within the implementation of the Norwegian grant predefined project "Support for the implementation of the Istanbul Convention in Romania", ANES established by concluding collaboration agreements with local authorities and institutions (General Directions for Social Assistance, County Police Inspectorate, Forensic Institutions, NGOs) 10 intervention centers for sexual violence victims within 10 emergency county hospitals

b. rape crisis centres (e.g. specialist support services offering long-term counselling, therapy and support to victims of sexual violence regardless of whether the sexual violence occurred recently or in the past);

c. any other specialised services offering short-term and/or long-term medical, forensic and psycho-social support to victims of sexual violence.

With the financial support of Active Citizens Fund Romania, financed by Iceland, Liechtenstein and Norway through EEA Grants (2014 – 2021), the first Barnahus-type center was opened in Bucharest by the Save the Children Organization, in partnership with General Department for Social Assistance and Child Protection District 6 of Bucharest and is available from July 2022.

The staff consists of: medical doctor, social worker, 2 psychologists and 2 administrative personnel. The target groups are the child victims of violence, including crimes, with focus on sexual abuse and exploitation, child witnesses, parents and other family members (siblings, grandparents). The services provided in the Barnahus-type center are the following:

- Interview of the child as part of child protection case assessment (including exploratory interview)
- Forensic interview or hearing of the child as part of administrative or judicial proceedings
- Forensic medical examination aimed at securing evidence for administrative or judicial proceedings
- Assistance services for the child: crisis intervention; short-term and long-term psychological support and therapeutic services
- Assistance services for (non-offending) family members: crisis intervention; short-term and long-term psychological support and therapeutic services

The interviews of the child are conducted by police officers and prosecutors, who have specific training to carry out the interview in a child-friendly manner, using NICHD Protocol. Also, the interview is video-recorded in all cases and the video-recording is admitted as evidence in judicial proceedings. All interviews are attended by observers (specialists of the multidisciplinary team, non-offending parent, lawyer) through closed-circuit video-transmission.

29. Please provide information on the number of such services and the number of women and girls supported annually.

During 2022, ANES established 10 intervention centers for victims of sexual violence in 10 emergency county hospitals from 10 cities around the country (Bucharest, Craiova, Constanta, Slobozia, Sibiu, Timisoara, Satu Mare, Bacau, Piatra Neamt). By December 2024, 77 victims of sexual violence who sought hospital services, benefited of the first line intervention and assistance.

30. Please indicate the procedures and time frames for collecting and storing forensic evidence in cases of sexual violence (e.g. existence of protocols, use of rape kits) in the relevant services.

While establishing the 10 intervention centers for sexual violence victims within 10 emergency county hospitals in the frame of the implementation of the predefined project "Support for the implementation of the Istanbul Convention in Romania", ANES also elaborated a methodology for the multidisciplinary intervention for providing holistic support for victims of sexual violence, including the use of the rape kits. The methodology was submitted for approval by the Health Ministry but the approval of the ministerial order is still pending

31. Please describe any applicable access criteria for use of these services (e.g. affiliation with a national health insurance, residence status, prior reporting of the case to the police, other).

The access at any of the 10 intervention centers for sexual violence victims is free of charge for any patient referred to (by NGOs, social services, police) or coming by oneself to one of the 10 hospitals reaching for medical care and who disclose that was a victim of sexual violence or is identified by the medical staff as a victim of sexual violence.

Article 31: Custody, visitation rights and safety

32. Please indicate whether under national law incidents of violence covered under the scope of the convention must be taken into account in the determination of custody and visitation rights of children. If this is the case, please clarify to what extent these provisions:

a. explicitly list domestic violence as a criterion to be taken into account when deciding on custody and/or visitation rights in the applicable legislation. If so, please clarify whether this criterion is/has been applied in practice in the determination of both custody and visitation rights;

In national law, domestic violence directed against the child and/or the other parent is *an explicit criterion* for establishing custody/visitation rights and may result in the exercise of parental authority exclusively by the non-offending parent.

Thus, according to **Article 36 of Law no. 272/2004** on the protection and promotion of the rights of the child, republished³⁰, with subsequent amendments and additions:

, (1) Both parents are responsible for the upbringing of their children.

(2) The exercise of parental rights and the fulfillment of parental duties shall take into account the best interests of the child and shall ensure the child's material and spiritual well-being, in particular by caring for the child, maintaining personal relations with the child, ensuring the child's upbringing, education and maintenance, as well as by legally representing the child and

³⁰ Official Gazette of Romania, Part I no. 159 of March 05, 2014

managing the child's property.

(3) Where both parents exercise parental authority, but do not live together, important decisions, such as those relating to the choice of education or vocational training, complex medical treatment or surgery, the child's residence or the administration of property, shall be taken only with the agreement of both parents.

(4) Where, for any reason, a parent does not express his or her will for the taking of the decisions referred to in paragraph (4), the decisions referred to in paragraph (4) shall be taken only with the agreement of both parents. (3), they shall be taken by the parent with whom the child lives, unless this is contrary to the best interests of the child.

(5) Both parents, whether or not exercising parental authority, shall have the right to request and receive information about the child from schools, health establishments or any other institutions having contact with the child.

(6) A parent may not relinquish parental authority, but may agree with the other parent on the manner of exercising parental authority, under the terms of Article 506 of the Civil Code.

(7) The following shall be considered as good grounds for the court to decide that parental authority may be exercised by one parent only: serious or repeated violation of the other parent's parental authority, alcoholism, mental illness, drug addiction of the other parent, violence towards the child or towards the other parent, parental alienation, convictions for offenses relating to trafficking in human beings, drug trafficking, sex offenses, violent offenses, any other objective inability of the parents to cooperate in jointly taking decisions concerning the child, and any other reason relating to the risks to the child arising from the exercise of parental authority by that parent.

(8) In the event of disagreement between the parents as to the exercise of parental rights and the fulfillment of parental duties, the court, after hearing both parents, shall decide in the best interests of the child."

Furthermore, any measure ordered by the courts or administrative authorities must take into account the best interests of the child.

Thus, **Article 263 of the Civil Code** enshrines **the principle of the best interests of the child** in the following terms:

„(1) Any measure concerning the child, regardless of who is responsible for it, must be taken in the best interests of the child.

(2) In dealing with applications concerning children, the competent authorities shall give all necessary guidance to the parties to resolve disputes amicably.

(3) The procedures concerning relations between parents and children must ensure that the wishes and interests of the parents concerning the children can be brought to the attention of the authorities and that they are taken into account in the decisions they take.

(4) Proceedings concerning children must be conducted within a reasonable time, so that the best interests of the child and family relations are not affected.

(5) For the purposes of the legal provisions on child protection, a child shall mean a person who has not attained the age of 18 years and has not acquired full legal capacity according to law."

Moreover, **Article 264 para. (1) of the Civil Code** provides for **the compulsory hearing of a child who has reached the age of 10 years** in all administrative and judicial proceedings concerning him/her. According to these legal provisions, **a child under the age of 10 may also be heard** if the competent authority deems this necessary for the resolution of the case. According to **Art. 264 para. (2) of the Civil Code**, the right to be heard implies the possibility for the child to ask for and receive any information appropriate to his or her age, to express his or her opinion and to be informed of the consequences that it may have, if respected, as well as of the consequences of any decision concerning him or her, and according to paragraph (4) of the same article, the opinions of the child heard shall be taken into account in relation to his or her age and maturity.

Also, according to **Art. 488 para. (1) of the Civil Code**, parents have the duty to bring up the child in conditions that ensure its harmonious physical, mental, spiritual, moral and social

development.

The principle of the best interests of the child is also enshrined in **Article 2 of Law no. 272/2004 on the protection and promotion of the rights of the child**, republished, amended and supplemented, as follows: „ (1) *This law, any other regulations adopted in the field of respect and promotion of the rights of the child, as well as any legal act issued or, where appropriate, concluded in this field shall be subordinated to the principle of the best interests of the child.*

(2) *The best interests of the child shall include the child's right to normal physical and moral development, social and emotional well-being and family life.*

(3) *The principle of the best interests of the child shall be imposed also in relation to the rights and obligations of the child's parents, other legal representatives of the child and any persons to whom the child has been legally placed.*

(4) *The principle of the best interests of the child shall prevail in all actions and decisions concerning children taken by public authorities and accredited private providers, as well as in cases before the courts.*

(5) *The persons referred to in para. (4) shall be obliged to involve the family in all decisions, actions and measures concerning the child and to support the care, upbringing and training, development and education of the child within the family.*

(6) *At least the following shall be taken into account in determining the best interests of the child:*

(a) *the needs for physical, psychological development, education and health, security and stability and belonging to a family;*

(b) *the views of the child, in accordance with the child's age and maturity;*

(c) *the child's background, having particular regard to situations of abuse, neglect, exploitation, parental alienation or any other form of violence against the child, as well as potential future risk situations;*

(d) *the ability of the parents or carers to respond to the concrete needs of the child;*

(e) *the maintenance of personal relationships with persons to whom the child has developed attachment relationships*".

Within the Working Group for Strengthening the Legal Framework in the Field of Preventing and Combating Domestic Violence (review of Law no. 217/2003) coordinated by ANES were proposed specific provisions on custody and visitation program for children in situations of domestic violence. The law project is estimated to be finalized and approved in the second semester of 2025.

b. *acknowledge the harm that witnessing violence by one parent against the other has on a child;*

A combined interpretation of the above legal provisions shows that situations of abuse, neglect, parental alienation and any other form of violence against children, as well as situations that potentially circumscribe a future risk to the child's development, physical and/or emotional integrity, constitute, according to the law, elements that are in the best interests of the child, which prevails in any decision of administrative and judicial authorities when they rule on the rights of custody and/or visitation of minors.

It has also been stated in case law³¹ that a parent's relations with a child who has not been entrusted to him/her must be carried out in normal conditions, which do not negatively influence the child and do not jeopardize his/her growth and education, and the fact that one of the parents shows verbal and even physical aggressiveness in exercising his/her parental rights and obligations, requiring repeated intervention of the police in the implementation of the visitation schedule, causes an emotional imbalance of the child. In those circumstances, the minor needs psychological counseling in order to be able to achieve the purpose of such

³¹ Judecătoria Bistrița, civil judgment no. 3181/2020, portal just.ro apud G. C. Frențiu in *Noul Cod civil. Comentarii, doctrină și jurisprudență*, Vol. I, Editura Hamangiu, București, 2012, n. 1, p. 340-341;

a bond and, by means of a presidential order, measures may be ordered suspending the access rights of the abusing parent, where the minor is induced to be in a state of permanent fear, such a measure being in the best interests of the child.

Therefore, **in accordance with the principle of the best interests of the child**, cases of domestic violence are taken into account when the judicial authorities rule on child custody and visitation rights, not only when the violence is directed against the child, but also against the other parent.

Within the Working Group for Strengthening the Legal Framework in the Field of Preventing and Combating Domestic Violence (review of Law no. 217/2003) coordinated by ANES were proposed specific provisions on custody and visitation program for children in situations of domestic violence. The law project is estimated to be finalized and approved in the second semester of 2025.

c. ensure that custody with the non-violent parent is preferred over foster-care;

Custody of the child to the non-offending parent takes precedence over placement of the child.

From Law no. 272/2004 as a whole, and in particular from the provisions of Art. 5 para (2) and (3), Art. 6 letter d) and i), Art. 35 para. (1), Art. 38 and Art. 54 (interpreted per a contrario)³², it follows that *the rule is that the child is protected within the family and that protection through special protection measures (foster care, emergency foster care) is subsidiary and is only available for reasons expressly and restrictively provided for by law*³³.

d. foresee the screening of civil proceedings related to the determination of custody or visitation rights for a history of domestic violence among the parties;

According to **Art. 396 para. (1) of the Civil Code**, once the divorce has been pronounced,

³² **Art. (2) and (3) of Law no. 272/2004:** „(2) The primary responsibility for the upbringing and ensuring the development of the child lies with the parents, who are obliged to exercise their rights and fulfill their obligations towards the child, taking into account the child's best interests as a matter of priority.

(3) In the alternative, the local authority to which the child and his or her family belong is responsible. Local public authorities shall support the parents or, where appropriate, other legal representative of the child in fulfilling their obligations towards the child by developing and providing diversified, accessible and quality services appropriate to the child's needs;

Art. 6 lit. d) and i) of Law no. 272/2004: „The child's rights shall be respected and guaranteed in accordance with the following principles:

...

d) the primary responsibility of parents for respecting and guaranteeing the rights of the child;

...

i) ensuring stability and continuity in the child's care, upbringing and education, taking into account the child's ethnic, religious, cultural and linguistic background, in the event of a protective measure being taken;"

Art. 35 paragraph (1) of Law no. 272/2004: "The child has the right to grow up with his/her parents";

Art. 38 of Law no. 272/2004: „The child may not be separated from his or her parents or from one of them, against their will, except in the cases expressly and limitatively provided for by law, subject to judicial review and only if this is required by the best interests of the child.";

Art. 54 of Law no. 272/2004: "Special protection of the child means all the measures, benefits and services intended for the care and development of a child temporarily or permanently deprived of parental care or a child who, in order to protect his or her interests, cannot be left in the care of his or her parents.";

³³ **Art. 60 of Law no. 272/2004, republished:** "The special protection measures established by this law shall benefit:

(a) a child whose parents are deceased, unknown, deprived of parental rights or have been deprived of parental rights, who benefits from legal counseling if they are unable to exercise parental authority according to law, or from special guardianship, who have been declared judicially dead or missing, when guardianship could not be established;

(b) a child who, in order to protect his or her interests, cannot be left in the care of his or her parents for reasons not attributable to them;

(c) a child abused or neglected;

(d) a child found or left in health establishments;

(e) a child who has committed an act covered by criminal law and who is not criminally responsible.

f) the unaccompanied child, foreign citizen or stateless person, including the child who applies for asylum or benefits from international protection in Romania, under the conditions of Law no. 122/2006, with subsequent amendments and additions.";

the guardianship court decides on the relationship between the divorced parents and their minor children, taking into account the best interests of the children, the conclusions of the psychosocial investigation report and, if necessary, the agreement of the parents, whom it listens to. The hearing of a child who has reached the age of 10 is mandatory, and the provisions of Article 264 of the Code are also applicable in divorce proceedings within the jurisdiction of the courts.

Under the provisions of **Article 229 para. (2) lit.b) of Law no. 71/2011**, until the organization and functioning of the guardianship court is regulated by an organic law, the report of the psychosocial investigation provided for by the Civil Code shall be carried out by the guardianship authority.

The psychosocial inquiry report provides the guardianship court with information on the living conditions of the spouses, the relationship between the parents and the children, the way in which the parents care for the children, and may also contain the guardianship authority's views on the measures that the court may take with regard to the children.

The **psychosocial investigation report, where appropriate, can therefore highlight the risk of violence in the family environment.**

The conclusions of the psychosocial investigation report are of an advisory nature and are not binding on the guardianship court, which is free to assess them in accordance with the principle of freedom of assessment of evidence laid down in Article 264 of the Code of Civil Procedure³⁴.

e. foresee that judges conduct risk assessments or request the disclosure of risk assessments drawn up by law-enforcement agencies or other competent stakeholders for victims of domestic violence, with a view to taking them into account and determining the best interest of the child in the context of custody and visitation decisions.

Under Romanian law, the principle of the child's best interest guides all matters relating to custody, parental authority, and visitation rights. The legislative framework recognizes domestic violence as a significant criterion when courts evaluate arrangements for parental authority, custody, and visitation. According to the general rules established by Article 397 of the Civil Code (in case of divorce), Article 503 para (1) of the Civil Code and Article 36 para (1) of Law No. 272/2004 on the protection and promotion of children's rights, parental authority is typically exercised jointly by both parents. However, this presumption is specifically tempered by legislative provisions designed to address, among others, cases where domestic violence has occurred, either directly against the child or within the family context.

Specifically, Article 398 of the Civil Code states that courts will decide to award exclusive parental authority to one parent when serious reasons, such as domestic violence, are demonstrated. Additionally, Article 508 of the Civil Code empowers courts to revoke parental rights entirely if a parent endangers a child's life, health, or development through abusive behaviors, substance abuse, or neglect.

In the same vein, Article 36 para (7) of Law No. 272/2004 explicitly states that domestic violence - whether directed towards the child or the other parent - constitutes a serious reason justifying a departure from the default rule of joint parental authority. The legal provision reads as follows:

(7) Serious reasons for the court to decide that parental authority shall be exercised by only one parent include severe or repeated breaches of parental authority by the other parent,

³⁴ **Article 264 of the Code of Civil Procedure- Assessment of evidence:**

„(1) The court shall examine the evidence adduced, each one individually and all of them as a whole.

(2) With a view to establishing the existence or non-existence of the facts for the proof of which the evidence has been admitted, the judge shall appraise it freely, according to his or her own conviction, unless the law establishes their probative value.”;

alcoholism, mental illness, drug addiction of the other parent, violence against the child or against the other parent, parental alienation, convictions for crimes related to human trafficking, drug trafficking, sexual offenses, violent crimes, or any other objective impossibility of the parents to cooperate in making joint decisions concerning the child, as well as any other reason related to risks for the child arising from that parent's exercise of parental authority. In such circumstances, the court may determine that parental authority should be exercised solely by the non-violent parent.

The harm that witnessing domestic violence inflicts upon a child is also acknowledged by Romanian legislation. Article 2 para (6)(c) of Law No. 272/2004 explicitly directs judicial authorities to consider the child's personal background, including exposure to any form of violence or abuse when determining the child's best interest. Such indirect exposure is recognized as detrimental to the child's psychological and emotional well-being, influencing the court's decisions regarding custody and visitation rights.

When it comes to custody arrangements, the law emphasizes placement with the non-violent parent rather than alternative solutions such as foster care or institutionalization. Article 399 of the Civil Code prioritizes maintaining the child in a family environment unless no suitable and safe option exists. Thus, custody is awarded to the non-violent parent whenever possible, reserving foster care or institutional placement for situations where neither parent can adequately safeguard the child's welfare. The mechanism is further consolidated through detailed provisions in Law no, 272/2004.

