

**Annex** to the National report submitted by Romania in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\*

***Endnotes to the national Report***

3.

| Acronym | Institution  |
|---------|--|
| ANABI   | National Agency for the Management of Seized Assets                            |
| CoE     | Council of Europe  |
| COM     | The European Commission  |
| CVM     | Cooperation and Verification Mechanism   |
| DGASPC  | General Directorates for Social Assistance and Child Protection                |
| DIR     | Department for Interethnic Relations   |
| ECJ     | Court of Justice of the European Union   |
| EU      | European Union   |
| MoC     | Ministry of Culture  |
| MoDPWA  | Ministry of Development, Public Works and Administration                       |
| MoE     | Ministry of Education  |
| MoH     | Ministry of Health   |
| MoIA    | Ministry of Internal Affairs   |
| MoIEP   | Ministry of Investments and European Projects                                  |
| MoJ     | Ministry of Justice  |
| MoLSS   | Ministry of Labour and Social Solidarity                                       |
| NAC     | National Audio-Visual Council  |
| NAD     | National Anti-corruption Directorate   |
| NAE     | National Agency for Employment   |
| NAEO    | National Agency for Equal Opportunities  |
| NAPRCA  | National Authority for the Protection for the Rights of the Child and Adoption |
| NAR     | National Agency for Roma   |
| NAS     | National Anticorruption Strategy   |
| NATIP   | National Agency Against Trafficking in Persons                                 |
| NCCD    | National Council for Combating Discrimination                                  |
| NIM     | National Institute for Magistracy  |
| NRRP    | National Recovery and Resilience Plan  |
| POHCCJ  | Prosecutor's Office attached to the High Court of Cassation and Justice        |
| RIHR    | Romanian Institute for Human Rights  |
| SCM     | Superior Council of Magistracy   |
| SNIR    | Strategy for the inclusion of Romanian citizens belonging to the Roma minority |

4. Examples of online messages include the marking of the International Roma Day (by generating some topics for discussions in our society where the speech motivated by hatred against some social categories and ethnic communities, including the Roma community, had a growing tendency in last period).

DIR continues to work on the *Compendium of good practices regarding addressing, preventing and combating the phenomenon of hate speech*. At the beginning of 2023, DIR is planning to organize the conference to present the Compendium, a thematic session aimed at identifying the most opportune mechanisms to prevent and combat hate speech.

DIR developed and submitted the project proposal entitled Youth Matter – Enhancing youth participation in the strengthening of effective implementation of policies addressing discrimination, xenophobia and hate

speech, within the Technical Assistance Instrument 2023 Flagship technical support project on PACE - Public Administration Cooperation Exchange developed by DG REFORM – EC.

5. The Strategy is accompanied by a dedicated Action Plan on *Combating discrimination, hate speech and anti-Roma attitude or racially motivated hate crimes*, with 10 action directions, with a set of concrete measures, indicators and institutions responsible with their implementation:

1. Combating hate speech and Anti-Roma attitudes generating racially motivated hate speech or racially hate crimes;
2. Public Information-Awareness on Anti-Roma attitudes generating racially motivated hate speech;
3. Analysis of the sanctioning cases in the field of combating racially motivated hate speech with potential of generating hate crimes;
4. Continuous training for law enforcers in the field of anti-Roma racism;
5. Creating and disseminating educational resources in the field of prevention and combating anti-Roma attitudes for both public and private employers;
6. Organising of training courses for civil servants and employees in the public administration in the field of prevention and combating discrimination;
7. Analysis of the use of anti-discrimination legislation in exam reading lists or continuous training courses for the public administration employees;
8. Information and awareness in public administration realising public services in the fields of education, health, employment, housing.
9. Mainstreaming the anti-discrimination legislation into internal by-laws and regulations of the public and private employers of elements of racial discrimination, multiple discrimination, intersectional discrimination.
10. Creation of a tool for dissemination of best practices of public and private employers in the field of combating racial discrimination, multiple discrimination and intersectional discrimination.

The action plan is implemented by the Romania's Equality Body (NCCD) in partnership with NAR, DIR, MoIA, Labour Inspection, other line ministries and public authorities, Trade Chambers, Business associations, trade unions and interested NGOs.

