



OPEN SOCIETY INSTITUTE  
NETWORK WOMEN'S PROGRAM  
VAW MONITORING PROGRAM

V I O L E N C E  
A G A I N S T  
W O M E N

DOES THE GOVERNMENT CARE  
IN  
ROMANIA?

Country Monitoring Reports  
and Fact Sheets

from  
Central and Eastern Europe,  
the Commonwealth of  
Independent States,  
and Mongolia

2007

*Published by*

OPEN SOCIETY INSTITUTE

Október 6. u. 12.  
H-1051 Budapest  
Hungary

400 West 59th Street  
New York, NY 10019  
USA

© OSI/Network Women's Program,  
Violence against Women (VAW) Monitoring Program 2007  
All rights reserved.



TM and Copyright © Open Society Institute 2007

Október 6. u. 12.  
H-1051 Budapest  
Hungary

*Website*

<[www.soros.org/women](http://www.soros.org/women)>

## Table of Contents

Preface .....	6
1. STATE MECHANISMS OF COMBATING VIOLENCE AGAINST WOMEN .....	11
1.1 National institutions or government bodies responsible for policy coordination and implementation .....	11
1.2 National action plans and other policy documents .....	12
1.3 State monitoring of existing legislation and policies .....	15
1.4 State budget earmarked for combating violence against women .....	15
1.5 State financing system to compensate victims .....	15
1.6 Recommendations of the UN CEDAW Committee to the state and their implementation .....	16
2. LAWS FOR THE PROTECTION OF WOMEN FROM ALL FORMS OF VIOLENCE .....	17
2.1 Laws addressing violence against women or its different forms. Restraining or protection orders .....	17
2.2 Applicable provisions in criminal law .....	21
2.2.1 Criminal offences .....	21
2.2.2 Criminal procedures and prosecution .....	22
2.2.3 Special provisions in the defense of children .....	22
2.3 Applicable provisions in civil and family law for cases of violence against women .....	23
2.4 Victim protection and protection of witnesses .....	23
2.5 Legal assistance and representation for the victims of violence against women .....	24
2.6 Providing information for victims about their rights, obligations, and the services available .....	25
2.7 Mainstreaming women’s safety in laws and regulations of the national, regional, and urban planning .....	25
3. PROFESSIONAL GUIDELINES, PROTOCOLS, AND INTER-AGENCY COOPERATION .....	25
3.1 Professional guidelines and operational protocols for dealing with cases of violence against women .....	25
3.2 Legal regulations of inter-agency cooperation .....	26
3.3 Medium- and long-term coordinated action plans for the different professions .....	27
3.4 Involvement of NGOs and other agencies in drafting laws and shaping policies .....	27

3.5	Leading NGOs working in the field of violence against women in the country .....	28
4.	SPECIAL UNITS IN THE LAW ENFORCEMENT OFFICES ....	28
5.	AVAILABLE SERVICES .....	28
5.1	Shelters .....	28
5.2	Hotlines .....	33
5.3	Crisis intervention centers .....	34
5.4	Intervention programs for the perpetrators .....	35
5.5	Other victim support services .....	35
6.	EDUCATION AND TRAINING .....	35
6.1	The prevalence of violence against women, prejudices, and stereotyped sex roles in school curricula and the availability of sex education programs .....	35
6.2	Mandatory and other training programs for future professionals .....	38
6.3	Mandatory and other training programs for practicing professionals .....	40
6.4	Gender equality issues in higher education curricula and human rights programs .....	42
7.	THE ROLE OF THE MEDIA .....	44
7.1	Media law provisions concerning violence against women and the portrayal of women .....	44
7.2	Guidelines and codes of conduct for media professionals .....	45
7.3	Media watch organizations monitoring violence against women, sexism, and stereotyped portrayal of women .....	46
7.4	Training programs for media professionals on violence against women .....	48
7.5	Media activity in raising the awareness of the general public of violence against women .....	49
7.6	Analyses about violence against women in the media .....	50
8.	AWARENESS RAISING .....	50
8.1	Campaigns on violence against women .....	50
8.2	Conferences and other awareness raising, information, and prevention programs .....	52
8.3	Information materials for the victims about their rights and the services they can seek help .....	53
9.	RESEARCH AND SURVEYS ON VIOLENCE AGAINST WOMEN .....	54
9.1	Research programs and surveys .....	54
9.2	Violence against women on the agenda of research centers dealing with equality issues .....	58