Furthermore, the law incorporates mechanisms ensuring that civil proceedings related to custody or visitation rights screen for any history of domestic violence among the parties. According to Article 21 para (1)(d) of Law No. 272/2004, judicial authorities must consider documented histories of parental violence, supported by forensic evidence, social workers' reports, psychological assessments, and hearings conducted in a child-sensitive manner. Article 486 of the Civil Code further reinforces this approach by requiring courts to hear parents and children, order psychosocial evaluations, and integrate expert findings into their final decisions.

This assessment procedure, combined with the statutory obligation for social services to monitor child-parent interactions in high-risk cases (as detailed in Article 18 para (3') of Law No. 272/2004), ensures that custody and visitation arrangements prioritize the child's emotional and physical safety above all else.

In judicial practice, this framework is consistently applied, as illustrated by recent jurisprudence, including Decision No. 1124/2025 issued by Cluj-Napoca Court on February 28, 2025. In this particular case, the court granted exclusive parental authority to the mother, explicitly considering the father's aggressive behavior, difficulties in communication, and lack of involvement in the child's upbringing. Visitation rights were significantly limited, allowing the father supervised access only once per month, for 30 minutes, reflecting the court's priority of safeguarding the child's emotional and physical safety. The aforementioned decision is publicly available on the ReJust portal and can be accessed at the following link: <https://www.rejust.ro/juris/86g3e8247>.

Relevant articles of the Civil Code³⁵ :

§4. Effects of divorce on the relationship between parents and their minor children

Art. 397 Joint exercise of parental authority

Parental authority shall be exercised jointly by both parents after divorce, unless the court decides otherwise.

Art. 398 Exercise of parental authority by a single parent

³⁵ The full text of the Civil Code is available at <https://legislatie.just.ro/public/detaliidocument/175630>

(1) If there are substantial reasons, considering the child's best interests, the court shall order parental authority to be exercised solely by one parent.

(2) The other parent retains the right to oversee the upbringing and education of the child, as well as the right to consent to their adoption.

Art. 399 Determination of the child's residence

In the absence of agreement between the parents or if such an agreement contradicts the child's best interests, the court shall determine, at the time of the divorce ruling, the minor child's residence with the parent with whom the child habitually resides. Exceptionally, if it is in the child's best interests, the court may determine the child's residence with grandparents, other relatives or persons, with their consent, or within a protective institution.

Art. 401 Personal relations with the child

(1) The parent or parents separated from their child have the right to maintain personal relations with the child.

(2) In case of disagreement between parents, the court shall decide how this right will be exercised.

Art. 486 Resolution of disputes regarding parental responsibilities

In case of disagreements between parents regarding the exercise of parental rights or the fulfillment of parental obligations, the court, after hearing both parents and considering the findings of the psychosocial investigation report, shall rule according to the child's best interests. Hearing both parents is mandatory.

Art. 503 Exercise of parental authority

(1) Parental authority shall be exercised jointly and equally by both parents.

(1') If one parent receives judicial counseling, the court will decide, based on circumstances, whether parental authority will continue or if guardianship of the child is necessary; provisions of Article 507 para. (2) remain applicable.

Art. 507 Exercise of parental authority by one parent

(1) If one parent is deceased, legally incapacitated, has been stripped of parental rights, or is otherwise unable to express their will, the other parent shall exercise parental authority alone.

(2) The provisions of para. (1) shall apply accordingly if one parent is deprived of discernment and thus incapable of exercising parental authority.

CHAPTER IV Revocation of parental rights

Art. 508 Conditions

(1) The court may revoke parental rights if a parent endangers the child's life, health, or development through abusive treatment, consumption of alcohol or drugs, abusive behavior, severe negligence in fulfilling parental obligations, or actions that seriously harm the child's best interests.

Relevant articles of the Law No. 272/2004:

Article 2

(6) In determining the best interests of the child, at least the following aspects shall be considered:

- a) the child's needs for physical and psychological development, education and health, security, stability, and family belonging;
- b) the child's opinion, depending on their age and level of maturity;
- c) the child's history, particularly cases of abuse, neglect, exploitation, parental alienation, or any other form of violence against the child, as well as potential risk situations that may arise in the future;
- d) the capacity of the parents or other persons responsible for the child's upbringing and care to meet the child's specific needs;

e) maintaining personal relationships with individuals to whom the child has formed attachment bonds.

Article 17

(4) In cases where parents disagree on the arrangements for exercising their right to maintain personal ties with the child, the court shall establish a schedule based on the child's age, care and educational needs, the strength of the emotional bond between the child and the non-resident parent, the latter's behavior, the existence of a situation of parental alienation, and other relevant factors in each case.

Article 18

(1) For the purposes of this law, personal relationships may take place through:

- a) meetings between the child and the parent or another person entitled to maintain personal ties with the child under this law;
- b) visits to the child's residence;
- c) temporary hosting of the child by the parent or another person with whom the child does not usually live, with or without supervision of the interactions, depending on the best interests of the child;
- d) correspondence or other forms of communication with the child;
- e) transmitting information to the child about the parent or other persons entitled to maintain personal ties with the child;
- f) providing the parent or other entitled persons with information about the child, including recent photographs, medical evaluations, or school reports, by the person with whom the child resides;
- g) meetings between the child and the parent or another person with whom the child has formed attachment bonds, in a neutral location, with or without supervision, depending on the best interests of the child.

(4) To restore and maintain personal relationships between the child and parents, social assistance services, and, where applicable, child protection departments in each sector of Bucharest are obligated to provide counseling by specialists, either upon request or ex officio. In cases of suspected parental alienation or any form of violence against the child, where the court has been seized, these institutions must request a court-ordered expert evaluation.

(5) If one parent obstructs or negatively impacts the child's personal relationship with the other parent by failing to comply with court-ordered visitation or refusing to implement measures under paragraph (4), social assistance services and child protection departments, at the request of either parent, must monitor the child's personal relationships for up to six months and simultaneously petition the guardianship court to enforce compliance or amend custody arrangements.

(6) Monitoring requires social service representatives to attend child exchanges, visits to the child's residence, and return exchanges, as well as any periods where the child stays with the non-resident parent, if court-ordered monitoring has been established. A final monitoring report must be prepared at the end of this period.

(6') During monitoring, social service representatives shall interview parents, the child, and individuals the child interacts with under paragraph (1) letters c) and g), as well as any other relevant persons for the report.

(7) At the conclusion of the monitoring period, the social service representative responsible for the report may propose extending monitoring for up to six months, recommend psychological counseling, expert evaluations, including forensic psychiatric examinations of parents and/or the child, and suggest measures to improve the child's relationship with the non-resident parent or, if necessary, implement protective measures for the child.

(8) The monitoring report under paragraph (6) shall be handed to both parents and may be used as evidence in court.

Article 19

(1) A child who has been separated from one or both parents by a legal measure has the right to maintain personal relationships and direct contact with both parents, except where it is contrary to the child's best interests.

(2) The court, prioritizing the child's best interests, may restrict this right if there are serious reasons that could endanger the child's physical, mental, spiritual, moral, or social development.

Article 21

(1) If parents disagree on the child's residence, the guardianship court shall determine the child's residence with one parent under Article 496(3) of the Civil Code. In assessing the child's best interests, the court may also consider:

a) each parent's willingness to involve the other in decisions concerning the child and respect the other parent's parental rights;

b) each parent's willingness to allow the child to maintain personal relationships with the other parent;

c) each parent's housing situation over the past three years;

d) the history of violence by either parent against the child or others, substantiated by medical certificates, social worker assessments, psychological evaluations of the minor, the child's hearing in chambers, and any other legally admissible evidence;

e) the distance between each parent's residence and the child's educational institution.

(2) Paragraph (1) applies similarly when the child's residence is established with a third party or a special protection service.

Article 36

(7) The court may grant sole parental authority to one parent if there are justified reasons, including severe or repeated violations of the other parent's authority, alcoholism, mental illness, drug addiction, violence against the child or the other parent, parental alienation, convictions for human trafficking, drug trafficking, sexual offenses, violent crimes, any inability to collaborate on child-related decisions, or any other risk to the child resulting from shared parental authority.

(8) If disagreements arise between parents regarding parental rights and responsibilities, the court, after hearing both parents, shall decide based on the child's best interests.

Article 39

(1) Social services must take all necessary measures for the early detection of risk situations that may lead to the child's separation from their parents and to prevent abusive parental behaviors and domestic violence.

(2) Any separation of a child from their parents or restriction of parental rights must be preceded by systematic provision of services, including parental counseling, therapy, or mediation, based on a service plan.

(3) Social services may provide support personally or, for justified reasons, through remote communication methods.

Article 40

(4) The service plan aims to prevent abuse, neglect, parental alienation, exploitation, or any form of violence against the child or their separation from their family. Authorities must ensure access to services that help maintain family unity.

(5) If, after implementing the service plan, it is determined that keeping the child with their parents is impossible or against their best interests, a request for special protective measures must be submitted.

Article 64

(1) A child under the age of 7 may only be placed with extended family, a substitute family, or a foster parent. Placement in a residential care facility is prohibited.

(2) Exceptionally, children aged 3 to 7 may be placed in residential care if no other care options are available and they have severe functional impairments confirmed by a comprehensive assessment.

(3) When determining placement, priority is given to extended or substitute families, keeping siblings together, and facilitating parental visitation and contact.

33. Please describe the measures in place to ensure that judges, court-appointed experts and other legal professionals:

a. have sufficient knowledge of the law and understanding of the dynamics of intimate partner violence, including the psychological impact of witnessing violence on the child;

Under Article 39 para. (2), Art. (3) and Art. (2) of Law No. 304/2022 on judicial organization, specialized sections or panels for juvenile and family cases are established and operate within the courts of appeal, tribunals and courts of first instance.

I.N.M. provides centralized continuous training for judges and prosecutors who respectively resolve and participate in the trial of juvenile and family cases.

Both during initial and continuous training, domestic violence and the protection order remain key priorities for NIM.

The seminars and courses incorporate debates that not only focus on the interpretation and application of legal provisions but also provide insights into the psychological aspects of domestic violence and its impact on victims.

Particular emphasis is placed on the psychological consequences for children who witness domestic violence. The legislative intent is clarified to ensure that competent authorities have no doubts when issuing protection orders, recognizing that a child who witnesses violence is legally considered a victim under Article 5, paragraph (2), of Law No. 217/2003.

Furthermore, understanding the severity of this issue is evaluated through mandatory tests, allowing any biases or reasoning that overlook the consequences of violence on victims to be corrected through proper feedback and additional clarifications.

Specifically, regarding evaluation:

- For future judges and prosecutors from the 2022-2024 promotion: During the family law exam, their ability to resolve a request for a protection order filed by a victim of psychological violence - who sought multiple legal measures against their intimate partner - was assessed. The goal was to ensure a proper evaluation of the administered evidence, recognition of different types of legally acknowledged violence (verbal, psychological, cyber), and the implementation of the most appropriate measures to protect the victim.
- For future judges and prosecutors from the 2023-2025 promotion: In the common family law subject, their ability to determine the most appropriate solution - while upholding the principle of the best interest of the child - was evaluated. This assessment focused on cases where one parent was violent toward the other but not directly toward the child, requiring a decision regarding parental authority and the child's residence.

b. duly take into account victims' grievances in cases of domestic violence and hear children victims/witnesses, where applicable, in the determination of custody and visitation rights;

Earlier *in question no 32* it was indicated that:

Art. 264 para. (1) of the Civil Code provides for the compulsory hearing of a child who has reached the age of 10 years in all administrative and judicial proceedings concerning him/her. According to these legal provisions, a child who has not reached the age of 10 may also be heard if the competent authority deems it necessary for the resolution of the case.

According to Art. 264 para. (2) of the Civil Code, the right to be heard implies the possibility for the child to ask for and receive any information appropriate to his or her age, to express his or her opinion and to be informed of the consequences that it may have, if respected, as well as of the consequences of any decision concerning him or her, and according to paragraph (4) of the same article, the opinions of the child heard shall be taken into account in relation to his or her age and maturity.

According to **Article 10 of Law no. 369/2004 on the application of the Convention on the Civil Aspects of International Child Abduction**³⁶, adopted at The Hague on October 25, 1980, to which Romania acceded by Law no. 100/1992, the compulsory hearing of a child who has reached the age of 10 years is also mandatory in proceedings concerning the return of a child wrongfully removed or retained on Romanian territory.

In accordance with the provisions of **Article 226 para. (1) and (3) of the Civil Procedure Code**, if, according to the law, a minor is to be heard, the hearing shall take place in the council chamber; the court may decide whether the minor's parents, guardian or other persons shall be present at the hearing.

In application of these legal provisions, the court may decide that a psychologist shall take part in the hearing.

In the 2023-2024 timeframe, a dedicated module on "The Administration of Evidence in Cases with Minors" was conducted in civil matters during the initial training. This module addressed the challenges of listening to children in family law cases and aimed at developing basic child-listening skills through role-playing games based on real scenarios.

During the same period, within continuous training, judges and prosecutors, along with professionals such as social workers and psychologists from social assistance and child protection departments, participated in seminars titled "Hearing techniques for minors, especially of Roma ethnicity." These seminars were part of the predefined project "Professional training and capacity building at the level of the judicial system," financed under the Norwegian Financial Mechanism (NFM) 2014-2021, emphasizing the importance of effectively listening to children in vulnerable situations.

c. are informed of the unfoundedness of notions of “parental alienation”³⁷ or analogous concepts that are used to overshadow the violence and control exerted by perpetrators of domestic violence over women and their children. Given that the legal concept of parental alienation was introduced by Law No. 123/2024, effective from 10.04.2024, its interpretation and practical application were discussed during ongoing training seminars, notably the Juvenile Justice seminar (29-30 September 2024) and the training session for

³⁶ **Art. 10 of the Law no. 369/2004:** „ (1) In cases concerning the settlement of applications for the return of a child present on the territory of Romania under the conditions of Art. 3 of the Convention, the child shall have the right to be heard. A child who has attained the age of 10 years shall be obliged to be heard. However, a child under the age of 10 years may also be heard if the court considers this necessary for the resolution of the case.

(2) The right to be heard shall include the right of the child to ask for and to receive any information appropriate to his or her age, to express his or her views and to be informed of the consequences, if any, of any decision affecting him or her, if they are respected, and of the consequences of any decision affecting him or her.

(3) Any child may ask to be heard. Reasons must be given for the court's refusal of the request.

(4) The views of the child heard shall be given due weight in accordance with the age and maturity of the child;

³⁷ In its baseline evaluation reports GREVIO has consistently referred to the statement of December 2017 by the European Association for Psychotherapy (EAP), which draws attention to the fact that the concepts of “parental alienation syndrome” (PAS) and “parental alienation” (PA) are unsuitable for use in any psychotherapeutic practice. This statement by the EAP, which is made up of 128 psychotherapy organisations from 41 European countries, acts as a guiding principle for European psychotherapists. Moreover, in February 2020 the World Health Organisation (WHO) published its new draft International Classification of Diseases, 11th Revision (ICD-11) and confirmed that it had removed parental alienation from index term in the final ICD-11. See also the Platform of Independent Expert Mechanisms on Discrimination and Violence against Women ([EDVAW Platform](#)) statement of May 2019 “[Intimate partner violence against women is an essential factor in the determination of child custody, say women’s rights experts](#)”.

magistrates admitted to the judiciary under Article 63, paragraph 1, of Law No. 303/2022 (November 2024).

Concerning the challenges and limitations associated with this concept, psychologist George VISU provided insights during the initial training by delivering a course titled "Parental Alienation: Psychological Perspectives."

Moreover, regarding the interpretation of "parental alienation" in the context of domestic violence against women and children, the report titled "Custody, violence against women and children: report on violence against women and girls, its causes and consequences," prepared by the United Nations Special Rapporteur (April 13, 2023), will be translated into Romanian and distributed to magistrates admitted to the judiciary under Article 63, paragraph 1, of Law No. 303/2022.

Parental alienation syndrome is taken into account by the courts in the cases before them concerning measures relating to the exercise of parental authority in terms of the child's personal relations with the parent to whom he/she has not been entrusted/with the members of the extended family, as the case may be, and the aspects resulting from psychological assessments are analyzed in the totality of the evidence adduced in the case, and are given due relevance³⁸ in judicial practice.

Also, pursuant to the provisions of **Article 913 of the Civil Procedure Code**, also in the case of enforcement of judgments and other enforceable titles relating to minors, when, during the enforcement, it is found that the minor categorically refuses to leave the debtor or shows aversion towards the creditor, depending on the age of the child, the enforcement court may order that the minor undergo a psychological counseling program, which may not exceed 3 months.

34. Please provide details on the procedures in place to ensure that the competent court for family-related issues co-operate/communicate with other relevant bodies/professionals, including, but not limited to, criminal courts, law-enforcement agencies, health and education authorities and specialist women's support services when taking decisions on custody and visitation or when offering family law mediation. Please specify whether the law provides a legal framework for any of the procedures in place.

In Romania, courts handling family matters (such as custody or visitation) work closely with other professionals and institutions under the general procedural rules established by the Civil Procedure Code. In addition, Law No. 272/2004 on the Protection and Promotion of Children's Rights provides special procedural rules—found in Chapter X of the law - that detail how courts collaborate with child protection authorities.

One cornerstone of this collaboration is the abovementioned mandatory psychosocial investigation report prepared by the General Directorate for Social Assistance and Child Protection (DGASPC). Article 139 of Law No. 272/2004 requires DGASPC to document the child's physical and mental state, family background, living conditions, and any recommendations for placement or support services. This report offers judges

³⁸ For example, judgment no. 36/2020 issued by the Întorsura Buzăului First Instance Court, <https://lege5.ro/App/Document/geztqnjzhe4dm/sentinta-civila-nr-316-2022-exercitarea-autoritatii-parintesti-si-stabilirea-domiciliului-minorului-la-tata?pid=534490352&expression=alienare%20parentala%20#p-534490352>; Civil judgment no. 7/2022 issued by the Buzău First Instance Court, <https://lege5.ro/App/Document/geztqmrzge2dc/sentinta-civila-nr-7-2022-minori-si-familieordonanta-presedintiala-stabilire-domiciliu-minor?pid=533331124&expression=alienare%20parentala%20#p-533331124>;

comprehensive, evidence-based insight into the child's well-being before making a final decision on custody or visitation.