6. For an extensive statistical information on complaints disaggregated by discrimination, scope, grounds, and other relevant elements addressed by the NCCD and outcomes of decisions finding a breach of the law against discrimination and fines imposed by the NCCD, see the NCCD Annual Reports (2021, available at <https://www.CNCD.ro/wp-content/uploads/2022/06/Activity-report-CNCD-2021-EN-.pdf>; 2020, available at <https://www.CNCD.ro/wp-content/uploads/2021/06/Raport-de-activitate-CNCD-2020-EN.pdf>; 2019, available at <https://www.CNCD.ro/wp-content/uploads/2021/01/activity-report-CNCD-2019.pdf> and 2018, available in Romanian at [https://www.CNCD.ro/wp-content/uploads/2020/12/Raport\\_de\\_activitate\\_CNCD\\_2018.pdf](https://www.CNCD.ro/wp-content/uploads/2020/12/Raport_de_activitate_CNCD_2018.pdf)

The number of complaints about discrimination on the grounds of sexual orientation including gender identity remains relatively low compared to other criteria. As such, the number of decisions finding a violation of the non-discrimination legislation based on this ground, as compare to ethnic origin (Roma) or national origin is also lower.

| <b><i>Finding of discrimination based on:</i></b> | <b><i>2018</i></b> | <b><i>2019</i></b> | <b><i>2020</i></b> | <b><i>2021</i></b> |
|---|--------------------|--------------------|--------------------|--------------------|
| Ethnic origin (Roma) /rasial origin               | 9                  | 22                 | 30                 | 17                 |
| national origin                                   | 12                 | 29                 | 27                 | 22                 |
| sexual orientation                                | 13                 | 13                 | 11                 | 11                 |

In 2022, 13 complaints on discrimination based were addressed to the CNCD. The most recent complaints to the CNCD regarding discrimination on the basis of sexual orientation have raised issues of achieving personal dignity through statements, statements or expressions made through various means of communication, including the media, radio, social networks, carried out, for example, in virtual, private

spaces (e.g. groups within social networks or communication applications) or public spaces. In general, no complaints of discrimination based on sexual orientation were addressed to the CNCD, which raised facts of violence motivated by sexual orientation in conjunction with acts of incitement to hatred.

8. Some of the most important preventive actions in 2018 – 2022 period include:

- Three national prevention campaigns within the "Reducing the amplitude of trafficking in persons through better information of citizens" project, financed through the Internal Security Fund – Police Cooperation Component. The campaigns were carried out in partnership with: the Ministry of Foreign Affairs, the MoE, the Ministry for Romanians Abroad, eLiberare Association, AIDRom Association, World Vision Foundation and INCA Romania Association and addressed the main forms of exploitation

- "Know your rights! Respect your duties!" – a national campaign aimed at preventing trafficking in persons for forced labour.

9. As regards juvenile defendants (7), in 2021 the courts ordered the following educational measures: detention in a detention centre - 8 years; educational measure of placement in an educational centre - 2 years and 6 months; educational measure of daily attendance - 6 months; educational measure of supervision - 6 months;

Three defendants, legal persons, were sentenced to a fine totalling 1,300. 000 lei, fines ordered as follows: one defendant, a legal entity, was sentenced to 250 days fine, the amount corresponding to one day fine being 2000 lei (total 500 000 lei); one defendant, a legal entity, was sentenced to 200 days fine, the amount corresponding to one day fine being 2000 lei (total 400 000 lei); one defendant, a legal person, was sentenced to a fine of 200 days, the amount corresponding to one day's fine being 2000 lei (in total 400 000 lei).

10. A national program called "ORA DE NET" (Net Hour) is implemented by Save the Children and ANAPRCA as one of the major partners. The program has 3 components:

- awareness of the safe Internet,
- helpline - children, teenagers and parents can ask for help or advice when they face a difficult situation online [www.ctrl\\_AJUTOR](http://www.ctrl_AJUTOR) (by phone and online)
- hotline - reporting line [www.esc\\_ABUZ](http://www.esc_ABUZ) offers to its users the possibility to inform the competent authorities about images of child sexual abuse that they may encounter online, while maintaining their anonymity.

Since 2015, [www.esc\\_ABUZ](http://www.esc_ABUZ) has been a member of INHOPE, the global network of helplines to combat the online promotion of child sexual abuse materials.

11. Implemented from 1<sup>st</sup> of January 2021 to 31<sup>st</sup> of December 2022, .it sought to build upon the results of WESTEROS (2018-2020) - *Enhancing the fight against trafficking of human beings and its proceeds through advanced financial investigation*, and facilitate and enhance the exchange of knowledge at strategic, operational and policy level among partners following the most recent trends in the Trafficking in human beings (THB) area. It used the same proven successful partner scheme, connected to the criminal pattern: source, transit and demand country. The structure of the partnership covers the important actors involved in the prevention and combating of THB - *prevention* - the NATIP – (RO), *investigation* – the Belgian Federal Police (BE), *prosecution* – the POHCCJ and the Directorate for **Investigating Organised Crime and Terrorism (DIICOT)** (RO), *trial phase* – Polish judges through **the National School of Judiciary and Public Prosecution**, *recovery of assets* - **the National Agency for the Management of Seized Assets –ANABI** (RO).

