



RT 4 - Women and Girls: catalyzing to achieve gender equality

Core commitments:

Commitment 1: Empower Women and Girls as change agents and leaders, including by increasing support for local women's groups to participate meaningfully in humanitarian action.

The new integrated National Strategy for promoting Equal Opportunities between Women and Men and Preventing and Combating Violence against women for the period of 2018-2021 includes measures regarding gender balanced participation in the decision process.

In this respect National Agency for Equal Opportunities between Women and Men conducts several actions in order to ensure the support of equal participation of women and men in decision making:

- Performing analyzes on the balanced participation of women and men in decision-making positions in the central public administration;
- analysis on the participation of women and men in the presidential/local/parliamentary election process;
- Supporting initiatives to adopt affirmative measures to increase the number of women in the political or economic decision-making process;
- Developing initiatives to adopt affirmative measures to increase the number of women in operations and missions at all levels of the armed forces;
- Organizing campaigns to raise awareness about the importance of women's presence in the management of listed companies at the Bucharest Stock Exchange;
- Organizing information/training sessions to increase women's participation in political, public and private decision making.

According to the analyzes elaborated by the National Agency for Equal Opportunities between Women and Men regarding the participation of women and men in the political decision-making process, at the parliamentary elections held at the ending of 2016, the presence of women in the Romanian Parliament was 20,9% out of 12% in 2012.

Starting 2016, two legislative amendments for the law regarding local and parliamentary elections, stated a minimum gender quota of 30% for both women and men, as a condition for validating lists of candidates for parliamentary / local elections. In the local elections in 2016, the women elected percentage was approx. 4.5% of the mayor, higher than the one in 2012 of 3.6%.

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Based on the provisions of Law 202/2002, Article 21, Central and local public and civilian institutions, civil and military, economic and social units, political parties, employers' and trade union organizations and other non-profit entities, women and men in leadership and decision-making and take the necessary measures to ensure balanced participation of women and men in leadership and decision-making.

These provisions also apply to the nomination of members and / or participants in any council, expert group and other managerial and / or advisory structures.

Also according to the law no.202/2002, in all territorial administrative units of Romania (42 counties and Bucharest), there are organized County Commissions for Equal Opportunities between Women and Men (COJES), as informative and advisory structures, having as a main responsibility the promotion and implementation at local level the values and principles of non-discrimination based on sex..

Commitment 3: Implement a coordinated global approach to prevent and respond to gender-based violence in crisis context, including through the Call to Action on Protection from Gender based Violence in Emergencies

Legislative Changes

By Law 30/2016, Romania has ratified the Istanbul Convention and at the moment the harmonization of internal legislation with the provisions of the Istanbul Convention was achieved by the adoption of Law no. 174/2018 regarding the amendment and completion of the Law no. 217/2003 on preventing and combating domestic violence, republished. Through the new legal provisions, we aim to support domestic violence victims through an immediate and coherent intervention by all responsible actors and, at the same time, to increase the level of trust of victims in the authorities' ability to intervene.

From the perspective of the implementation of the Istanbul Convention, the new legislative regulations shows interest in preventing and combating domestic violence as follows:

A Provisional Protection Order (OPP), a tool in administrative matters, which will allow the policeman to intervene quickly to protect the victim and to remove the perpetrator immediately (Article 52 of the Convention), it is regulated as a central pillar.

Victims of domestic violence need to be aware that this measure will be applied in imminent danger situations for their health and safety, and it is a different measure than the Protection Order (PO) that is known and regulated by law since 2012.

In other words, PPO is a complementary PO tool, which is issued by the police, immediately, with a validity of 5 days, with the possibility of extension until the PO issuance.

After the issuance by the police officer, POP will be confirmed by the prosecutor on the basis of statements and testimony collected by the police officer. Subsequently, the prosecutor has the obligation to transmit the PPO together with all the evidence of the case file to the judge, who will pronounce by issuing a PO.

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Under the current regulation, the policeman will have the right and duty to travel to the victim's home, enter his home, and issue a PPO in order to immediately remove the aggressor, even if he is the owner of the property.

PPO will be issued on the basis of a Risk Sheet through which the police officer will determine the degree of risk based on the on-site assessment.

If the risk is increased for the victim, the policeman will issue a PPO through which the following measures may be disposed for the abuser: Home evacuation with the prohibition to return throughout the PPO, setting a minimum distance from victim's (home, workplace, and school, as appropriate), confiscation of keys, weapons.

PPO as well as the PO will be monitored by the police officers, the non-observance of the measures disposed by the two instruments constituting an offense, for which the imprisonment is foreseen from 1 month to 1 year.

In the monitoring process, the policeman will make permanent checks to comply with the measures imposed on the aggressor (home visits, gathering information from neighbours, victim service, and school, as the case may be).