When it comes to hearing a child in court, Article 140³ of the same law requires the participation of a DGASPC psychologist, who later submits a report for the case file. If there are signs of psychiatric disorders or potential abuse, Article 140⁴ enables the court to order a psychiatric forensic examination, ensuring that decisions are informed by robust expert assessment.

Beyond DGASPC, collaboration extends to law enforcement, which enforces protective orders and assists bailiffs in executing custody arrangements. Likewise, healthcare and educational institutions are legally obliged to alert child protection authorities if they suspect abuse or neglect, ensuring the court receives critical information about the child's environment. Finally, Law No. 192/2006 on Mediation encourages amicable settlements in family disputes; however, the process must not jeopardize a child's safety or a vulnerable parent's well-being, as it is shown in the answer for Question 37.

Relevant legal provisions from Law No. 272/2004

CHAPTER X – Special Procedural Rules

Article 139

In all cases concerning the application of this law, the General Directorate for Social Assistance and Child Protection (DGASPC) located at the child's domicile, or within whose territorial jurisdiction the child was found, shall draw up and present to the court a report relating to the child. This report shall contain the following information:

- (a) the child's personality, as well as the child's physical and mental condition;*
- (b) the child's socio-medical and educational background;*
- (c) the conditions in which the child has been raised and has lived;*
- (d) proposals regarding the person, family, or residential-type service to whom the child could be entrusted;*
- (e) any other data related to the child's upbringing and education, which may aid in resolving the case.*

Article 140³

(1) In cases where measures concerning a minor child are to be ordered, other than those provided in Article 133, the court shall hear the minor only with the participation of a psychologist from the General Directorate for Social Assistance and Child Protection.

(2) The provisions of Article 231 of Law No. 134/2010 regarding the Code of Civil Procedure, republished, with its subsequent amendments and completions, shall apply accordingly to the child's hearing.

(3) If the child was heard with the participation of a psychologist from the General Directorate for Social Assistance and Child Protection, the psychologist shall draft a report of findings, which shall be mandatorily filed in the case record. When necessary to establish a psychiatric condition of the child or one of the parents, or for diagnosing psychic manifestations of abuse and a causal link between possible abuse and its psychological consequences, a psychiatric forensic examination shall be ordered.

(4) The provisions of Article 332 (1) and (3), Article 334, and Article 337 of Law No. 134/2010, republished, with subsequent amendments and completions, shall apply accordingly to the report prepared by the psychologist from the General Directorate for Social Assistance and Child Protection.

(5) The hearing of minors in the judicial procedure shall mandatorily take place after the administration of evidence in the file, as the final stage of judicial inquiry. The child's opinion shall have the probative value of a rebuttable presumption."

Article 140⁴

(1) In cases where measures concerning a minor child are to be ordered, other than those provided in Article 133, the court may order a psychiatric forensic examination. The provisions of Articles 330–340 of Law No. 134/2010, republished, with its subsequent amendments and completions, shall apply accordingly.

(2) The maximum deadline for finalizing and filing the psychiatric forensic examination report in the case record is 45 days.

35. Please provide detailed information on the procedures in place (including, if applicable, the relevant personnel used, the specific infrastructure available), in the exercise of custody and visitation rights, to:

- a. **eliminate the risk for the abused parent to be subjected to further violence;**
- b. **eliminate the risk for the child to witness or experience violence;**
- c. **ensure that the responsible personnel are trained and that the facilities are suited to enable safe supervised visitation.**

Within the Working Group for Strengthening the Legal Framework in the Field of Preventing and Combating Domestic Violence (review of Law no. 217/2003) coordinated by ANES were proposed specific provisions on custody and visitation program for children in situations of domestic violence. The law project is estimated to be finalized and approved in the second semester of 2025.

36. Please indicate whether national provisions foresee the withdrawal of parental rights in criminal sentences if the best interest of the child, which may include the safety of the victim, cannot be guaranteed in any other way.

The forfeiture of parental rights is, in Romanian law, a civil law sanction that also fulfills the function of protecting the minor, through the loss by the parent of the rights by which the child is subjected to behaviors that endanger his physical or mental development, health or even life.

As previously mentioned, the Romanian Civil Code provides the framework for revoking or restricting parental rights. Article 508 of the Civil Code allows a guardianship court to deprive a parent of their parental authority if the parent's conduct gravely endangers the child's life, health, or development – for example, through ill-treatment, abusive behavior, chronic alcohol/drug abuse, serious neglect of duties, or any other grave violation of the child's best interests. This is considered an extreme protective measure applied only in situations where the child's well-being or safety is at serious risk. The case must be treated urgently, with a mandatory psychosocial investigation report and the prosecutor's participation, underscoring that the child's best interest is the paramount criterion in the decision.

The Criminal Code also contemplates parental rights in the context of criminal sentencing. Under Article 66 (Complementary Penalties)³⁹, courts may impose a ban on exercising certain

³⁹ Article 66 Content of the complementary penalty of prohibiting the exercise of certain rights

(1) The complementary penalty of prohibiting the exercise of certain rights consists of the restriction of one or more of the following rights:

- a) the right to be elected to public authorities or any other public office;
- b) the right to hold a position that involves the exercise of state authority;
- c) the right of a foreign national to remain on the territory of Romania;
- d) the right to vote;
- e) parental rights;
- f) the right to be a guardian or curator;
- g) the right to hold a position, practice a profession or trade, or engage in activities that were used in the commission of the offense;
- h) the right to possess, carry, and use any category of weapons;
- i) the right to drive certain categories of vehicles, as determined by the court;
- j) the right to leave the territory of Romania;
- k) the right to hold a leadership position within a public legal entity;
- l) the right to be present in certain localities, as determined by the court;
- m) the right to be present in specific places or at certain sports, cultural, or other public events, as determined by the court;

rights as an additional penalty alongside imprisonment. Notably, “parental rights” are explicitly listed among the rights that can be prohibited. In other words, if a parent is convicted of a crime, the criminal court can bar that individual from exercising his or her parental authority for a period of 1 to 5 years as part of the sentence. Additionally, according to Article 65 of the Criminal Code, when a parent is sentenced to incarceration, this restriction on parental rights operates as an accessory penalty and remains in effect throughout the prison term [(1) The accessory penalty consists of the prohibition of exercising the rights specified in Article 66, paragraph (1), letters a), b), and d) - o), which have been restricted by the court as a complementary penalty.]. The ban starts from the moment the conviction becomes final and continues until the parent has fully served the prison sentence or is deemed to have served it.

Law 272/2004 complements these provisions by defining forms of abuse and neglect and affirming that the child’s best interest and safety are paramount in any measures. For instance, it defines child abuse as any intentional act by a caregiver that jeopardizes the child’s life, physical or mental health, or development.

Courts can revoke a parent’s rights under specific, serious circumstances enumerated by law. These largely overlap with criminal conduct. In practice, a parent convicted of crimes such as ill-treatment of a minor, child battery, sexual assault or human trafficking of minors will likely meet these criteria. Such acts are criminal offenses, and a conviction serves as powerful evidence that the parent endangers the child. Even if the crime was not directly against the child, the law includes “grave harm to the child’s best interest” as a catch-all criterion. To be noted that the revocation of parental rights is never automatic upon a conviction. The court will evaluate the nature of the offense, the relationship to the child, and the risk posed to the child. If a child was the victim of the crime (e.g. a parent convicted of domestic violence against the child or the other parent in the child’s presence, sexual abuse, or murder of a family member), this will weigh heavily in favor of termination of parental rights.

Article 48: Prohibition of mandatory alternative dispute resolution processes or sentencing

Criminal law:

37. Please provide information on the measures taken to ensure that mandatory alternative dispute resolution processes are prohibited in criminal proceedings related to cases involving the different forms of violence against women covered by the Istanbul Convention.

- n) the right to communicate with the victim or their family members, with persons involved in the commission of the offense, or with other individuals specified by the court, or to approach them;
- o) the right to approach the residence, workplace, school, or other places where the victim engages in social activities, under conditions determined by the court.

(1¹) The prohibition of exercising the rights listed in paragraph (1) is ordered by the court as follows:

- a) for a period ranging from 1 to 5 years for the rights listed under letters a) - h) and j) - o);
- b) for a period ranging from 1 to 10 years for the right listed under letter i).

Article 68

Enforcement of the complementary penalty of prohibiting the exercise of certain rights

(1) The enforcement of the penalty prohibiting the exercise of certain rights begins:

- a) from the moment the conviction ruling imposing a fine becomes final;
- b) from the moment the conviction ruling ordering the suspension of the sentence under supervision becomes final;
- c) after the execution of the prison sentence, after a full or partial pardon, after the expiration of the statute of limitations for sentence enforcement, or after the completion of the probation period for conditional release.

From a criminal procedural perspective, there is no legal provision that requires disputes in cases of interest to GREVIO to be resolved through any procedure other than the standard criminal process applicable to similar offenses.

In Romanian law, the alternative dispute resolution mechanism in criminal matters is mediation, governed by Law No. 192/2006 on mediation and the organization of the mediator profession, which transposes Directive 2008/52/EC. Mediation is defined as a structured process whereby two or more parties attempt to settle a dispute with the help of a neutral third party — the mediator. It can be initiated by the parties, recommended or required by a court, or stipulated by national law, as long as it does not interfere with judicial proceedings.

Mediation in criminal cases is strictly voluntary. Neither the victim nor the offender can be compelled to participate or reach an agreement. Judges and prosecutors cannot act as mediators and may not impose mediation, but are obligated to inform parties of its availability, benefits, and legal consequences.

If successful, a mediation agreement may have procedural effects under Articles 16 and 23 of the Criminal Procedure Code. Depending on when it is concluded, it may prevent the initiation of proceedings or terminate ongoing ones, either during the investigation (by dismissal) or at trial (under Article 396(6) of the Criminal Procedure Code). According to Decision No. 9/2015 of the High Court of Cassation and Justice, mediation serves as a *sui generis* cause for the removal of criminal liability, akin to reconciliation or withdrawal of a prior complaint under Articles 158 and 159 of the Criminal Code.

However, mediation cannot be used contrary to procedural norms. Article 2(4) of Law No. 192/2006 explicitly prohibits mediation in matters concerning non-disposable rights. Similarly, the Constitutional Court, in Decision No. 397/2016, clarified that mediation applies only to offenses where reconciliation or withdrawal of the complaint removes criminal liability, and it must follow the same procedural timelines.

Consequently, mediation is not mandatory and is not applicable to all offenses, especially those involving violence against women or domestic violence unless the law allows for reconciliation. Article 67(3) of Law No. 192/2006 reaffirms that no party can be forced into mediation. Additionally, Article 27(2) of Law No. 217/2003 specifies that mediation in domestic violence cases is permitted only upon the request of the parties.

Mediation is allowed only for certain offenses under the Criminal Code, including:

- Article 193 (assault) and Article 199 (domestic violence),
- Article 208 (illegal deprivation of liberty), in accordance with Directive (EU) 2024/1385,
- Article 218(1)-(2) and Article 219(1) (sexual offenses).

Other forms of gender-based violence or family violence are prosecuted *ex officio*, and party consent has no effect on the continuation of proceedings.

During mediation, parties may be assisted by lawyers or interpreters. In cases involving minors or domestic violence, mediators must ensure that legal protections are upheld, and minors are represented. Under Article 66, mediators are required to assess the presence of any abusive dynamic. If such a situation exists and may influence the process, the mediator must evaluate the appropriateness of continuing. If the child's welfare is endangered, they must notify the relevant authorities.

Furthermore, in domestic violence cases, mediation must be conducted in such a way that the victim does not meet the perpetrator unless both consent to participate.

Mediation can occur:

- **Before the initiation of the criminal process:** If successful, the victim cannot initiate proceedings for the same offense.
- **During the legal term for filing a prior complaint:** The term is suspended during mediation and resumes afterward if the mediation fails.
- **After proceedings have started:** The process is suspended for up to 3 months. If mediation fails, the criminal process resumes.
- **During the trial (before reading the indictment):** A successful agreement leads to case termination.

Article 67(2²) of Law No. 192/2006 and Article 16(1)(g) of the Criminal Procedure Code state

that a mediation agreement constitutes a *sui generis* ground for removing criminal liability, provided it clearly resolves the criminal conflict.

Importantly, mediators cannot impose solutions. According to Article 50(3), their role is to facilitate dialogue. Either party may withdraw from mediation at any time under Article 60 by written notice.

38. Where voluntary alternative dispute resolution processes exist for any criminal offences within the remit of the Istanbul Convention, such as conciliation or mediation, please provide information on the safeguards incorporated to ensure the free and informed consent of the victim to such processes and the measures taken to avoid that direct or indirect pressure is placed on the victim. Please also state whether the offer of alternative dispute resolution processes may result in the discontinuation of criminal investigation and prosecution or other consequences for the victim.

It should be noted that the mediation procedure is subject to a number of **principles** designed to protect against abuses that could be perpetrated against victims, *to a standard close to criminal law institutions*.

Thus, *under Article 68* of Law No 192/2006⁴⁰, mediation must be carried out in criminal cases in such a way as to respect the rights of each party or subject of the proceedings to legal assistance and, where appropriate, to the services of an interpreter. The minutes of the mediation **must** indicate whether the parties have had the assistance of a lawyer in the proceedings and, where appropriate, whether they have expressly waived that right. In the case of minors, in so far as they are victims of domestic violence, the guarantees provided by law for the conduct of criminal proceedings must also be adequately ensured in mediation proceedings.

Safeguards are also laid down as regards the conduct of the procedure so that the victim is not subject to any pressure that the perpetrator might exert on him or her.

Another guarantee offered is the possibility of opting for this procedure, *without removing the victim's right to subsequently request that the perpetrator be held criminally liable, insofar as the mediation procedure does not result in an agreement*. Thus, the time limit for lodging the preliminary complaint is suspended for the duration of the alternative procedure and, pursuant to Article 69(2) of the Act, if the parties to the conflict have not reached an agreement, the injured party may lodge the preliminary complaint within the same time limit laid down by the criminal procedural provisions, which will resume from the date of the minutes of the mediation procedure, including the time elapsed before the suspension.

The principles underpinning this alternative dispute resolution procedure fall within **the sphere of voluntariness** - which means that no person can be forced to take part in the mediation procedure and that they can withdraw from it at any time; **neutrality and impartiality**, which means that the mediator must remain outside the conflict and have no interest in the matter; **confidentiality of the procedure**, from which the law **exempts** situations relating to the best interests of minors⁴¹ and the commission of offenses⁴², and which are also sufficient guarantees to those required by the standards referred to by GREVIO.

⁴⁰ Article 68- (1) In criminal cases, mediation must be conducted in such a way that the rights of each party or subject of the proceedings to legal assistance and, if necessary, to the services of an interpreter are respected. The minutes drawn up in accordance with this Act, closing the mediation procedure, shall state whether the persons between whom the mediation procedure has been conducted have benefited from the assistance of a lawyer and the services of an interpreter or, where appropriate, shall indicate that they have expressly waived them.

(2) In the case of minors, the safeguards provided by law for the conduct of criminal proceedings must also be adequately ensured in the mediation procedure.

⁴¹ when the mediator observes elements which may affect the best interests of the minor, he/she is obliged to refer the matter to the competent authorities

⁴² when there is clear information that a crime has been committed, the mediator is obliged to refer the matter to the judicial authorities

See the answer for Question 37.

Civil law:

39. Please provide information on the measures taken to ensure that alternative dispute resolution processes such as mediation or procedures which can be considered tantamount to the latter are not used in family law proceedings such as divorce proceedings or proceedings related to custody and visitation of children, where there is a history of violence.

In Romanian civil proceedings, mediation is not mandatory in cases concerning child custody and visitation rights. However, if the parties voluntarily choose mediation, the process must comply with safeguards protecting the best interests of the child.

According to Article 65 of Law No. 192/2006 on mediation and the organization of the mediator profession:

- The mediator must ensure that any agreement reached does not conflict with the child's best interests. The parents should be encouraged to prioritize the child's needs and to avoid letting their separation or divorce adversely impact the child's development.
- Upon request from the mediator or either party, the competent guardianship authority may prepare and issue a psychosocial investigation report.

In addition, Article 66 of the same law requires the mediator to assess whether there is a history of abuse or violence between the parties that could affect the fairness or viability of mediation. If such circumstances are identified, the mediator must determine whether mediation is appropriate. Should the mediator become aware of any facts that endanger a child's upbringing or seriously harm their best interests, they are obliged to notify the relevant authorities.

These obligations are reinforced by Article 54 of the law, which stipulates that:

- If circumstances arise during mediation that compromise its purpose or the mediator's neutrality or impartiality, the mediator must inform the parties. The parties may then decide whether to continue or terminate the mediation.
- The mediator has the right to terminate the process if such issues arise and must refund part of the fee, as agreed in the mediation contract.

The principle of the best interests of the child is central to all mediation proceedings involving children. When a history of family violence is confirmed—through the psychosocial report or other evidence—the mediator is required to notify the competent authority. Based on this, the authority may determine that mediation is inappropriate, in which case the mediator must terminate the process.

While the Romanian Civil Procedure Code (Article 21, paragraph 1) obliges courts to encourage amicable settlements, mediation remains optional. Parties may be required to attend an informational session about mediation, but they cannot be compelled to resolve their disputes through it. Law No. 192/2006 clearly states that mediation must occur voluntarily, under conditions of neutrality, impartiality, and confidentiality.

In divorce proceedings, mediators must also consider the presence of abuse, as stipulated in Article 66 of Law No. 192/2006 and Article 27, paragraph (2) of Law No. 217/2003 on the prevention and combating of domestic violence. These provisions allow for mediation at the parties' request but do not make it obligatory.

Romanian law generally favors joint parental authority post-divorce. However, under Article 398 of the Civil Code, the court may grant exclusive parental authority to one parent for serious reasons, based on the child's best interests. Article 36, paragraph 7 of Law No. 272/2004 lists examples of such serious reasons, including violence against the child or the other parent. This criterion also influences the court's decision regarding the child's primary residence, as per Article 21 of the same law.

Conclusion: Romanian legislation does not explicitly prohibit amicable settlements in cases involving a history of family violence. However, such cases must be handled with heightened sensitivity, prioritizing the child's best interests, victim protection, and the prevention of future harm.