To improve the preparedness of the authorities to investigate and trial THB cases, 144 practitioners from 3 EU MS (RO, BE, PL) benefited from specialized trainings in matters related to THB activities: on management of complex THB cases, each session attended by 22 practitioners from RO, BE

and PL (prosecutors, judges, Police officers); on the limits of investigation/prosecution of THB cases, each session attended by 22 practitioners from RO, BE and PL (prosecutors, judges, Police officers); on hearing techniques focused on hearing THB victims, each session attended by 22 practitioners from RO, BE and PL (prosecutors, judges, Police officers; dDrafting Guidelines on hearing techniques of THB victims, a methodology on organizing JOINT DAY type operations and a three-fold collection of judicial practice on THB matters.

To improve the financial investigating capacity of practitioners in the 3 applicant EU MS by providing them with the most recent practical and theoretical developments in the field, training sessions on financial investigation and assets recovery were provided. Each training session was attended by 25 practitioners from RO, BE and PL.

12. Within the " *Family Law* " discipline, 1 conference and 2 seminars are dedicated exclusively to combating domestic violence, in which issues related to the provisional protection order, the appeal filed against it and the protection order are discussed. The topic is also addressed in other seminars, whose object is closely related, such as: the seminar with the theme of divorce due to the fault of the spouses - the possibility of the court to order the participation of the aggressor husband in psychological counselling programs, or the seminar dedicated to parental authority - violence between spouses, as a valid reason for ordering the exclusive exercise of judicial authority. Within the human sciences - the discipline " *Psychology* ", the auditors of justice benefit from a conference with the theme "Domestic Violence", in which issues regarding its causes, the types of domestic violence and their specifics from a psychological perspective are addressed.

13. Social aid, family support allowance, minimum threshold of the child raising indemnity, accommodation allowance (adoption), social benefits for the disabled, monthly placement allowance, aid for refugee.

14. MII will represent the main supporting instrument/program for preventing and combating poverty and the risk of social exclusion, being granted from the State budget, as a difference between the level of benefits regulated by the law and the net income of the family or single person, earned during a certain period of time. The implementation of the Minimum Inclusion Income (MII) is currently postponed.

15. The " Educated Romania " project defines the following ten priority areas: (1) Teaching career and professional pathway, (2) Management and governance of the education system, (3) Financing of the education system, (4) Infrastructure of the education system, (5) Competency-based curriculum and assessment, (6) Quality inclusive education for all children, (7) Functional literacy, (8) Promotion of STEAM education, (9) Digitisation, (10) Resilience. These areas represent the major action tracks to transform the education system and overcome existing challenges.

16. The *Education* component of the PRRN comprises seven reforms, to which a total of 18 investments are associated, aiming to: (1) develop an early childhood education and care system that is unified, supportive inclusive and of quality, capable of improving the access and participation of children aged 0-6 years, based on an effective inter-institutional cooperation and inter-sectoral coordination mechanism; (2) reform compulsory education by increasing school autonomy to prevent and reduce early school leaving, through social inclusion programmes and ensuring equal opportunities; (3) creation of a comprehensive vocational route for higher technical education; (4) realize the digitalization of the education process, including through changes to the legal framework, to enable integrated approaches and improved digital skills for both pupils and teachers; (5) modernise school and university infrastructure in urban and rural areas, including by amending and streamlining the regulatory framework to ensure safety and quality standards that are also environmentally friendly; and (6) reform the governance of the pre-university

education system and professionalize management, with increased autonomy for schools to ensure stability, coherence and competence in their organisation.

18. The project benefits from a loan of €100 million and runs from 2022-2027. The project aims to directly benefit 17,500 pupils and teachers in approximately 55 schools (approximately 95 buildings are targeted) through structural and functional improvements to school infrastructure and classrooms. Through the interventions planned, the beneficiary schools will provide universal access for disabled pupils. It is envisaged that this project can form the basis for further investment in educational infrastructure through other funding sources.

19. The initial assessment form for the situation of violence against children, plan of rehabilitation and social reintegration for the child victim of violence and plan of rehabilitation and social reintegration for the child offender in cases that are not crimes.