After the PPO is issued, the policeman will ensure that the rights of the aggressor are respected through measures aimed at correctly informing about PPP and also guidance to a specialized social service for hosting and counselling. At the same time, the possibility of monitoring PO and PPO through an electronic system is regulated for the first time.

Other important provisions in the field of domestic violence prevention and victim protection:

- the law provides that under no circumstances habit, culture, religion, tradition or so-called "honour" can be considered justification for any type of violence against women and men (Article 42 , art. 121, paragraph (5) of the Convention),
- The field of social services for victims and domestic violence aggressors has been expanded by regulating: services such as emergency hotlines, integrated emergency services for victims of sexual violence and protected sheltered that can provide victims of domestic violence the transition to an independent living.

In the coming years, according to the Governance Program 2017-2020, the implementation of the measures foreseen in section 8 Respect and dignity for women will be achieved through two specific projects funded under the Human Capital Operational Program and the Norwegian Financial Mechanism, and in this respect, there two project sheets are in different stages of development through which the following social services will be set up:

- A national innovative protected housing network for domestic violence victims (42), support groups (42), vocational counseling (42) - as an integral part of a National Program for the Protection of Domestic Violence Victims that will be approved by the Government of Romania,
- 8 assistance centers for aggressors, at the local level,
- 10 crisis centers for rape situations in Emergency Hospitals.

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- In order to increase the effectiveness of the application of the provisional protection order and the protection order, there were introduced preventive and monitoring measures which can be ordered by the police, such as: making unexpected visits to the victim's home; phone call control of the victim / aggressor; information from the neighbours, workplace colleagues of the victim / aggressor, from the victim's / aggressor's school or other people who could provide relevant information, including the possibility of using electronic devices to monitor the aggressor.
- In the case of issuing the protection order, the court may also dispose that the aggressor to undergo psychological counselling, psychotherapy and may recommend voluntary hospitalization or, as the case may be, request involuntary hospitalization under the Law on mental health and the protection of persons with mental disorders. 487/2002, republished. If the aggressor is a consumer of psychoactive substances, the court may order, with his consent, his integration into a program of assistance for drug users, according to art. 22 of Law no. 143/2000 on the preventing and combating of illicit drug trafficking and consumption, republished, as subsequently amended and supplemented.
- In dealing with divorce cases in which one of the partners has committed domestic violence acts, the competent courts may, on their own initiative or at the express request of the other spouse, order the aggressor, the measure to participate in special psychological counselling programs organized by public or private specialist services.
- in the teaching material there will be included important subjects such as gender equality, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity, all this adapted to the evolving ability of students, in the formal curriculum and at all levels of education,
- It has been regulated the obligation of the local public administration authorities to establish in public partnership or public-private partnership social services in order to prevent and combat domestic violence and also to support their functioning.
- Local public administration authorities have the obligation to set up integrated intervention teams and to regulate risk assessment measures in cases of domestic violence. They also need to take action to really know the phenomenon and to allocate a budget appropriate to the needs of the beneficiaries, and, otherwise, contravening fines could be applied for non-observance of the obligation to set up intersectorial teams and the creation and operation of the necessary social services in a geographical distribution appropriate to identified needs.

Regarding the continuous efforts to prevent and reduce the phenomenon of domestic violence, we consider that the norms, methodologies and working procedures, the development of which all actors responsible in the field actively participate, will have a great importance for ensuring the future application of the provisions and in diminishing the phenomenon.

To this end, in August 2018, an Interinstitutional Working Group for the elaboration of normative acts at secondary and tertiary level was established.

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These legislative measures will be matched by training programs for all specialists in the field (judges, prosecutors, policemen, social workers, public or private social service providers, etc.) that will contribute in order to empower these categories of professionals, improving their perception and the intervention of the responsible authorities in relation to the victims of domestic violence and also will increase the confidence of the victims in the effectiveness of prevention and protection measures.

Protection of Victims of Crime: In order to transpose Directive 2012/29 / EU laying down minimum rules on the rights, support and protection of victims of crime, a draft law on amending and completing the Law no. 211/2004 on certain measures for the protection of victims of crime, has been elaborated. The project proposes the establishment of services to support the victims of crime within the Directorate General for Social Assistance and Child Protection, at departmental level, with specialists in the field: social assistance, psychology, legal sciences, according to art. 8 and art. 9 of the Directive.

Consideration was given to the need of creating appropriate support services for victims of crime, from the perspective of their integration into the category of persons in need and the prerogatives of the state provided by Art. 2 of the Law no. 292/2011 on the social assistance system, preventing, limiting or removing the temporary or permanent effects of situations that may lead to marginalization or social exclusion of the person or family.