Articles 49 and 50: General obligations and immediate response, prevention and protection

40. Please describe the human, financial and technical resources provided to law enforcement agencies to diligently respond to and investigate all cases of violence against women, including their digital dimension.

In order to implement the provisions of Article 3⁷ paragraph (2) of *Law 211/2004 on some measures to ensure information, support and protection of victims of crime*⁴³ and Article 5 paragraphs (2), (3) and (4) of the Methodology⁴⁴, the Criminal Investigation Section of the Prosecutor's Office attached the High Court of Cassation and Justice has developed a **standardized form for informing victims in criminal investigations**, developed in the context of the project on the integrated management system of hearings, received in 2023.

The model of the standardized form for informing victims in criminal investigations, according to Art.37 para. (2) of *Law 211/2004 on some measures to ensure information, support and protection of victims of crime* and Art. 5 para. (2) of the *Methodology for multidisciplinary and inter-institutional assessment and intervention in the provision of support and protection services for victims of crime*, approved by the Joint Order of the Minister of Labor and Social Protection, the Minister of Internal Affairs and the Minister of Justice No. 173/65/3042/C/2021, **was realized within the SIPOCA 53 project, on the Integrated Management Information System for Hearing Victims (SMIA).**

Through this project the strategic objective A.3. "*Optimizing the organization and functioning of courts and prosecution offices*", measure A.3.17. "*Development and implementation of the integrated system for the management of audio-video recordings in prosecutor's offices in the matter of hearing persons and interconnection with ECRIS V*", from the action plan⁴⁵ related to the Strategy for the Development of the Judicial System 2015-2020, approved by H.G. no.1155/2014.

The standard forms regarding the hearing of the parties and the main procedural subjects in criminal proceedings **are part of the Integrated Hearing Management Information System** - mentioned above - **which was implemented at the level of the prosecutor's offices as of January 1, 2024**, by Order of the Prosecutor General of the Prosecutor's Office attached to the High Court of Cassation and Justice No 350 of November 29, 2023 for the use of the

⁴³ **ART. 3⁷ paragraph 2 of Law no.211/2004 has the following content:**

(2) The information provided for in para. (1) shall be made both verbally and by handing under signature of a form containing at least the address of the Service for the Support of Victims of Crime within the territorial radius of the informing institution and a list of its tasks.

⁴⁴ Order no. 173/65/3042/C/2021 of February 12, 2021 approving the Methodology for multidisciplinary and inter-institutional assessment and intervention in the provision of support and protection services for victims of crime.

Art.5 paragraphs (2), (3) and (4) read as follows:

(2) The referral shall be made by informing the possibility to address the CSVI/SSVI, respectively the social service providers referred to in art. 3¹ of the law, both verbally and by handing under signature a form containing at least the address of the CSVI/SSVI within the territorial radius of the institution making the referral and listing its attributions, according to art. 3⁷ of the law.

(3) The identified victim shall be asked in writing for his/her consent to transmit to the CSVI/SSVI, respectively to the social service providers referred to in art. 3¹ of the Law, both the referral form and his/her contact details in order to be contacted by the specialists of the department/service.

(4) Upon receipt of the referral form and the contact details, the CSVI/SSVI specialists shall initiate contact with the victim promptly.

⁴⁵ Approved by Government Decision no. 282/2016 on the approval of the Action Plan for the implementation of the Strategy for the Development of the Judiciary 2015-2020

SMIA.

One of the functionalities of the system is the automatic recording of the rights and obligations provided by law for victims in the minutes of the proceedings drawn up prior to the hearing of the persons referred to in Article 104 of the Criminal Procedure Code, including in the standardized form for informing victims, which is currently being improved.

The system is implemented and used in all prosecution units and is intended to ensure the efficiency and modernization of the working methods used in the prosecution of criminal cases in the area of hearings. SMIA is designed to meet both procedural requirements and the need to simplify the work of prosecutors and reduce the time taken to complete certain procedures.

Please see the answer for the point 1.

41. Which measures have been taken to ensure that the premises of police stations are accessible and suitable for receiving and interviewing victims of violence while ensuring their privacy? Is it possible to report cases of violence against women elsewhere than in police stations, including through digital means?

The victim can address the criminal prosecution authority (police, prosecutor's office) as well as the management or the responsible person within the school or workplace where the incident occurred, as they have the legal obligation to notify the criminal prosecution authority. The complaint can be made in writing, verbally, or through electronic means (e.g. via email), provided that an electronic signature is attached.

The Prosecutor's Office attached to the High Court of Cassation and Justice acted as promoter and partnership leader of the project "*Protecting Victims of Crime*", funded by the Norwegian Financial Mechanism 2014-2021. The objective of the project was to strengthen the rule of law by ensuring an efficient, accessible and quality criminal justice system for child victims of crime and victims of hate crimes, with a special focus on the Roma population.

Under this project, during 2024, the procurement procedures for the fitting/renovation of **33 hearing rooms** for minors were finalised as follows:

- **28** hearing rooms for minors at the level of prosecutor's offices (P.J. Rădăuți, P.J. Chișineu Criș, P.J. Beiuș, P.J. Alba Iulia, P.J. Petroșani, P.J. Târgu Secuiesc, P.J. Toplița, P.T. Brașov, P.T. Neamț, P.T. Botoșani, P.T. Suceava, P.T. Bistrița- Năsăud, P.T. Maramureș, P.T. Teleorman, P.J. Roșiori de Vede, P.T. Olt, P.J. Vânu Mare, P.T. Buzău, P.T. Iași, P.T. Ialomița, P.J. Călărași, P.J. Ploiești, P.J. Răcari, P.J. Caransebeș, P.C.A. Galați, P.T. Bihor, P.T. Sălaj, P.T. Tulcea)⁴⁶.

- **4** hearing rooms for minors at the level of D.G.A.S.P.C.s (D.G.A.S.P.C. District 2, D.G.A.S.P.C. District 3, D.G.A.S.P.C. District 4 and D.G.A.S.P.C. District 5) and **1** investigation room at the level of D.I.I.C.O.T.

It is also possible to report cases of domestic violence against women in places other than police stations, including by digital means, according to the provisions of Article 289(5) of the Code of Criminal Procedure.

42. Please explain whether specialist police/prosecution units exist to investigate and prosecute violence against women and specify:

- a. **which forms of violence against women they are competent for;**
- b. **whether such units exist in all police/prosecution districts throughout the country.**

⁴⁶ P.J. – Parchetul de pe lângă judecătoria, en: **Prosecutor's Office attached to the Court of First Instance**; P.T. – Parchetul de pe lângă tribunal, en: **Prosecutor's Office attached to the Tribunal**; P.C.A. – Parchetul de pe lângă Curtea de Apel, en: **Prosecutor's Office attached to the Court of Appeal**; D.G.A.S.P.C. - Direcția Generală de Asistență Socială și Protecția Copilului, en: **General Directorate for Social Assistance and Child Protection**; D.I.I.C.O.T. - Direcția de Investigare a Infracțiunilor de Criminalitate Organizată și Terorism, en: **Directorate for Investigating Organized Crime and Terrorism**.

In order to reform the way in which criminal prosecution bodies handle cases involving child victims, but also in order to fulfill the positive obligations arising from the European Convention on Human Rights, by **Order no. 294 of 5.12. 2018 of the Prosecutor General of the Prosecutor's Office attached to the High Court of Cassation and Justice, the National network of prosecutors specialised in prosecuting cases involving crimes committed by or against minors** was established, consisting of one prosecutor from each prosecutor's office attached to tribunals, one military prosecutor from the Prosecutor's Office attached to the Military Tribunal of Bucharest and prosecutors from the Directorate for Investigating Organized Crime and Terrorism.

The Network of prosecutors is operational as of 01.01.2019.

The prosecutors assigned to the Network perform the following tasks:

- a) solving cases concerning offences committed by and especially against minors;
- b) analysing the caseload of the prosecutor's offices attached to courts of first instance subordinate to the unit within which they function and submitting proposals to the chief prosecutor for taking over complex, still pending, highly publicised cases, where the interest of a good outcome so requires, for the purpose of supervision or prosecution;
- c) disseminating in the framework of the decentralised training sessions the specialised information received during the training activities in which they participate;
- d) continuous dissemination to all prosecutors within the jurisdiction of the prosecutor's offices attached to tribunals, respectively within the Directorate for Investigating Organized Crime and Terrorism of the latest developments in judicial practice, relevant case law of the European Court of Human Rights and domestic and international legislation on the rights of the child.

According to the aforementioned order, the members of the network are designated with priority by the heads of the prosecutor's offices within which they operate to participate in various training activities on the protection of the rights of minors and juvenile justice in general.

Also, by **Order no. 64 of 10.03.2023 of the Prosecutor General of the Prosecutor's Office attached to the High Court of Cassation and Justice**, the prosecutors of the Directorate for Investigating Organized Crime and Terrorism who prosecute or participate in the resolution of cases concerning offences falling within the competence of the Directorate, committed by or on minors, were designated.

It has also been stipulated that the prosecutors who conduct or participate in the resolution of criminal and civil cases concerning the rights and interests of minors at the prosecutor's offices attached to courts of appeal, tribunals and courts of first instance are designated by the heads of each prosecutor's office, and that these prosecutors supervise investigations, conduct criminal prosecutions or participate in the adjudication of criminal and civil cases concerning the rights and interests of minors, exclusively or mainly, depending on the needs of the prosecutor's office.

Furthermore, in order to objectively assess the procedure of taking over certain cases, which concern, *inter alia*, offences against sexual integrity and sexual freedom committed against minors, provided for by Articles 218¹ and 219¹ of the Criminal Code, the **Order no. 286 of 16 December 2024 of the Prosecutor General of the Prosecutor's Office attached to the High Court of Cassation and Justice on taking over cases pursuant to Article 325 of the Code of Criminal Procedure** was issued.

43. Please describe any measures taken to ensure swift investigation into and effective prosecution of cases of violence against women and domestic violence such as prioritization through fast-tracking, benchmarking or other initiatives, without compromising the thoroughness of the investigation.

With regard to **swift intervention in cases with this object** (identifying the victim, informing the victim and providing support services), this can be carried out within the already existing

framework, in which sense we refer to Order no. 173/65/65/3042/C/2021 of 12 February 2021 *for the approval of the Methodology for multidisciplinary and inter-institutional assessment and intervention in providing support and protection services for victims of crime*.

On 5 November 2024, Law no. 272/2024 was published in the Official Gazette of Romania no. 1103, *amending and supplementing Law no. 211/2004 on certain measures to ensure information, support and protection for victims of crime*.

With the entry into force of the above-mentioned law, by means of letter no. 859/E/2025 of 20 January 2025, the Prosecutor General of the Prosecutor's Office attached to the High Court of Cassation and Justice **issued several recommendations**, taking into account the need to *implement a uniform methodology for the interpretation of Article 35³ of Law no. 211/2024*.

The methodology is applied in all cases in which the criminal prosecution bodies have been notified about the commission of offences referred to in Article 14(1) of Law no. 211/2004, including sexual violence offences committed against minors. Thus, all legal and procedural documents related to the victims of the offences referred to in Article 14(1) of the Law and the family members of the victims will be drawn up without mentioning their domicile or residence. In this regard, instead of domicile/residence, the document will bear the mention "anonymised according to Law no. 211/2024".

The domicile or residence of a victim/ family member of the victim will be mentioned in a separate report. The report will be placed in a sealed envelope bearing the file number, the name of the victim and the mention "confidential domicile according to Law no. 211/2004". The envelope shall be deposited at the registry of the prosecutor's office and shall be kept in conditions similar to classified documents.

Where a criminal file is sent to the court as a result of an indictment, a guilty plea, a complaint against the decision or in order to confirm a decision to discontinue the prosecution, a copy of the report shall be submitted *ex officio*, in an envelope with similar information, to the court. Where a court, in circumstances other than those described above, asks the prosecutor's office for details of the domicile/residence of the victim/family member, a copy of the report will be sent under the same conditions

44. Are any measures taken to encourage women and girls who experience any of the forms of violence against women covered by the Istanbul Convention to report incidents of violence to the authorities? Please provide examples of any measures taken to instill confidence in law-enforcement officials, including those aimed at addressing any language or procedural difficulties they encounter when lodging complaints, in particular those of migrant women, asylum-seeking women, women with disabilities, women with addiction issues and other women and girls at risk of intersectional discrimination.

One of the most important initiatives led by the Ministry of Justice is the creation of the Guide on reporting violence and sexual harassment incidents. This guide, available on the Ministry of Justice's official website⁴⁷, aims to provide clear and practical information on how to respond to situations of abuse or harassment that may occur in educational institutions, workplaces, and daily life.

Specifically, the Guide identifies behaviors constituting criminal offenses under Romanian law, explains step-by-step how to lodge a formal complaint, details the legal rights available to victims during criminal proceedings, and outlines immediate protective measures, such as protection orders, which can be granted to ensure physical and psychological safety. Moreover, it provides information on how victims can seek financial compensation for damages incurred by criminal acts when such compensation cannot be obtained directly from

⁴⁷ https://www.just.ro/Ghid/Ghid_sesizare_violenta_sexuala.pdf

the offender. The Guide also includes practical advice, behavioral recommendations, and direct contact information for prosecutor's offices, police units, and victim assistance services. Additionally, following the entry into force of Law No. 26/2024 on the Extended Protection Order, effective from August 31, 2024, which broadens protection to all victims regardless of their relationship with the aggressor, the Ministry of Justice launched a public awareness campaign titled "O viață trăită în frică nu e viață" ("A life lived in fear is not life"). This campaign was specifically designed to inform the general public and victims about the provisions of the new law and the actions they can undertake to secure their safety.

Another relevant key document is the Law No. 171/2023 which amended the Criminal Code that stipulates "if the intimate image of an adult person is transmitted to another or distributed to the public without their will, the act is called 'violation of privacy' (art. 226) and the penalty is imprisonment for 6 months-3 years or a fine of 1,800-150,000 lei."⁴⁸

45. Please indicate whether protocols/standard operating procedures or guidelines for police officers are in place providing guidance on how to receive reports, interview victims, investigate and collect evidence in cases of rape and sexual violence, domestic violence, psychological violence, stalking, sexual harassment (including their online manifestation), forced marriage, female genital mutilation and forced sterilisation/abortion. Please provide information on how the authorities ensure the comprehensive collection of evidence beyond the victim's testimony.

Taking into account the situation of particular vulnerability of victims of sexual abuse, as well as the need for additional protection measures and an approach to criminal cases that takes into account their special protection needs, in 2022 the "Theoretical and Practical Guide on the Offence of Rape"⁴⁹ was developed at the Prosecutor's Office attached to the High Court of Cassation and Justice.

This is a guide for prosecutors and criminal investigation bodies, aimed at streamlining the prosecution of cases of sexual offences. It addresses issues of secondary victimisation, psychological elements of the victim's reaction during the rape and post-traumatic reaction, psychological particularities of the child victim, methodology for investigating rape offences involving child victims, rules for interviewing child victims and vulnerable adults, ECHR case law in rape cases.

Within the project "*Protecting victims of crime*", funded by the "*Justice*" Program of the Norwegian Financial Mechanism 2014-2021, in which the Prosecutor's Office attached to the High Court of Cassation and Justice acted as project promoter and the Ministry of Justice acted as programme operator, the specific objective was to improve the protection of victims (with a special focus on children, victims of hate crimes and Roma population) and it was pursued through two outcomes:

a. Improved response to hate crime and improved mechanisms to protect and assist victims of hate crime;

b. Improved protection and assistance mechanisms for child victims of crime.

In order to achieve the first outcome, the following deliverables were developed within the project: *Thematic analysis of the hate crime situation from a public policy perspective, Mapping of current procedures and analysing data gaps on hate crime, Summary of qualitative research findings, Guide on the identification, investigation and prosecution of hate crime.*

The guide referred to in the previous paragraph constitutes a tool to ensure a systematic and

⁴⁸ <https://legislatie.just.ro/public/DetaliiDocument/271253>

⁴⁹ The guide has been published on the website of the Public Ministry and can be consulted by accessing the link: <https://www.mpublic.ro/sites/default/files/PDF/indrumar.pdf>.

standardised approach to improve the ways in which hate crimes are prosecuted, by facilitating the identification of the necessary conditions for carrying out investigations and ensuring adequate support and protection for victims of hate crimes.

In order to achieve the second output, the following deliverables were developed: *Thematic analysis of mechanisms for the protection and assistance of child victims of offences, Mapping of reporting and data collection procedures for children as victims of offences, Guide on hearing child victims of offences, Guide on the identification, investigation and prosecution of offences against children.*

46. Please describe the efforts taken to identify and address all factors that contribute to attrition (the process whereby cases drop out of the criminal justice system) in cases of violence against women and domestic violence.

Romania has made significant progress in reducing the attrition of cases involving violence against women and domestic violence within the criminal justice system through various legislative measures and national strategies:

- **Innovative Legislative Measures:** Law No. 174/2018, which transposes the Istanbul Convention, introduced essential mechanisms, such as the provisional protection order, which can be quickly issued by the police to protect victims from imminent danger. These measures have been an important step in safeguarding victims and preventing case attrition.
- **Proactive National Strategies:** The adoption of the National Strategy for the Promotion of Equal Opportunities and Prevention of Domestic Violence 2018-2021 strengthened institutional responses, enhancing the authorities' ability to adequately address cases of violence and prevent their attrition.
- **Data Collection and Monitoring:** Despite challenges, significant steps have been taken in centralizing data on violence against women, helping to improve understanding of the phenomenon and enhancing interventions.
- **Ongoing Professional Training:** A strong emphasis has been placed on the continuous training of those working in justice and victim protection fields, ensuring they respond correctly and effectively to domestic violence cases.

These positive measures contribute to increased victim protection and the reduction of case attrition within the justice system, and Romania continues to improve these mechanisms as it progresses in the field of women's rights protection.

47. Please indicate if legislative or other measures have been taken to issue a renewable residence permit to migrant women who have become a victim of any of the forms of violence covered by the Istanbul Convention if the competent authority considers that their stay is necessary for the purpose of their co-operation in investigation or criminal proceedings.⁵⁰

Although there is currently no explicit provision, Romanian authorities are committed to improving legislation to ensure the protection of migrants who are victims of violence, and such regulation could be implemented in the future to support women victims of domestic violence.

⁵⁰ This question refers to the obligation contained in Article 59, paragraph 3. State parties that have entered a reservation in respect of Article 59 may reply to this question but are not required to do so.

- **Implementation of the Istanbul Convention:** Romania has ratified the Istanbul Convention and has made significant strides in protecting victims of violence. Discussions and research continue on ways to enhance the protection of migrant women.
- **Extended Protection for Victims:** Existing protection measures, including temporary shelters and assistance for migrant victims, demonstrate the country's commitment to addressing their needs. National legislation may evolve to include renewable residence permits for migrant victims involved in legal proceedings.

Romania continues to support victims of violence, and future legislative adaptations may include innovative solutions for migrant women, ensuring their protection and support within justice processes.

Article 51: Risk assessment and risk management

48. Please describe any standardised and mandatory risk assessment tools in use by all relevant authorities in all regions for forms of violence against women such as stalking, violence committed in the name of so-called honour and domestic violence and to what extent these tools are being used in practice to assess the lethality risk, the seriousness of the situation and the risk of repeated violence with a view to preventing further violence. Please specify whether the following elements are considered as red flags when carrying out the risk assessment:

- the possession of or access to firearms by the perpetrator;**
- the filing for separation/divorce by the victim or the break-up of the relationship;**
- pregnancy;**
- previous acts of violence;**
- the prior issue of a restrictive measure;**
- threats made by the perpetrator to take away common children;**
- acts of sexual violence;**
- threats to kill the victim and her children;**
- threat of suicide;**
- coercive and controlling behaviour.**

Risk assessment in domestic violence cases is carried out using the Risk Assessment Form, Annex no. 1 to the joint Order of the Ministry of Internal Affairs / Ministry of Labor, Family and Social Protection no. 146/2018.

The criteria used for risk assessment are established in Article 37, paragraph (3), letter a of Law no. 217/2003 (with subsequent amendments and additions) on the prevention and combating of domestic violence, namely: "determining the risk assessment criteria that may be relevant for domestic violence, which must include the following criteria: the form of domestic violence exercised, the repetitive nature of the domestic violence acts, the vulnerability of the person(s) against whom the domestic violence is exercised, the context in which the acts of domestic violence occur, and the behavior of the person(s) exercising the acts of domestic violence".

49. Please specify how effective co-operation is ensured between the different statutory authorities and specialist women's support services in making risk assessments and whether the risks identified are managed by law enforcement agencies on the basis of individual safety plans that include also the safety of the victim's children.

Please see the information from point 1 regarding the management case for the victim of domestic violence.

50. Please describe the efforts made to analyse retrospectively all cases of gender-based killings of women, in the context of domestic violence and other forms of violence against women to identify the existence of possible systemic gaps in the institutional response of the authorities with the aim of preventing such acts in the future.

Since 2022, the Directorate for Public Order has been requesting from all territorial units an Analysis and Case File for each homicide offense committed in the context of domestic violence, which includes details of the circumstances in which the offenses were committed, as well as any previous reports to the police. Since 2024, such documents have also been required for attempted murder and assault or injuries causing death in the context of domestic violence.

The data and information submitted by the territorial units are analyzed at the level of the Directorate for Public Order in terms of police intervention, especially in cases that have had a history of referrals prior to the time of committing this type of crime, in order to identify possible deficiencies and propose measures to prevent such situations.

The information thus obtained is also included in the monthly analyses drawn up by the Directorate for Public Order on domestic violence crime.

Article 52: Emergency barring orders

51. Have any legislative or other measures been taken to introduce and/or amend the legal framework governing emergency barring orders in order to align it with the requirements of Article 52? If yes, please specify whether:

Law 217/2003 provides in Chapter IV, Articles 28 – 37, the reglementation of the Provisional Protection Order (PPO), serving as an emergency barring order as required by the convention. Art. 28 provides that in situations of imminent risk to the life, physical integrity or freedom of a person by an act of domestic violence, law-enforcement officials are granted the power to order the perpetrator to leave the residence of the victim or person at risk, regardless of whether he/she is the owner of the property, for a specific period of time and to prohibit the perpetrator from entering the residence. The PPO may also prohibit the perpetrator from contacting the victim or person at risk and oblige them to maintain a minimum prescribed distance from the victim, the members of his/her family or the residence, workplace or educational establishment of the protected person.

There were no new amendments regarding the PPO's reglementation in the field of domestic violence, which is the subject of art. 52 (as the existing provisions already fulfill the requirements of the convention) after the last evaluation round, but, as it will be presented in the section regarding the restraining or protection orders, in 2024, Romania introduced a significant legislative amendment concerning protection orders, expanding their scope beyond domestic violence to address violent behavior in general. The new law, Law No. 26/2024⁵¹ introduces, in Chapter II, the legal framework for the temporary protection order (the Romanian equivalent of the emergency barring order, extended to all forms of violence, not only for domestic violence).

⁵¹ The full text of the law is available at <https://legislatie.just.ro/public/DetaliiDocument/279559>.

The provisional protection order is valid for 5 days from the moment of issuance by the police. The continuation of the proceedings is provided for in Article 34 of Law no. 217 of May 22, 2003, republished, for the prevention and combating of domestic violence:

„ (1) The provisional protection order shall be submitted by the police unit to which the issuing officer belongs to, for confirmation, to the public prosecutor's office of the competent court in whose territorial area it was issued, within 24 hours of the date of issuance.

(2) The provisional protection order is submitted to the competent prosecutor's office according to the provisions of paragraph (1), together with the risk assessment form and the evidence obtained according to the provisions of Article 29 or collected according to the provisions of Law no. 135/2010, with subsequent amendments and additions. The evidence gathered according to the provisions of Law no. 135/2010, with subsequent amendments and additions, may be forwarded in certified copies by the criminal investigation authority.

(3) The prosecutor from the competent prosecutor's office, as per the provisions of paragraph (1), decides on the necessity of maintaining the protection measures ordered by the police authority within 48 hours of the issuance of the provisional protection order.

(4) The prosecutor confirms the necessity of maintaining the protection measures ordered by the police authority through the provisional protection order by applying an administrative resolution to the original copy of the order.

(5) If the prosecutor finds that the protection measures ordered are no longer necessary, they may, with justification, order the cessation of the protection measures, specifying the moment when they cease. The prosecutor immediately communicates this to the police unit that forwarded the provisional protection order, which will take steps to inform the individuals involved without delay.

(6) Immediately after the confirmation referred to in paragraph (4), the prosecutor forwards the provisional protection order, along with the documents that formed the basis of its issuance and confirmation, to the competent court in whose territorial area it was issued, accompanied by a request for the issuance of a protection order, drawn up according to the provisions of Article 40, paragraph (3), letter a) and Article 41.

(7) In the event of forwarding the provisional protection order according to the provisions of paragraph (6), the initial duration for which it was ordered is automatically extended by the necessary duration to complete the judicial procedure for issuing the protection order, with the aggressor being informed of this fact.”

a. emergency barring orders may remain in place until a victim can obtain a courtordered protection order in order to ensure that gaps in the protection do not arise;

The Romanian legal framework in the matter ensures continuity between PPOs and POs in the protection of the victims.

Pursuant to Article 34, paragraph 7, of Law No. 217/2003 (the Domestic Violence Law)– the initial duration of the PPO can be extended until the judicial procedure for a protection order is completed to ensure that there is no gap in the protection of the persons at risk.

Also, in the case of other forms of violence, Article 8, paragraph (8) of Law No. 26/2024 stipulates the legal extension of the temporary protection order (initially set for five days) for the duration required to complete the judicial procedure for issuing the protection order, ensuring continuous protection without any gaps.

The national legal framework provides for the **provisional protection order**, a legal instrument of emergency protection which is the subject of the regulation contained in Chapter IV (Articles 28-37) of Law no. 217/2003, republished, as amended and supplemented.

Answer to point (a) of the question:

According to **Article 28, Article 31(1), Article 32(1) and (2) and Art. 34 of Law no. 217/2003**, republished, as amended and supplemented:

- the provisional protection order is issued by police officers who, in the exercise of their duties, ascertain that there is an imminent risk that the life, physical integrity or liberty of a person may be endangered by an act of domestic violence, in order to mitigate this risk;
- the provisional protection order shall provide, **for a period of 5 days**, for one or more of the following protective measures, capable of contributing to the reduction of the imminent risk identified, among the following obligations and prohibitions: *(a) temporary eviction of the aggressor from the common dwelling, irrespective of whether the aggressor is the owner of the property; (b) reintegration of the victim and, where appropriate, the children in the common dwelling; (c) obligation on the aggressor to keep a specified minimum distance from the victim, her family members, or the residence, workplace or educational establishment of the protected person; (d) obligation on the aggressor to wear an electronic surveillance device at all times; (e) obligation on the aggressor to surrender to the police the weapons in his possession;*
- the period of 5 days is calculated on an hourly basis, i.e. it lasts 120 hours and starts to run from the moment the provisional protection order is issued;
- the obligations and prohibitions imposed on the aggressors by provisional protection orders become binding immediately after their issuance, *without the issuance of a summons and without the expiry of any time limit;*
- the provisional protection order shall be forwarded by the police unit to which the issuing officer belongs for confirmation to the prosecutor's office of the competent court within whose territorial radius it was issued, within 24 hours of the date of issue;
- the prosecutor of the competent prosecutor's office shall decide on the necessity to maintain the protection measures ordered by the police body within 48 hours of the issuing of the provisional protection order;
- the prosecutor shall confirm the necessity to maintain the protective measures ordered by the police body in the provisional protection order by applying an administrative resolution on the original copy of the provisional protection order;
- where the prosecutor finds that it is no longer necessary to maintain the protection measures ordered, he or she may order the termination of the protection measures, stating the reasons on which he or she is based and the date of termination. The prosecutor shall immediately inform the police unit that forwarded the provisional protection order, which shall take steps to inform the persons who were the subject of the provisional protection order immediately;
- immediately after the provisional protection order has been confirmed, the prosecutor shall forward the provisional protection order, together with the documents on the basis of which it was issued and confirmed, to the competent court of first instance within whose territorial radius it was issued, accompanied by a request for the issuance of the protection order;
- where the provisional protection order is submitted to the court for the purpose of issuing the protection order, the initial duration for which it was ordered shall be extended, *de jure*, for the duration necessary to complete the judicial procedure for issuing the protection order, with the aggressor being informed of this fact.

Therefore, the provisional protection order confirmed by the prosecutor remains in force until the final decision on the prosecutor's application to the court for the issuance of the protection order, without there being any gaps with regard to protection.

b. support and advice are made available to women victims of domestic violence in a pro-active manner by the authority competent to issue an emergency barring order;

The general legal framework regarding the victim's protection in Romania, namely Law No. 211/2004, was recently amended by Law No. 272/2024. Under the revised Article 4, paragraph (2), it is now explicitly required that information regarding victims' rights, protection measures, assistance, and support be communicated in clear and accessible language by both the first judicial authority the victim encounters and before each subsequent hearing by judicial bodies.

According to the provisions of Article 28(3)-(5) of Law no. 217/2003, republished, it follows that *the police officers, as the competent authorities to issue the provisional protection order, have the obligation to provide support and counseling to victims of domestic violence*; in particular, when, from the assessment of the factual situation, it is found that the conditions provided by law for issuing the provisional protection order are not met, the police officers have the obligation to inform the persons who claim to be victims of domestic violence about the possibility of filing a request for the issuance of a protection order according to the provisions of Article 38 of the Law and provide them with the application form provided for by Article 41 of the Law.

c. children are specifically included in contact bans issued under the emergency barring order;

According to Article 31, paragraph (7) of Law No. 217/2003 (Domestic Violence Law), competent public authorities and institutions are required—either ex officio or upon request from police units or interested parties—to urgently implement specific protection measures for vulnerable individuals such as minors, persons with disabilities, or those with special needs who are covered by a provisional protection order (PPO).

Among these protective measures, the police may impose obligations to reduce imminent risks, such as requiring the aggressor to maintain a minimum distance from the victim, their relatives, home, workplace, or educational institution. Where appropriate, minors and other family members are expressly included in these orders.

Article 31(1)(a)-(c) of the same law outlines these PPO measures, which may include the aggressor's removal from the shared home (regardless of ownership), the reintegration of the victim and children into the residence, and the imposition of restraining distances. These actions collectively ensure the protection of all individuals at risk, especially children, whenever the situation warrants it.

d. any exceptions to contact bans are made and in which circumstances.

According to **Article 49 of Law no. 217/2003, republished**: *"(1) The person against whom a measure has been ordered by the protection order for the maximum duration may request the revocation of the order or the replacement of the ordered measure.*

(2) Revocation may be ordered if the following conditions are cumulatively met:

a) the aggressor has complied with the prohibitions or obligations imposed;
b) the aggressor has undergone psychological counseling, psychotherapy, detoxification treatment or any other form of counseling or therapy that has been established for him/her or recommended to him/her or has complied with the security measures, if such measures have been taken, in accordance with the law;

c) if there is an assessment of the risk of recidivism carried out by a probation service in accordance with its competences, which indicates a sufficiently low degree of risk and that the aggressor no longer poses a real danger to the victim of domestic violence or to the family of the victim of domestic violence, as defined in accordance with Article 5.

(3) The application for revocation shall be served on the parties and on the police unit which enforced the protection order whose revocation is sought. The participation of the prosecutor shall be mandatory".

Thus, ***de lege lata***, it is possible to revoke or replace protection measures ordered by a protection order when the protection order has been issued for the maximum duration, which is currently 12 months.

The lifting/replacement of protection measures is not ordered at the mere request of the person concerned, these measures are ordered by the court, subject to the fulfillment of the above-mentioned requirements of the law, and the measures lifted/replaced may also cover visitation rights and contact with the minors included in the protection order.

Romanian law does not provide any exceptions that would allow violations of contact bans imposed by a PPO for persons under protection.

52. Please provide information on the measures taken to enforce emergency barring orders and on responses to any violations of such orders.

According Art 32 of the Domestic Violence Law, PPOs are enforced immediately upon issuance, with all obligations and prohibitions imposed on the aggressor becoming mandatory without the need for a summons or waiting period. Law enforcement authorities are empowered to ensure compliance with these measures, and the police are authorized to use force and available resources in an appropriate and proportionate manner to implement the protective measures ordered through the temporary protection order.

In the event of a violation, Article 47, paragraph (2) of The Domestic Violence Law stipulates that any breach of the protection measures imposed by the PPO constitutes a criminal offense. Such violations are punishable by imprisonment ranging from 6 months to 5 years, ensuring a strong legal deterrent against non-compliance.

According to **Article 46 of Law no. 217/2003, republished**, a copy of the decision by which the request for the issuance of the protection order was ordered shall be communicated, within a maximum of 5 hours from the moment of the judgment, to the Romanian Police structures within the territorial radius of which the victim and/or the aggressor's residence is located, as well as to the Directorate for Persons' Records and Database Management.

The protection order shall be enforced **immediately** by or, where appropriate, under police supervision. For the enforcement of the protection order, the police officer may enter the family home and any of its annexes with the consent of the protected person or, in the absence of such consent, of another member of the family. The police officers have the duty to supervise compliance with the court order and to report any failure to comply with the protection order to the prosecuting authority.

Along with the communication of the protection order, by which the measure of temporary eviction of the aggressor has been taken, the police body is obliged to inform the aggressor about the right to have the possibility to apply for accommodation in residential centers for homeless people or night shelters, which operate in accordance with the provisions of Law no. 292/2011, as amended and supplemented, or in other suitable places.

The access of aggressors to the centers for homeless persons and night shelters shall be carried out *upon ascertaining that the aggressor falls within the definition provided for in Article 6(z) of Law no. 292/2011⁵², as amended and supplemented, with the exception of situations where the aggressor represents a risk to the safety of the beneficiaries.*

In exercising their powers to supervise compliance with the protection order, the police bodies shall implement measures to prevent non-compliance with the decision, which may consist of: *unannounced visits to the home of the injured person, telephone calls to the victim/aggressor,*

⁵² Article 6 - For the purposes of this law, the following terms and expressions shall have the following meanings:

z) homeless persons shall mean a social category made up of single persons or families who, for single or cumulative social, medical, financial-economic, legal or force majeure reasons, are living on the streets, temporarily living with friends or acquaintances, are unable to support rented accommodation or are at risk of eviction, are in institutions or prisons from which they are to be discharged or released within 2 months, respectively, and have no domicile or residence;

requesting information from neighbors, colleagues at the workplace of the victim/aggressor, the educational institution attended by the victim/aggressor or other persons who could provide relevant information, as well as any other specific methods of police work.

If it is found that the protection order has been circumvented, the criminal prosecution authority will be notified.

If the person protected by the protection order violates the provisions of the protection order, he or she shall be obliged to cover the costs incurred in issuing and enforcing the order.

According to Article 47(1) and (2) of Law no. 217/2003 republished:

- violation by the person against whom **a protection order** has been issued, of any of the measures referred to in Article 38(1), (4) and (5)(a) and (b) of the above-mentioned law, imposed by the protection order, **shall constitute a criminal offense and shall be punishable by imprisonment from 6 months to 5 years;**

- violation by the person against whom **a provisional protection order** has been issued, of any of the measures referred to in Article 31(1) and imposed by the provisional protection order **shall constitute a criminal offense and shall be punishable by imprisonment from 6 months to 5 years.**

To fulfill the obligations set by Article 46, paragraph (4) of Law No. 217/22 May 2003, republished, for the prevention and combating of domestic violence ((4) "The police has the obligation to monitor the compliance with the court decision by which the protection order was issued and to notify the prosecution in case of non-compliance with the execution"), an internal normative/regulatory document (No. 283609/2019) was issued at the level of the Romanian Police, which concretely establishes all the activities that police officers must carry out to monitor the compliance with the obligations/interdictions established by protection orders/provisional protection orders.

Regarding statistical data, it is important to note that the Directorate for Public Order does not collect or centralize statistical data from the categories mentioned in the questionnaire. The data used is obtained from the Directorate for Criminal Records, Statistics, and Operational records.