Support services for victims of crime, newly introduced by this draft law are: information services, counselling on the risks of secondary or repeat victimization, intimidation and revenge, advice on financial matters and practical follow - up to crime, social insertion / reintegration services, emotional and social support in order to facilitate social reintegration, information and counselling on the role of the victim in criminal proceedings, including preparation for participation in the trial, as well as guiding the victim to medical services, employment services, education when is the case.

Policy Changes

National Strategy on Promoting Gender Equality and Preventing and Combating Domestic Violence for the Period 2018-2021.

The general and specific objectives of this strategy are:

- developing the capacity of local public administration authorities to intervene in the preventing and combating of domestic violence cases;
- the implementation at national level of the integrated Information System for registration, reporting and management of domestic violence cases;
- increasing efficiency in combating domestic violence crimes;
- Stimulating the institutions with attributions in the field of preventing and combating domestic violence in order to develop, in partnership actions of prevention of the domestic violence phenomenon;
- continuous professional training of specialists working in the field of domestic violence (social worker, police officer, doctor / forensic doctor, psychologist, prosecutor, judge);
- rehabilitation of the victim and / or the domestic aggressor who has been subjected to criminal proceedings in criminal matters and against whom non-custodial measures or

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punishments have been pronounced through integrated and complementary activities, information, counselling, psychotherapy and other therapies in order to increase the autonomy and awareness of the social value of the individual, the development of responsibility and the regaining of social skills;

- continuing the funding process for the establishment of new units for preventing and combating domestic violence.

Other activities

In order to provide financial support for the development of all working tools and instruments for the implementation of primary legislation, ANES has developed a number of projects that are currently in different stages:

- The predefined project "Support for the implementation of the Istanbul Convention in Romania", which aims to facilitate the implementation of the Istanbul Convention under the Justice Program financed by the Kingdom of Norway through the Norwegian Financial Mechanism for 2014-2021 (under the Memorandum of Understanding on the implementation of the Norwegian Financial Mechanism 2014-2021 between the Kingdom of Norway and the Government of Romania dated 13.10.2016). The pre-defined 36-month implementation project will have a total value of € 2.5 million, and one of the main activities will be focused on the development of at least 10 rape centers and 8 help centres for aggressors at the local level, coupled with the elaboration of working procedures and specialized intervention programs for aggressors in order to prevent the relapse of domestic violence acts.

- The VENUS project for combating violence against women and domestic violence will last for 4 years, and it will be funded by European funds (POCU) and is worth 11 million euros. The project aims to develop measures focused on the integrated and unitary approach of social services in order to create and develop an integrated, national network of protected houses, support groups and vocational counselling for victims of domestic violence. In this regard, the creation of a national network of 42 sheltered that will provide hosting, information, counselling and support services in order to achieve the transfer to active, independent living and social rehabilitation and also reintegration of women victims of domestic violence.

ANES together with the National Authority for Disabled Persons and Active Watch implement the Justice has no gender project within the framework of DG Justice's call for action "Actions to support national information, awareness-raising and education activities aimed at preventing and combating violence against women ". The EUR 179,692.80 project aims to raise awareness among high school teachers and students about gender-based violence in schools, with an emphasis on gender based violence (including sexual violence and violence against girls and women with disabilities) and gender equality through the development of educational activities.

Multi-sectoral services, programs and mechanisms

At national level, there is a Free Telephone Line for Victims of Domestic Violence, a social service set up in accordance with the provisions of Art. 24 of the Istanbul Convention, with continuous program, 24 h / 24h, 7 days / 7 days.

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The free telephone line for victims of domestic violence, namely the unique number 0800 500 333, is served by a number of 5 operators whose salaries are provided by ANES.

Through the partnership with the ANAIS Association, operators benefit from monthly supervision and legal assistance from a lawyer.

Romania has a national emergency telephone line for women starting with November 27, 2015 and is one of the 10 EU Member States (referring to 28 MS) who have National Hotline for Women - Helpline, which are both free and non-stop -24/7.

At this unique number victims of domestic violence, as well as potential witnesses or other persons who are aware of violence of this kind and who need support, information and counselling, can make free calls both on the Romanian territory and abroad.

Beneficiaries receive primary counselling of psychological and social assistance, guidance and guidance to specialized institutions / services according to detailed needs.

Since the establishment of the emergency telephone number 0800 500 333 (27.11.2015) until the end of the first quarter of 2018, a total of 5070 calls have been recorded.

Managing calls received through the call-center emergency telephone line or cases is done on the basis of an operational procedure approved at ANES level, setting out a set of standards, rules and steps that are followed by all call operators centers with a view to achieving a uniform and coherent response and call resolution framework.

In order to analyze the aggression severity, there is a risk assessment sheet developed as a tool for guiding and evaluating the level of aggression.