Article 53: Restraining or protection orders

53. Have any legislative or other measures been taken to introduce and/or amend the legal framework governing restraining and protection orders in order to align it with the requirements of Article 53? If yes, please specify whether:

In 2024, Romania introduced a significant legislative amendment concerning protection orders, expanding their scope beyond domestic violence to address violent behavior in general. The rationale behind this regulation is that acts of violence can occur in all types of social relationships, creating a general need for safety and protection against actions that endanger life, physical and mental integrity, and personal freedom.

Previously, Law No. 217/2003 was limited to domestic violence cases. However, with the introduction of Law No. 26/2024 on the protection order, access to this legal instrument is now available to any person whose freedom, physical integrity, mental well-being, or, above all, life is at risk - regardless of the environment in which the aggression occurs or the relationship between the aggressor and the victim. The primary purpose behind this legislative initiative was to establish an effective legal instrument comparable to the one already established for domestic violence, thus addressing a broader spectrum of violent acts.

Law No. 26/2024 on the protection order, as regulated in Chapter III, establishes the legal framework for protection orders, which can be requested by individuals whose life, physical or mental integrity, or freedom is endangered by acts of violence committed by another person. The request may also be submitted on behalf of the victim by the prosecutor or by representatives of the competent authority or structure at the administrative-territorial level, responsible for assisting crime victims.

The protection order includes a range of measures, obligations, and prohibitions aimed at safeguarding the victim or potential victim of violence while also addressing and correcting the perpetrator's behavior.

On 31.08.2024 the **Law no. 26/2024⁵³ on the Protection Order** entered into force. According to art. 26 of Law no. 26/2024, the situations regulated by Law no. 217/2003, republished, as amended and supplemented, *do not fall within the scope of the new regulation on the protection order*.

The new regulation protecting victims of violence **goes beyond the scope of domestic violence**, determined on the basis of the legal definition of the notion of "*family member*" in Article 5 of Law no. 217/2003, republished, as amended and supplemented⁵⁴, **covers all extra-family social relations and offers full protection to victims of any form of violence identified in the list contained in art. 1(1) of Law no. 26/2024**, which refers to:

- a) any assault or any act of violence causing physical suffering;
- b) any act of violence of a sexual nature;
- c) threatening a person with the commission of a criminal offense or unlawful harmful act directed against him/her or another person, if it is likely to cause him/her a state of fear;
- d) the repeated stalking of a person, without right or legitimate interest, or surveillance of his/her home, place of work or other places frequented by him/her, or the making of telephone calls or other types of communication by means of remote transmission which, by their frequency, content or timing, arouse fear, and other actions with similar effect;
- e) any act of online harassment, online hate messaging, online stalking, online threats, non-consensual posting of intimate information and graphic content, unlawful access to private communications and data, and any other form of abusive use of information and communication technology to humiliate, frighten, silence the victim;
- f) attempting to induce or inducing a person by bribery, coercion or any other act of manifest intimidation not to report a matter to the prosecuting authorities, to refrain from giving evidence, to retract a statement, to give false testimony or to withhold evidence in criminal, civil or any other judicial proceedings;
- g) any other acts of physical or mental violence endangering the life, physical or mental integrity or liberty of a person.

It is noted that, by its comprehensive scope of regulation, Law no. 26/2024 includes in its scope of application and provides a positive response, effectively combating a multitude of forms of violence, including cyber-violence and stalking, as well as any attacks against the physical and/or psychological integrity of the person, which do not occur in the sphere of family relationships or relationships assimilated to them.

⁵³ Published in the Official Gazette no.172 of 04.03.2024.

⁵⁴ According to Article 1 of Law no. 217/2003, republished, as amended and supplemented: "1) For the purposes of this law, a family member shall mean:

- (a) ascendants and descendants, brothers and sisters, their spouses and children, as well as persons who have become relatives by adoption, according to the law;
- b) spouse and/or ex-spouse; siblings, parents and children from other relationships of the spouse or ex-spouse;
- (c) persons who have established relationships similar to those between spouses or between parents and children, current or former partners, whether or not they lived with the aggressor; ascendants and descendants of the partner and their brothers and sisters;
- d) the legal guardian or other person exercising rights *de facto* or *de jure* over the person of the child;
- (e) the legal representative or other person caring for the mentally ill, intellectually disabled or physically handicapped person, except for those who perform these duties in the exercise of their professional duties."

According to the explanatory memorandum⁵⁵ to Law No 26/2024, the rationale for the adoption of this new regulation is to create an effective legal instrument, similar to the one that exists in the case of domestic violence, given that the victims of acts of violence other than domestic violence were protected only by criminal law.

The proven practical efficiency of the protection order, regulated by Law no. 217/2003, as well as the fact that both instruments defend the same values, namely: life, health, physical and mental integrity, freedom of the person, have led the legislator to establish a legal regime similar to the two instruments provided for by Law no. 217/2003 (the provisional protection order and the protection order), adapted, when necessary, to their specific situation.

In order to apply Law no. 26/2024, the Minister of Internal Affairs issued Order no. 138/2024 on establishing the manner of handling cases of violence by the police⁵⁶.

A first instrument is **the provisional protection order** which, according to **Article 2(1) of Law no. 26/2014**, is issued immediately, upon written request of the victims of acts of violence or, as the case may be, of the guardian or other legal representative thereof, by police officers who, in the exercise of their duties, become aware of the commission of an act of violence, when the assessment of the factual situation shows that there is an imminent risk of another act of violence against the victim which endangers his or her life, physical integrity or freedom. According to **Article 2(2) of the same law**, if the police officer in the exercise of his/her duties is notified, in any way, including through the 112 Single National System for Emergency Calls (SNUAU 112), regarding the commission of an act of violence, he/she is obliged to inform the victim or, as the case may be, the guardian or other legal representative of the right to request a temporary protection order against the aggressor and to provide him/her with the application form for the issuance of the temporary protection order, if he/she wishes to request the respective order; if the victim does not request the temporary protection order, the police officer informs him/her of the possibility of formulating an application for the issuance of the protection order pursuant to Article 12 of the same law and to provide him/her with the corresponding form for this application.

If an act of violence is found to exist, and the victim or, as the case may be, the guardian or other legal representative thereof, due to their mental or physical condition or for other reasons, is unable to draft the application for a provisional protection order, pursuant to **Article 2(10) of Law no. 26/2024**, the police officers will complete the imminent risk assessment form based on the evidence and data they possess, and if there is an imminent risk for the victim, they will issue a provisional protection order.

Similar to the provisions of Article 31 of Law no. 217/2003, republished, as amended and supplemented, through the provisional protection order issued pursuant to Law no. 26/2024, one or more protection measures provided for in **Article 5(1)** of the law may be implemented, capable of contributing to the reduction of the imminent risk identified, respectively:

- a) temporary eviction of the aggressor from the shared home;
- b) reintegrating the victim or, as the case may be, the members of his/her family into the shared home;
- c) obliging the aggressor to maintain a minimum determined distance from the victim, from the members of his/her family or from the residence, workplace or educational institution of the protected person;
- d) obliging the aggressor to permanently wear an electronic surveillance device;
- e) prohibiting any contact, including by telephone, by correspondence or in any other way, with the victim;
- f) obliging the aggressor to surrender to the police the weapons, essential components and ammunition in his/her possession, the documents in which they are recorded, as well as the authorization(s) to procure weapons issued in his/her name.

⁵⁵ <https://www.cdep.ro/proiecte/2023/700/00/7/em798.pdf>;

⁵⁶ Published in the Official Gazette of Romania, Part I, no 853 of 27 August 2024;

The provisional protection order shall be submitted to the prosecutor's office attached to the court of first instance in whose territorial jurisdiction it was issued, within 24 hours from the date of issuance, for confirmation, according to **Article 8(1) and (2) of Law no. 26/2024**.

Pursuant to **Article 8(3)** of this law, the prosecutor of the competent prosecutor's office shall decide on the need to maintain the protection measures ordered by the police, in whole or in part, within 48 hours from the date of issuance of the provisional protection order. According to **Article 8(5) of the law**, if deemed necessary, prior to confirmation, the prosecutor may hear the victim.

According to **Article 8(4) and (7) of Law no. 26/2024**, when confirming the need to maintain the protection measures ordered by the police body through the provisional protection order, in whole or in part, the prosecutor applies an administrative resolution on the original copy thereof and, subsequently, notifies the court with a request for the issuance of the protection order, drawn up according to Articles 14 and 15.

At the same time, pursuant to **Article 12(1) of Law no. 26/2024**, similar to the provisions of Article 38 of Law no. 217/2003, republished, as amended and supplemented, the person whose life, physical or mental integrity or freedom is endangered by acts of violence committed by another person **may request the court**, in order to remove the state of danger, **to issue a protection order** by which one or more of the following measures are ordered, provisionally – obligations or prohibitions:

- a) temporary eviction of the aggressor from the shared home;
- b) reintegrating the victim or, as the case may be, the members of his/her family into the shared home;
- c) obliging the aggressor to maintain a minimum determined distance from the victim, from the members of his/her family or from the residence, workplace or educational institution of the protected person;
- d) prohibiting the aggressor to travel to certain cities or specific areas that the protected person frequents or visits periodically;
- e) obliging the aggressor to permanently wear an electronic surveillance device;
- e) prohibiting any contact, including by telephone, by correspondence or in any other way, with the victim;
- f) obliging the aggressor to surrender to the police the weapons, essential components and ammunition in his/her possession, the documents in which they are recorded, as well as the authorization(s) to procure weapons issued in his/her name.

The protection order, regulated by Law no. 26/2024, covers a wide range of victims, including both women and children.

- a. **restraining or protection orders are available – in the context of criminal proceedings and/or upon application from civil courts - to women victims of all forms of violence covered by the Istanbul Convention, including domestic violence, stalking, sexual harassment, forced marriage, female genital mutilation, violence related to so-called honour as well as digital manifestations of violence against women and girls;**

Law No. 26/2024 on the protection order guarantees access to this legal instrument for any person whose life, freedom, physical integrity, or mental well-being is endangered, regardless of the context in which the aggression occurs or the relationship between the aggressor and the victim.

Article 1 defines the acts of violence that qualify for a protection order in various ways⁵⁷, ensuring that the legal framework comprehensively covers all forms of violence outlined in the Istanbul Convention.

⁵⁷ 1) For the purposes of this law, acts of violence mean:

- a) any beating or act of violence causing physical suffering;
- b) any act of sexual violence;

b. children are specifically included in protection orders;

Annex 2 to Law No. 26/2024 provides the standardized application form for requesting a protection order, with Section VII explicitly requiring details of any acts of violence that occurred in the presence of minors, as well as any potential risks, including references to prior similar incidents.

Additionally, one of the court-ordered measures may require the aggressor to maintain a minimum specified distance from the victim, their family members⁵⁸, or the protected person's residence, workplace, or educational institution.

In conclusion, if deemed necessary by the court, minors will be explicitly included in the protection order.

c. any exceptions to contact bans are made and, if so, in which circumstances these may be made.

The Romanian law does not provide any exceptional situations in which the contact bans regarding persons under protection offered by the protection order may be violated.

54. Please provide information on the measures taken to enforce protection orders and on responses to any violations of such orders.

The law stipulates that requests for protection orders are handled urgently, and in cases of special urgency, the court may issue the protection order without summoning the parties, even on the same day. The ruling is based solely on the request and submitted documents, without requiring statements from the parties. The protection order takes effect immediately upon pronouncement and is enforced without the need for a summons or any waiting period.

As an additional safeguard to ensure the enforceability of the protection order, the legislator has granted courts the authority to impose compliance monitoring measures within the same ruling, such as:

- a) requiring the aggressor to report periodically, at intervals determined by the court, to the competent police station for supervision of compliance with the protection order;
- b) conducting periodic and/or spontaneous checks on the aggressor's location;

c) threatening a person with the commission of a crime or an illegal damaging act directed against him or another person, if it is likely to cause him a state of fear;

d) the repeated act of stalking a person, without the right or without a legitimate interest, or surveillance of the home, workplace or other places frequented by that person, or making phone calls or other types of communications by means of remote transmission that, by frequency, content or the moment in which they are issued, create fears, as well as other actions with a similar effect;

e) any act of online harassment, hateful online messages, online stalking, online threats, non-consensual publication of information and intimate graphic content, illegal access to communications and private data and any other form of abusive use of information technology and communications with the aim of humiliating, scaring, silencing the victim;

f) the attempt to determine or the determination of a person by corruption, by coercion or by any other act with an obvious intimidating effect not to notify the criminal investigation bodies, not to give statements, withdraw their statements, give false statements or not present evidence in a criminal, civil case or in any other judicial procedure;

g) any other acts of physical or mental violence that endanger the life, physical or mental integrity or freedom of a person.

⁵⁸ The law stipulates that, family member, means the husband/wife, the person who lives with the victim and who lives together with the victim in a stable and continuous manner, relatives in a direct line, up to the second degree inclusive, brothers and sisters, as well as the persons who are in the care of the victim.

c) mandating the aggressor to inform the police of any change of residence if eviction from the shared home was ordered by the protection order.

To oversee compliance with the protection order, law enforcement authorities may conduct unannounced visits to the victim's residence, call the victim or aggressor for verification, request information from neighbors, colleagues, educational institutions, or other relevant sources, and employ other police-specific methods.

If an attempt to evade the enforcement of the protection order is identified, the criminal investigation body will be notified.

As with the temporary protection order, any violation of the protective measures imposed by a protection order constitutes a criminal offense and is punishable by imprisonment ranging from 6 months to 5 years (art. 18 para. (1) of Law No. 26/2024).

According to **Article 23 of Law no.26/2024**, a copy of the decision ordering the issuance of the protection order shall be communicated, within a maximum of 5 hours from the moment of the decision, to the Romanian Police structures within whose territorial jurisdiction the home of the victim and/or the aggressor is located, as well as to the General Directorate for Persons' Records. The protection order ordering any of the measures provided for in Article 12(1) of the law⁵⁹ shall be immediately enforced by or under the supervision of the police, as the case may be.

To enforce the protection order, the police officer may enter the home of the aggressor and any annex thereof or the home of the protected person and any annex thereof, with the consent of the protected person or, in his/her absence, of the persons with whom he/she lives. The police authorities have the duty to supervise the manner in which the court decision issuing the protection order is complied with and to notify the criminal prosecution body in case of evasion from execution.

Once the protection order is issued, which orders the temporary eviction of the aggressor, the police body shall inform the aggressor of the right to request accommodation in residential centers for the homeless or night shelters, which operate in accordance with the provisions of the Law on Social Assistance no. 292/2011, as amended and supplemented, or in other appropriate places. Access of aggressors to centers for the homeless and night shelters is based on the determination that the aggressor falls within the definition provided for in Article 6(z) of Law no. 292/2011, as amended and supplemented.

In exercising their powers of supervision of compliance with the protection order, the police bodies implement measures to prevent non-compliance with the decision, which may consist of: making unannounced visits to the home of the injured person, calling the victim/aggressor to check on him/her, requesting information from neighbors, colleagues at the workplace of the victim/aggressor, from the educational institution attended by the victim/aggressor or from other persons who could provide relevant information, as well as any other methods specific to police activity.

In case of evasion from the execution of the protection order, the criminal prosecution body shall be notified.

According to the provisions of Article 18(1) and (2) of Law no. 26/2024:

⁵⁹ Article 12(1) A person whose life, physical or mental integrity or freedom is endangered by acts of violence on the part of another person may request the court, in order to remove the state of danger, to issue a protection order implementing, on a provisional basis, one or more of the following measures - obligations or prohibitions:

- a) temporary eviction of the aggressor from the shared home;
- b) reintegrating the victim and, as the case may be, the members of his/her family into the shared home;
- c) obliging the aggressor to maintain a minimum determined distance from the victim, from the members of his/her family or from the residence, workplace or educational institution of the protected person;
- d) prohibiting the aggressor to travel to certain cities or specific areas that the protected person frequents or visits periodically;
- e) obliging the aggressor to permanently wear an electronic surveillance device;
- f) prohibiting any contact, including by telephone, by correspondence or in any other way, with the victim;
- g) obliging the aggressor to surrender to the police the weapons, essential components and ammunition in his/her possession, the documents in which they are recorded, as well as the authorization(s) to procure weapons issued in his/her name.

- the violation by the person against whom **a protection order** has been issued of any of the measures provided for in Article 12(1) and (4)(a) and c) and implemented by the protection order constitutes a criminal offence and is punishable by imprisonment from 6 months to 5 years;
- the violation by the person against whom **a provisional protection order** has been issued of any of the measures provided for in Article 5(1) and implemented by the provisional protection order constitutes a criminal offence and is punishable by imprisonment from 6 months to 5 years.

Article 56: Measures of protection

55. Please provide information on the measures taken to ensure the following:

- a. that the relevant agency informs the victim when the perpetrator escapes or is released temporarily, at least when they or their family might be in danger (paragraph 1 b);**

A key development in this area is Law No. 217/2023⁶⁰, which amended several pieces of legislation, including the Criminal Code and the Criminal Procedure Code. While this normative act primarily introduced significant reforms concerning sexual offenses - such as establishing a presumption that any sexual act involving a child under 16 cannot be considered consensual if the age difference is bigger than five years - it also strengthened victim protection in various ways. Under the amended provisions of the Criminal Procedure Code, the injured party (victim) has the express right⁶¹ to be informed promptly if a person who is in custody, under criminal investigation, or serving a sentence for the offense affecting them is released or escapes. The law also requires authorities to inform the victim about any relevant protective measures put in place should such a release or escape occur. The relevant legal text reads as follows:

Art. 81 The rights of the injured party

(1) Within criminal proceedings, the injured party has the following rights:

a') the right to be promptly informed that the person who is in custody, under criminal investigation, or convicted for the offense affecting the injured party has been released or has escaped from detention, as well as about any relevant measures adopted to protect the injured party in the event of the offender's release or escape.

Consequently, Art. 4 para. (1) lit. h) of Law 211/2004 was recently amended by Law 272/2024 and stipulates that the victims of crimes have the right to be informed in the event that the defendant will be deprived of liberty, respectively sentenced to a custodial sentence not only regarding his release in any way but also regarding his escape⁶², according to the Code of Criminal Procedure [art. 81 para. (1) letter a1 and art. 111 para. (5)].

- b. the protection of the privacy and the image of the victim (paragraph 1 f);
- c. the possibility for victims to testify in the courtroom without being present or at least without the presence of the alleged perpetrator, notably through the use of appropriate communication technologies, where available (paragraph 1 i);

⁶⁰ The full text of the law is available at <https://legislatie.just.ro/public/DetaliiDocument/272051>.

⁶¹ Previously, The Criminal Procedure Code provided in art. 111 (5) that the injured person was informed during the first hearing that, if the defendant is deprived of his liberty, or sentenced to a custodial sentence, the injured person may be informed of his release in any way or his escape.

⁶² Art.1, point 1 of Law No. 272/2024 for the amendment and completion of Law no. 211/2004 regarding some measures to ensure the information, support and protection of crime victims.

Romania has strengthened its legal framework to protect the privacy and image of crime victims, including in situations of domestic violence. The aforementioned amendments to Law No. 211/2004 on certain measures for ensuring information, support, and protection of crime victims introduced detailed provisions on anonymizing victims' personal information, ensuring the confidentiality of their residence, and limiting access to sensitive documents. These measures apply to both criminal and civil proceedings arising from the same offense, and domestic violence is explicitly included among the offenses that trigger these protections. Under the new rules, victims' names and those of their legal representatives are anonymized on the judicial portal, so that neither the parties involved in the case nor media representatives have access to identifying information. A confidential folder is used to store summonses and notifications, ensuring that the victim's address or other identifying details remain hidden. Copies of evidence with redacted personal data are placed in the case file, while unredacted materials are kept secure under conditions similar to those regulating classified documents. Access to such unredacted materials requires the person requesting access to demonstrate a legitimate interest, and the competent authority must authorize such access.

Article 35³

(1) The names of the victims of the offenses set forth in Article 14(1), as well as the names of their legal representatives, shall be anonymized on the court portal for both criminal cases and any civil proceedings arising from the offense, including enforcement proceedings or matters related thereto.

(2) In the proceedings specified under paragraph (1), the confidentiality of the victim's domicile or residence, as well as that of their family members, shall be ensured by filing summonses, notices, and other communications, along with proof of procedural compliance, in a confidential folder inaccessible to the parties or the media. The court clerk or the clerk designated for this purpose shall draw up a report documenting these measures, and on the basis of this report, the competent judge shall determine the lawfulness of service or notification.

(3) In all procedural documents, the prosecuting authorities, courts, and enforcement bodies, including in the enforcement of the civil portion of a judgment and in incidents related to enforcement, shall anonymize any data regarding the victim's domicile or residence and any other information that could lead to the identification of their home.

(4) Documents and any other means of evidence containing non-anonymized data regarding the victim's domicile or residence, or any other information that could lead to its identification, shall be kept by law enforcement agencies, prosecution offices, courts, and bailiffs under conditions similar to those stipulated for classified documents, and shall not be accessible to the parties or the media. A record shall be maintained of any persons who request access, along with proof of their interest (provided that such access is not prohibited) and the decision of the competent authority regarding said access. Only copies of these pieces of evidence—where any data concerning the victim's domicile or residence or other potentially identifying information is fully anonymized—shall be included in the case file.

The Code of Criminal Procedure⁶³ completes the legal framework in the matter by enshrining a series of measures that can be ordered by the judicial bodies (prosecutor/ court) in order to protect the victims of crimes, in the process of bringing those responsible to justice through:

⁶³ As mentioned before, Law No. 217/2023 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 brought, among other things, important changes in the matter of victim protection: art. 81 lit. a¹, art. 111, para. 6) lit. d), Art. 352, para. 3¹ and 3².

- adaptation of the hearing procedure by means of measures aimed at avoiding revictimization (art. 111 par. (6) - (8³)⁶⁴ CPP);
- protecting the intimate or private life of the victim or his dignity during the process (art. 352 para. (3¹)⁶⁵ CPP).

d. the provision of appropriate support services for victims so that their rights and interests are duly presented and taken into account (paragraph 1 e).

Please see the information from the point 25.

Law No. 211/2004 on certain measures to ensure the information, support, and protection of crime victims dedicates Chapter III entirely to the regulation of support and protection services available to victims. Additionally, intervention, protection, and assistance measures are also

⁶⁴ 6) In the case of injured persons for whom the existence of specific protection needs has been established under the law, the judicial body orders one or more of the following measures, without affecting the well going of the process or the rights and interests of the parties:

- a) hearing them in premises designed or adapted for this purpose;
- b) hearing them through or in the presence of a psychologist or other specialist in victim counselling;
- c) their hearing, as well as their possible re-hearing, is carried out by the same person, if this is possible and if the judicial body considers that this does not affect the well going of the process or the rights and interests of the parties;

- d) hearing them by videoconference or other technical means of communication at the place where they benefit from the temporary accommodation protection measure.

(7) The hearing and, as the case may be, the re-hearing by the criminal investigation bodies of the injured persons who were victims of the crimes provided for in art. 197, 199, 209 - 216¹, 218, 218¹, 219, 219¹, 221, 222, 223 and 374 of the Criminal Code, as well as in other cases where, due to the circumstances of the act, this is deemed necessary, it is carried out only by a person of the same sex as the injured person. If this is not possible, without affecting the well going of the process or the rights and interests of the parties, the hearing of these injured persons and, as the case may be, their re-hearing may be carried out by a person who is not of the same sex as the injured person, with the consent of the lawyer and a psychologist or other specialist in victim counselling.

(8) If the injured person is a minor, the recording of his hearing by technical audio-video means is mandatory in all cases. When video recording is not possible, the recording is made in all cases by technical audio means. (8¹) The hearing of the injured person aged up to 14 takes place in the presence of one of the parents, the guardian or the person or the representative of the institution to which the minor is entrusted for growth and education, as well as in the presence of a psychologist, established by the judicial body. The psychologist will provide specialized counselling to the minor throughout the judicial proceedings.

(8²) If the persons referred to in par. (8¹) cannot be present or have the capacity of suspect, defendant, injured person, civil party, civilly responsible party or witness in the case or there is reasonable suspicion that they can influence the minor's statement, his hearing takes place in the presence of a representative of the guardianship authority or a relative with full legal capacity, as well as in the presence of a psychologist, established by the judicial body. The psychologist will provide specialized counselling to the minor throughout the judicial proceedings.

(8³) If the hearing of the minor injured person concerns the activity of the institution to which he is entrusted for growth and education, the representative of this institution shall be replaced by the representative of the guardianship authority or by a relative with full legal capacity, as well as by a psychologist, established by the judicial body. The psychologist will provide specialized counselling to the minor throughout the judicial proceedings.

⁶⁵ (3¹) Ex officio or at the express request of the injured person or the prosecutor, the court hearing is declared closed for its entire course if the injured person is a minor and is the victim of one of the crimes provided for in art. 197, 199, 209 - 216¹, 218, 218¹, 219, 219¹, 221, 222, 223 and 374 of the Criminal Code.

(3²) At the express request of the injured person or the prosecutor, the court session is declared closed for its entire course if the trial in open session could harm some state interests, morals, dignity or intimate life of a person.

provided under special laws, such as Law No. 678/2001 on preventing and combating human trafficking and Law No. 217/2003 on the prevention and combating of domestic violence.

Both informing the victim in the event that the perpetrator of the offence escapes or is temporarily released, protecting the victim's image and privacy, and allowing them to testify in court without being present or by using appropriate technologies are measures to protect the victim regulated by the provisions of **Article 111 of the Criminal Procedure Code, as well as by the provisions of Article 113 of the Criminal Procedure Code.**

Thus, Article 111 of the Criminal Procedure Code, whose marginal name is **"Hearing of victims"** has the following content:

(1) At the beginning of the first hearing, judicial bodies shall ask a victim the questions listed under Article 107, which applies accordingly.

(2) A victim shall be informed of the following rights and obligations:

a) the right to be assisted by a counsel, and in case of mandatory legal assistance, the right to have a counsel appointed *ex officio*;

b) the right to use a mediator in the situations permitted by law;

c) the right to propose production of evidence, to raise objections and to argue in court, under the terms set by the law;

d) the right to be informed of the conducting of proceedings, the right to file a prior complaint, as well the right to become a civil party in the trial;

e) the obligation to come to court when summoned by the judicial bodies;

f) the obligation to notify of any change of address.

(4) **During the criminal investigation, the hearing of the victim shall be recorded by audio or audio-video technical means, when the criminal investigation body deems it necessary or when the victim has expressly requested it, and recording is possible.**

(5) **The victim shall be informed on the occasion of the first hearing that, if the defendant is to be deprived of liberty, respectively sentenced to a custodial sentence, he or she may be informed of his or her release in any manner or his or her escape.**

(6) In the case of victims for whom the existence of **specific protection needs** has been established under the law, the judicial body shall order one or more of the following measures, without prejudice to the proper conduct of the proceedings or the rights and interests of the parties:

a) their hearing in premises designed or adapted for this purpose;

b) their hearing through or in the presence of a psychologist or other victim counselling specialist;

c) their hearing, as well as their possible re-hearing, is carried out by the same person, if this is possible and if the judicial body considers that this does not prejudice the proper conduct of the trial or the rights and interests of the parties;

d) their hearing by videoconference or other technical means of communication at the place where they benefit from the protection measure of temporary accommodation.

(7) The hearing and, where appropriate, re-hearing by criminal investigation bodies of injured persons who were victims of the crimes provided for in articles 197, 199, 209-216¹, 218, 218¹, 219, 219¹, 221, 222, 223 and 374 of the Criminal Code, as well as in other cases where, due to the circumstances of the commission of the act, this is deemed necessary, shall be carried out only by a person of the same sex as the injured person. If this is not possible, without prejudice to the proper conduct of the proceedings or the rights and interests of the parties, the hearing of these injured persons and, where appropriate, their re-hearing may be carried out by a person who is not of the same sex as the injured person, with the consent of the lawyer and a psychologist or other victim counselling specialist.

(8) If the injured person is a minor, the recording of the hearing by audio-video technical means is mandatory in all cases. When video recording is not possible, the recording is carried out in all cases by audio technical means.

(8¹) The hearing of the injured person up to 14 years of age shall take place in the presence of one of the parents, the legal guardian or the person or representative of the institution to which the minor is entrusted for upbringing and education, as well as in the presence of a psychologist, established by the judicial body. The psychologist shall provide specialised counseling to the minor throughout the duration of the judicial proceedings.

(8²) If the persons referred to in paragraph (8¹) cannot be present or have the status of suspect, defendant, injured party, civil party, civilly liable party or witness in the case or there is a reasonable suspicion that they may influence the statement of the minor, the hearing shall take place in the presence of a representative of the guardianship authority or a relative with full legal capacity, as well as in the presence of a psychologist, established by the judicial body. The psychologist shall provide specialist counselling to the minor throughout the duration of the judicial proceedings.

(8³) If the hearing of the injured minor concerns the activity of the institution to which he is entrusted for upbringing and education, the representative of this institution shall be replaced by a representative of the guardianship authority or a relative with full legal capacity, as well as a psychologist, established by the judicial body. The psychologist shall provide specialist counselling to the minor throughout the duration of the judicial proceedings.

(9) The hearing of the injured party by the judicial body that has registered a complaint regarding the commission of an offence shall be carried out immediately, and if this is not possible, it shall be carried out after the filing of the complaint, without unjustified delays.

(10) The statement given by the injured party under the conditions of paragraph (9) shall constitute evidence even if it was administered before the commencement of the criminal investigation.

Article 113: Protection of victims and civil parties

(1) When the conditions provided by law in respect of the status of threatened or vulnerable witnesses are met, or for the protection of private life or dignity, or in the event that the release or escape of the perpetrator of the crime may endanger the private life or dignity of the victim, the civil party or the threatened or vulnerable witness or may cause them harm, regardless of its nature and extent, the criminal investigation body shall order in respect of a victim or a civil party protection measures provided for in Articles 126 and 127, which shall be applied accordingly.

(2) Child victims, victims who are in a dependent relationship with the perpetrator of the crime, victims of terrorism, organised crime, human trafficking, violence in close relationships, sexual violence or exploitation, victims of hate crimes and victims affected by an offence due to prejudice or discriminatory reasons that could be related in particular to their personal characteristics, victims with disabilities, as well as victims who have suffered considerable harm as a result of the seriousness of the offence are presumed to be vulnerable.

(3) If the victim or the civil party is in any of the situations provided for in paragraph (2), the criminal investigation body shall inform him/her of the protective measures that may be taken, their content and the possibility of waiving them. The waiving of the victim or the civil party to take protective measures shall be recorded in writing and signed by him/her, in the presence of the legal representative, where applicable.

(4) The re-hearing of the victim shall be carried out only if this is strictly necessary for the conduct of the criminal proceedings.

(5) At the hearing, the victim may be accompanied, at his/her request, by his/her legal representative and by another person designated by the victim, unless the judicial body decides to the contrary with reasons.

- (6) Whenever the judicial body cannot establish the age of the victim and there are reasons to consider that he/she is a minor, the victim shall be presumed to be a minor.

Part III: Emerging trends on violence against women and domestic violence

56. Please provide information on new developments since the adoption of GREVIO's baseline evaluation report on your country concerning:

a. emerging trends in violence against women and domestic violence, including its digital manifestations (types of perpetrations, groups of victims, forms of violence);

NAATIP collects, stores and process data and information to elaborate studies and analysis of the trafficking phenomenon, elaborating Annual Reports on trafficking in human beings, and also specific concise analyses of the evolution of the phenomenon, including emerging trends, social/economical context, dynamics and background of the victims.

Links below to the most recent reports and analyses:

<https://anitp.mai.gov.ro/subiectele/cercetare/rapoarte-anuale/>

<https://anitp.mai.gov.ro/subiectele/cercetare/analize/>

b. emerging trends in domestic case law related to violence against women;

There are progressive trends, e.g. possibility to issue a provisional protection order based on psychological violence (Decision no. 12/2024 of the Constitutional Court⁶⁶).

Also, another trend is highlighted of the issuing of the protection order in some cases on maximum period – 12 months.

c. emerging trends in the allocation of funding and budgeting by your state authorities;

Please see the information from the point 1 regarding the reform of social assistance system and the allocation of funding and budgeting by the state.

d. innovative approaches to primary prevention, for example new target audiences and means of communication, public/private partnerships etc.

Please see the information from the point 1.

e. emerging trends related to access to asylum and international protection for women victims of violence against women.

Campaigns carried out in the context of the developments in the field of domestic violence and gender-based violence:

- The national campaign "Bright Sky", conducted during the period 2021-2023 in collaboration with Vodafone Romania Foundation, Foundation "Necuvinte", and Code for Romania Association, was primarily aimed at victims of domestic violence, but also other victims of gender-based violence, their acquaintances, as well as professionals in the field interested in the diverse issues and the evolution of gender-based violence manifestations. The campaign received the Silver Medal at the Civil Society Gala. It is worth highlighting that some of the information sessions were conducted with students from medical, social assistance, and law faculties to familiarize them with the manifestations of domestic violence, the involved institutions, victims' rights, and services that abused individuals can benefit from, especially considering their future professional activities.
- The Bright Sky mobile application (and the website) developed in collaboration with NGOs (Vodafone Foundation, Code for Romania, and Foundation "Necuvinte") is available in Romanian, English, and Hungarian, and has been functional since 2020. Every year, it is

⁶⁶ <https://legislatie.just.ro/Public/DetaliuDocumentAfis/294171>

improved with new chapters on gender-based violence (including human trafficking). The application is particularly focused on domestic violence and provides users with a database of assistance services, safety assessment questionnaires for relationships, combats myths related to domestic violence, presents legal provisions that protect victims (provisional protection order and protection order), and the measures that can be adopted to increase online safety. A large volume of information can be accessed at any time of the day, especially when the victim is not in the presence of the abuser, and the data provided supports the basic needs of abused individuals or the desire to specialize those working with victims.

- The Domestic Violence is Not a Women's Mission campaign, held in 2021 in partnership with Foundation "Necuvinte", with the support of the Embassy of Israel in Romania, aimed to inform potential perpetrators about the consequences of domestic violence.
- The Maybe He Likes You campaign, conducted from September 2021 to June 2022 in partnership with World Vision Romania and Alka Group, aimed to prevent abuse against girls and women through education from an early age.
- The Gender Violence Prevention Campaign: Safety is a Right for All, initiated and implemented by the Institute for Crime Research and Prevention in partnership with the Sensiblu Foundation, aimed to develop the contribution of the Romanian Police to the protection and promotion of the rights of individuals exposed to gender-based violence, especially refugees in the context of the Ukrainian crisis, by providing support, information, and resources. The campaign was carried out from July 1, 2023, to December 2024.
- The Domestic Violence Prevention Campaign: "Apologies Don't Change Reality", held from February 15, 2024, to January 31, 2025, in partnership with Vodafone Romania Foundation, aimed to create a strong rejection of any form of violence in the domestic space and encourage victims to seek assistance from institutions and professionals at the first signs of abuse.

Part IV: Administrative data and statistics

57. Please provide annual statistics for two complete calendar years prior to receiving this questionnaire on administrative and judicial data on:

- a. **the number of reports, investigations opened, prosecutions, final convictions secured and sanctions imposed in respect of all forms of violence against women and domestic violence covered by the Istanbul Convention;**
- b. **the number of emergency barring orders issued by the competent authorities, the number of breaches of such orders, and the number of sanctions imposed as a result of these breaches;**
- c. **the number of protection orders issued, the number of breaches of such orders and the number of sanctions imposed as a result of such breaches;**
- d. **data on the number of decisions issued by family courts on custody/visitation/residence of children that have expressly taken into account incidents of domestic violence.**

In the Romanian Criminal Code, the offence regulated by Article 199 of the Criminal Code, whose marginal name is *"Domestic violence"* does not regulate a distinct offence, being a **reference norm** to other offences in the sphere of those against life or bodily integrity, provided that the victim is a family member, as defined by Article 177 of the Criminal Code. The offences to which Article 199 of the Criminal Code refers are those regulated by Article 188 of the Criminal Code - *murder*, Article 189 of the Criminal Code - *aggravated murder*, Article 193 of the Criminal Code - *battery and other acts of violence*, Article 194 of the Criminal Code - *bodily harm*, respectively Article 195 of the Criminal Code – *battery and bodily harm causing death*.