In April 2015-April 2017, the project "National Campaign for Awareness and Public Information on Violence in Families" was carried out through the RO20 Program "Domestic Violence and Gender-Based Violence" financed by the Norwegian Financial Mechanism 2009-2014. The campaign was designed to ensure broad coverage, focusing on the existence and usefulness of the free telephone line dedicated to combating domestic violence, 0800 500 333 as a public information tool.

From the perspective of the provisions of art. 5 lit. b) of the CEDAW and Article 25 of the Istanbul Convention, sexual violence remains a constant of ANES priorities, this concern being also present in the Governance Program 2017-2020 by the measure aimed at setting up 10 crisis centers for the situations of rape. In this regard, the integrated approach is taken into account by providing medical and forensic examination, post-traumatic assistance and counseling to victims of sexual violence, and by setting up at UPU at least 8 integrated emergency centers with medical staff specialized in dealing with Victims of Sexual Violence under the Governance Program 2017-2020). At the request of ANES, the Superior Council of Forensic Medicine approved by the Decision No. 18/2017 on "Standard kit for collecting biological samples in sexual assaults, putting into practice a kit for the collection of biological samples in cases of sexual violence / rape. This regulation creates the possibility for GPU doctors (emergency physicians, gynecologists) to take samples according to a standard procedure using the standard kit and to manage from the perspective of forensic harvesting, the cases of rape.

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In this context, on November 26, 2018, the National Agency for Equal Opportunities for Women and Men in partnership with the Bucharest University Emergency Hospital and the Ministry of Health launched the Pilot Crisis Center for Rape Situations.

Through this approach, we intended to send a substantive message at the start of the Campaign "16 Days of Activism Against Gender-Based Violence", the Pilot Project being the starting point for replicating this type of integrated support service at national level by creating 10 crisis centers for rape in the 8 development regions.

ANES actively participates annually in the initial and ongoing training of police officers through a constant partnership with the Institute for Public Order Studies focusing on two training modules addressing domestic violence and gender equality. Within these training programs the focus moves on the practical side by proposing case studies and exercises.

Order on the Approval of Minimum Quality Standards for Accreditation of Social Services for the Preventing and Combating Domestic Violence was elaborated in order to make the activity of social service providers more efficient (set of 6 Minimum Quality Standards for Types of Social Services existing, simplified and up-to-date). The Draft Order is currently being updated and regulates the minimum quality standards for accrediting the following social services: Emergency Reception Centers (shelters), Recovery Centers for Victims of Domestic Violence; Protected shelters, Counseling Centers for Preventing and Combating Domestic Violence, Assistance Centers for Aggressors, Information and Population Awareness Centers.

The Romanian Government has become aware of the importance of the interinstitutional cooperation and civil society involvement, and from this perspective, on October 5, 2016, the Inter-Ministerial Committee for the Preventing and Combating Domestic Violence was created by approving a Memorandum (in response to Art. 10 of the Istanbul Convention), as a body which must ensure the implementation of the Istanbul Convention through the cooperation of all relevant actors in the field.

Commitment 5: Fully comply with humanitarian policies, frameworks and legally binding documents related to gender equality, women's empowerment, and women's rights.

From an institutional point of view, there is currently a stable institutional mechanism, namely the National Agency for Equal Opportunities between Women and Men (ANES), which acts as a national integrating body in the two areas of reference: equal opportunities and treatment between women and men and the prevention and combating of domestic violence, capable of developing effective policies and programs and addressing the challenges and complex vulnerabilities accumulated and generated throughout the time, both in the field of equal opportunities and in the prevention and combating of domestic violence.

In exercising its function of state authority in the two areas of competence, ANES ensures the coordination of the implementation of the two key programmatic documents: the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Istanbul Convention.

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Regarding the mechanisms of collaboration existing at national level, according to the Law no. 202/2002 on equal opportunities and treatment between women and men, republished, the National Commission for the Equal Opportunities between Women and Men (CONES) is working under the coordination of the ANES State Secretary. This Commission is composed of representatives of ministries and other specialized bodies of the central public administration subordinated to the Government or autonomous administrative authorities, trade union organizations and employers' associations represented at national level, as well as representatives of non-governmental organizations, with an activity recognized in this domain, designated by consensus.

CONES has the role to support the activities carried out by ANES, playing an important role in introducing the gender perspective into the policies and programs developed at each level of activity.

The Romanian Government has become aware of the importance of interinstitutional cooperation and the involvement of both civil society and so, from this perspective, on the 5th of October 2016, the Inter-Ministerial Committee for the Prevention and Combat of Domestic Violence was created by approving a Memorandum (in response to the Article 10 of the Istanbul Convention), as a body which must ensure the implementation of the Istanbul Convention through the co-operation of all relevant actors in the field.

The dialogue with civil society representatives has registered a high level of openness and active collaboration, and from this perspective, 17 protocols of collaboration have been signed with NGOs active in the field of gender equality and the prevention and combating of domestic violence.