Following the analysis of the statistical data of the Public Ministry, *relating to the period 2022-2024*, published on the website <https://www.mpublic.ro/content/date-statistice-privind-victimele-violentei-in-familie> it resulted that a number of **1321 defendants** were sent to trial *in 2023* and **1147 defendants** were sent to trial *in 2024* for committing domestic violence offences.

The tables containing the relevant statistical data are attached to this questionnaire.

- In 2023, given a number of 13,351 provisional protection orders issued by the police bodies, of which 11,347 were confirmed by prosecutors, the rate of confirmation and referral to the courts by prosecutors, in order to issue definitive protection orders, was 84.98%.

From the centralised statistical data for the year 2023, it resulted that the police issued provisional protection orders regarding 13,009 female victims, of which 947 victims were minors, and the prosecutors confirmed the provisional protection orders and, consequently, referred to the courts, in order to issue definitive protection orders for 11,083 female victims, of which 802 were minors.

- In 2024, given a number of 13,974 provisional protection orders issued by the police bodies, of which 11,729 were confirmed by prosecutors, the rate of confirmation and referral to courts by prosecutors, in order to issue definitive protection orders, was 83.93%.

From the centralised statistical data for the year 2024, it resulted that the police issued provisional protection orders regarding 13,289 female victims, of which 906 victims were minors, and the prosecutors confirmed the provisional protection orders and, consequently, referred to the courts, in order to issue definitive protection orders for 11,077 female victims, of which 754 were minors.

The tables containing the relevant statistical data are attached to this questionnaire.

As transmitted by the Superior Council of Magistracy regarding the number of reports, investigations, prosecutions, final convictions, and sanctions imposed for all forms of violence against women and domestic violence under the Istanbul Convention, data from the public prosecution offices indicate that in 2024, a total of 1271 individuals were sent to trial through indictment or plea agreements, while in 2023, this number was 1435. These figures pertain to offenses where the aggravating circumstance of domestic violence (Article 199 of the Criminal Code) was applied. However, the data are not disaggregated by the sex of the victims, although practical experience suggests that the majority are women.

At the court level, the number of final convictions for domestic violence offenses was as follows:

- In 2024, a total of 316 individuals were definitively convicted where domestic violence was the main offense, while an additional 467 individuals were convicted where it was a secondary offense.

- In 2023, the courts recorded 354 convictions for domestic violence as the main offense and 418 convictions where it was a secondary offense.

With regard to the number of protection orders issued, violations of these orders, and the sanctions imposed as a result, statistical data indicate that in 2024, courts resolved a total of 27184 cases related to protection orders, while in 2023, the number stood at 23658.

From a criminal law perspective, cases related to violations of protection orders were also recorded. In 2024, a total of 674 cases concerning non-compliance with protection orders were adjudicated, resulting in 262 final convictions where the violation was the primary offense, and 250 convictions where it was considered a secondary offense. In 2023, courts handled 590 such cases, with 273 individuals convicted for the violation as the primary offense and 275 as a secondary offense.

Additionally, we are submitting the following statistical reports, which are available at the Ministry of Justice level:

- Data on cases pending before Romanian courts between 2022 – 2024, where the main subject was a "protection order" (minors and family law) – Doc. 1;
- Data on the average duration of resolution for cases pending before Romanian courts between 2022 – 2024, where the main subject was a "protection order" (minors and family law) – Doc. 2;
- Data on cases pending before Romanian courts between 2022 – 2024, where the main subject was "non-compliance with protection orders (Law No. 217/2003)" (Criminal Law) – Doc. 3;
- Data on the average duration of resolution for cases pending before Romanian courts between 2022 – 2024, where the main subject was "non-compliance with protection orders (Law No. 217/2003)" (Criminal Law) – Doc. 4;
- Data on the number of individuals definitively convicted for violating protection orders, as recorded in Romanian courts between 2022 – 2024 – Doc. 5.

The Romanian Police collects data on domestic violence in full compliance with the provisions of Law no. 217/2003 on the prevention and combating of domestic violence, which partially transposed the Council of Europe Convention on preventing and combating violence against women and domestic violence, adopted in Istanbul on May 11, 2011, and ratified by the Romanian Parliament through Law no. 30 of March 17, 2016. The data is centralized at the national level and broken down by counties in the Statistical Situation of Persons and Crimes Related to Law no. 217/2003. We are attaching the statistical situation for 2023-2024, with the following mentions:

- the statistical indicators have been established in accordance with the definitions provided in national legislation, in accordance with Article 3 of Law no. 217/2003, which defines domestic violence as „any action or inaction intended to cause physical, sexual, psychological, economic, social, spiritual, or cyber violence that occurs in the family or domestic environment, between spouses or former spouses, or between current or former partners, regardless of whether the abuser lives or has lived with the victim”.
- in the light of this legal definition of domestic violence, statistical data is available for indicators referring to violence against women (female victims, both adults and minors) and domestic violence (criminal acts committed in the family or domestic environment).
- additionally, the statistical system of the Romanian Police includes statistical indicators regarding protection measures ordered through provisional protection orders, measures ordered through protection orders, as well as information about the perpetrators/victims related to protection orders, (male and female victims, adults and minors, for both protection orders and provisional protection orders issued).

As regards the questions in the questionnaire that were not answered, please note that the information is not available in the statistical data on criminal records and there is no possibility of extracting such data.

APPENDIX

Table 1: Initial training (education or professional training)

Please fill in the table and list the professionals (in the area of healthcare, law enforcement, criminal justice, social welfare, education, asylum and migration, media/journalism and support services) which have received initial training on violence against women. Please place each category of professional in a separate line.

Professionals	Do they benefit from initial training on violence against women and domestic violence?	Is this training mandatory?	Are training efforts supported by guidelines and protocols?	Who funds the training ?	Please describe the content and the duration of the training
R.MAI Series of students 2022 – April 2023 = 1602 graduates	Yes	Yes	Yes	State budget	See the above comments from art. 14 of the Istanbul Convention
Series of students January - November 2023 = 1608 graduates	Yes	Yes	Yes	State budget	
Series of students July 2023 – April 2024 = 918 graduates	Yes	Yes	Yes	State budget	
Series of students February – December 2024 = 1579 graduates	Yes	Yes	Yes	State budget	
Series of students July 2024 – June 2025 = 1455 graduates	Yes	Yes	Yes	State budget	
Series of students January – December 2025 = 1619 graduates	Yes	Yes	Yes	State budget	
TOTAL: 8781 students					
MAGISTRATES					
Judicial trainees (future judges and prosecutors) – 1060 a total number in the reference period	Yes	Yes	Training activities are carried out by NIM trainers (judges,	NIM budget, part of the	During the annual initial training programs, the issue of domestic violence crimes is

			prosecutors, psychologists) and are supported by materials developed by the trainers, based on their expertise in the specialization field	national budget	addressed in the training sessions (seminars and conferences) allocated to criminal law/criminal procedural law, in the context of analysing crimes against the person, as well as in the training sessions related to the ECHR subject – the Balşan v. Romania case being included in the study curriculum of this subject. In addition, the issue of domestic violence is also addressed separately within the Family Law subject. Thus, in the seminars, conferences dedicated exclusively to this topic, aspects regarding the provisional protection order, the appeal filed against it, and the protection order are discussed. Domestic violence is also addressed in other seminars closely related to this subject, such as the seminar on divorce due to the
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					<p>fault of the spouses or the seminar dedicated to parental authority – domestic violence between spouses as a valid reason for ordering the exclusive exercise of judicial authority. Within the social sciences – the "Psychology" subject, judicial trainees benefit from a training activity on the topic "Domestic Violence," in which aspects regarding its causes, types of domestic violence, and their specificities from a psychological perspective are addressed.</p>
<p>NAATIP Total of :175 training sessions in 2024</p>	<p>Trainings dedicated to the identification of a victims based on preliminary indicators of vulnerability/exploitation, promoting a victim centered approach/victimological perspective</p>	<p>Upon request and identified needs</p>	<p>Yes</p>	<p>Dependi ng on activity</p>	<p>Depending on the target group and activity purpose, it can last from 1-1,5/2 h per training session, during a one day or a couple of days dedicated to training activities</p>
<p>ANES facilitated training for healthcare professionals</p>	<p>No</p>	<p>No</p>	<p>Yes</p>	<p>WHO, UNFPA</p>	<p>First line response on intimate partner violence/sexual violence</p>

160 pers. during 2023 102 pers. during 2024					
ANES facilitated training for 133 (2024) + 55 (2023) social welfare professionals	No	No	Yes	UN Interagency Working Group	First line response on intimate partner violence/sexual violence
ANES facilitated training for 250 law enforcement professionals working on combating domestic violence	No	No	Yes (within the project "Support for the implementation of the Istanbul Convention in Romania")	Norwegian Grant	Gender equality principles, national legal framework, Istanbul convention provisions, measures for preventing and combating violence against women

CONTINUOUS TRAINING IN PROFESSIONAL DEVELOPMENT CENTERS

Professionals	Number of professionals trained	Is this training mandatory?	Frequency	Training efforts supported by guidelines and protocols	Please describe the content and the duration of the training
Career initiation course Series: 13.03 – 23.06.2023	262 students	Yes	Once	Yes	See above comments from art. 15 of the Istanbul Convention
Career initiation course Series: 26.06 – 29.09.2023	268 students	Yes	Once	Yes	

Professional capacity course 10 series: January-March 2023	429 students	Yes	Once	Yes	
Training session in "Electronic Monitoring in Judicial and Penal Execution Procedures" 4 series, April-July 2023	79 students	Yes	Once	Yes	
Career initiation course Module I - 12.06-23.06.2023, Module II - 02.10.2023 – 15.12.2023, 08.01-26.01.2024	284 students	Yes	Once	Yes	
Career initiation course Module I - 12.06-23.06.2023, Module II - 07.05-14.08.2024	323 students	Yes	Once	Yes	
Career initiation course for police agents (dog handlers) 26.08 – 20.11.2024	53 students	Yes	Once	Yes	
Professional capacity course 10 series, January-March 2024	512 students	Yes	Once	Yes	
Course for changing specialty/work profile 5 series, April-November 2024 01-12.04.2024, 19-30.08.2024, 02-13.09.2024, 14-25.10.2024, 04-15.11.2024	677 students	Yes	Once	Yes	
Training session in "Electronic Monitoring in Judicial and Penal Execution Procedures" 3	46 students	Yes	Once	Yes	

series, February-April 2024					
TOTAL: 2933 students					

Table 2: In-service training

Please fill in the table and list the professionals (in the area of healthcare, law enforcement, criminal justice, social welfare, education, asylum and migration, media/journalism and support services) which receive in-service training on violence against women. Please place each category of professional in a separate line.

Professionals	Number of professionals trained	Is this training mandatory?	Frequency	Training efforts supported by guidelines and protocols	Please describe the content and duration of the training
MJ	2020: 59	Continuous training is a right and an obligation for each judge and prosecutor, according to the law	One training session at least every 3 years	detailed descriptions - Article 14: Training of professionals – Ministry of Justice	
Judges	2021: 84				
	2022: 188				
	2023: 205				
	2024: 68				
Prosecutors	2020: 39				
	2021: 123				
	2022: 295				
	2023: 148				
	2024: 39				
Others	2020: 15				
	2021: 41				
	2022: 48				
	2023: 60				
	2024: 24				
R. MAI 2022					
Police Officers – Rural Section Chiefs	48	Yes	-	Yes	Content: Domestic Violence Case Management

					and Electronic Monitoring of Provisional Protection Orders and Domestic Violence Protection Orders Duration: 5 days
Police Officers – Public Order and Transport	80	Yes	-	Yes	Content: Electronic Monitoring of Provisional Protection Orders and Domestic Violence Protection Orders Duration: 2 days
Police Officers – Public Order Officers	34	Yes	-	Yes	Content: Domestic Violence Case Management and Electronic Monitoring of Provisional Protection Orders and Domestic Violence Protection Orders Duration: 5 days
Public Order Police – Bucharest, Iași, Vrancea, and Mureș	1916	Yes	-	Yes	Content: Electronic Monitoring of Provisional Protection Orders and Domestic Violence Protection Orders Duration: 1 day

2023					
Public Order Police – Leadership Positions	46	Yes	-	Yes	Content: Domestic Violence Case Management and Electronic Monitoring of Provisional Protection Orders and Domestic Violence Protection Orders Duration: 5 days
Newly Appointed Public Order Police Officers	800	Yes	-	Yes	Content: Domestic Violence Case Management and Monitoring Compliance with Provisional Protection Orders and Protection Orders Duration: 3 days
Public Order Police – 20 I.P.J. Phase II SIME	1731	Yes	-	Yes	Content: Electronic Monitoring of Provisional Protection Orders and Domestic Violence Protection Orders Duration: 1 day
ANES					
Members of mobile intervention teams in cases of domestic violence	2.604	NO	-	YES, developed under the project VERA	Content: Relationships and roles within the multidisciplinary

				<p>– Positive change through integrated action in turbulent times!</p>	<p>team, safety and safety planning for the victim and children, forms of domestic violence, the mobile team, methods and intervention techniques, principles and competencies, safety and resilience of practitioners, institutions involved in the prevention and combating of domestic violence, and inter-institutional collaboration. A culturally sensitive and non-discriminatory approach is essential to support Roma women experiencing domestic violence, by understanding their specific context, challenging harmful stereotypes, and creating a safe and supportive environment for seeking help. specialists within departments responsible for</p>
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					combating domestic violence Duration: 2 day
Specialists within departments responsible for combating domestic violence	98	NO	-	YES, developed under the project VERA – Positive change through integrated action in turbulent times!	Content: The content includes practical resources for assessing risk and ensuring the safety of victims of domestic violence, supporting collaboration between services, informing victims about protection measures, and guiding them toward appropriate local or county-level social services, with particular attention to the specific challenges faced by Roma women affected by domestic and gender-based violence. Duration: 2 day
Legal advisors within social assistance departments	200	NO	-	YES, developed under the project VERA – Positive change through integrated action in	Content: The text underlines the importance of ensuring effective support measures for women in general and the specific measures needed for Roma

				turbulent times!	women victims of domestic violence, underlining the need for clear guidance on legal procedures, access to competent courts and assistance in preparing the necessary applications for public legal aid, given their frequent marginalization and limited access to information. Duration: 2 day
Judges	13	NO	-	YES, developed under the “VioGen RoJust” project	Communication with victims, Consent to sexual acts, Judgments of the European Court of Human Rights, Protection orders and breaches thereof, Criminal offences, protective measures, and specific evidentiary standards. Duration: 5 days
Prosecutors	103	NO	-	YES, developed under the “VioGen RoJust” project	Confirmation of the Provision Protection Order and mechanisms and measures proposed and piloted through the project Communication with victims;

					Consent; Criminal offences, protective measures, and specific evidentiary standards; Judgments of the European Court of Human Rights Duration: 5 days
Lawyers	287	NO	-	YES, developed under the “VioGen RoJust” project	Distinctions between civil and criminal procedures; ECHR standards in domestic and sexual violence cases; Legal considerations regarding gender equality and equal treatment; Victims’ rights in criminal proceedings, including notification upon release or escape of the offender; Protective measures and victim assistance under Law no. 211/2004; Legal aid and financial compensation. Duration: 5 days
Public Order Police	508	NO	-	YES, developed under the “VioGen	Content: Domestic violence: legal framework and key terminology,

				RoJust” project	discrimination, communication with victims, and Domestic Violence Protection Orders. Duration: 2 days
2024					
Public Order Police – Leadership Positions	35	Yes	-	Yes	Content: Domestic Violence Case Management and Electronic Monitoring of Provisional Protection Orders and Domestic Violence Protection Orders Duration: 5 days
Public Order Police – 18 I.P.J. Phase III SIME	1900	Yes	-	Yes	Content: Electronic Monitoring of Provisional Protection Orders and Domestic Violence Protection Orders Duration: 1 day
Public Order Police	52	Yes	-	Yes	Content: Domestic Violence Case Management and Electronic Monitoring of Provisional Protection Orders and Domestic

					Violence Protection Orders Duration: 1 day
NAAITP A total of 175 training sessions in 2024, dedicated to a wide range of actors such as: law enforcement, social assistance workers, psychologists, nurses and medical staff, priests, teachers and school/educational counselors, security guards, employees of hotel units (receptions, room-service), volunteers from various projects, festivals, and so on.	6,827 representatives of different socio-professional categories who enter/may come into contact with victims of human trafficking	Upon request and identified needs	Constant/frequent training programmes with different professionals	Yes	Depending on the target group and activity purpose, it can last from 1-1,5/2 h per training session, during a one day or a couple of days dedicated to training activities
ANES					
Police officers, social workers, prosecutors, legal advisors	360	NO	-	YES, developed under the project VERA – Positive change through integrated action in turbulent times!	Content: The sessions covered topics such as relationships and roles, the concepts of gender-based and domestic violence, the cycle and types of domestic violence, common myths, and reasons victims remain in abusive situations. Emphasis was placed on a victim-centered approach and

					<p>integrating the victim into case management, including steps like identification, reporting, initial and comprehensive assessments, planning specialized services, multidisciplinary interventions, and ongoing monitoring and reassessment. The process concluded with post-service follow-up and case closure. Legal aspects were also addressed, including protection orders, provisional protection orders, electronic bracelets, and criminal complaints.</p> <p>Duration: 1 day</p>
Specialists within departments responsible for combating domestic violence	755	NO		YES, developed under the "VioGen RoJust" project	<p>Content: Domestic violence: legal framework and key terminology, discrimination, communication with victims, and Domestic Violence</p>

					Protection Orders. Duration: 2 days
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List of abbreviations

National Agency for Equal Opportunities between Women and Men – ANES

General Inspectorate of the Romanian Police – IGPR

Superior Council of Magistracy – CSM

National Institute of Forensic Medicine – INML

General Directorates of Social Assistance and Child Protection GDSACP- DGASPC

National Agency Against Human Trafficking - NAATIP

National Strategy against Trafficking in Persons 2024-2028 – NSATP

National Institute of Magistracy – NIM

The National Authority for the Protection of Children's Rights and Adoption – NAPRCA

National Agency for Social Payments and Inspection – ANPIS

General Inspectorate for Immigration - GII