---

10. STATISTICS AND DATA COLLECTION ON VIOLENCE AGAINST WOMEN .....	58
10.1 Official statistics, data collection, and specific indicators on violence against women .....	58
10.2 NGO statistics on violence against women .....	60
11. CASE LAW ON VIOLENCE AGAINST WOMEN .....	61
11.1 Cases on violence against women before the national and international bodies dealing with human rights issues .....	61
11.2 Published court decisions, case studies, and analyses of case law .....	61
12. RECOMMENDATIONS TO THE GOVERNMENT .....	61
ANNEXES .....	65
Annex A. List of laws and regulations screened .....	65
Annex B. List of documents and books consulted .....	66

## Preface

*“...states have an obligation to exercise due diligence to prevent, investigate and punish acts of violence, whether those acts are perpetrated by the state or private persons, and provide protection to victims...”*

(Recommendation No. R (2002) 5 of the Committee of Ministers of the Council of Europe to member states on the protection of women against violence)

Violence against women is a global epidemic, constituting the serious violation of women’s human rights and fundamental freedoms. Combating this phenomenon has been one of the main priority areas of the Network Women’s Program (NWP) of the Open Society Institute since its establishment in 1998.

NWP’s main activities in this field included initiating, managing and supporting several international projects,<sup>1</sup> by acquiring and transferring knowledge throughout the regions where OSI has traditionally worked.<sup>2</sup> The activities of NWP in the field of violence against women were transformed into a separate program, the Violence against Women (VAW) Monitoring Program, which operated until the end of 2006.

A main focus of the Program was introducing and managing the Stop Violence Against Women (STOPVAW) website,<sup>3</sup> and establishing the National Violence against Women (VAW) Monitor Network. The website was developed by Minnesota Advocates for Human Rights in 2003, with the support of NWP and UNIFEM. Subsequently, in May 2004 NWP initiated the National VAW Monitor Program by

---

<sup>1</sup> Such as the “16 Days” Campaigns against Gender Violence, and the Coordinated Community Response to Violence against Women (Duluth Program). The “16 Days” Campaigns Against Gender Violence program supported NGOs in 19 countries of the Soros foundations network to organize national public awareness campaigns on violence against women. NWP and the OSI Network Media Program provided grants, along with training workshops, in order to build the capacity of women’s NGOs and media experts, and to improve the quality of the media campaigns. Grants were offered exclusively for cross-country cooperation in 2003.

In introducing the Duluth Model, an innovative community-coordinated strategy, NWP organized several training workshops for national teams from 16 countries as well as special training for police officers and other law enforcement professionals, and supported the adaptation of the model for several years.

<sup>2</sup> These are the countries of Central and Eastern Europe and the former Soviet Union.

<sup>3</sup> See: [www.stopvaw.org](http://www.stopvaw.org).

establishing a network of NGOs from 24 countries. Non-governmental organizations in the fields of violence against women and gender equality take on the role of National VAW Monitors and facilitate the continued development and maintenance of the English and national-language Country Pages of the STOPVAW website.

The responsibilities of the National Monitors include the monitoring of government compliance with international obligations and the distribution of information to the international community about the successes and failures of their governments in combating violence against women. The website and the Network are active forums for information sharing, knowledge transfer, and advocacy work.

At the end of 2005 a new, comprehensive Survey to Monitor Violence against Women was initiated by NWP, inviting the National VAW Monitors and other experts to map the situation on violence against women in their respective countries, with special regard to state responses. The survey methodology prepared for the Monitors and experts to follow built upon the Council of Europe Committee of Ministers' Recommendation No. R (2002) 5 on the protection of women against violence. The goal was to collect concise and comparative information from those who are in the field, as a basis for further analysis and update. Another aim was to contribute to the Council of Europe Campaign to Combat Violence against Women, including Domestic Violence.

By following the words and spirit of the Recommendation of the Council of Europe, the examined fields include, among others:

- responsible government bodies and their mandates regarding violence against women;
- action plans and their implementation;
- state budgets to combat violence against women, including support for NGOs;
- laws, regulations, and codes of conduct;
- services and assistance to victims (shelters, hotlines, crisis centers, legal aid, etc.);
- training and education at all levels;
- role of the media;
- awareness-raising activities; and
- research and statistics.

As a result of the monitoring survey, Country Fact Sheets and Country Monitoring Reports were prepared. These Fact Sheets and Country Reports issue a non-

governmental assessment of the countries' situation in the above fields, and formulate clear recommendations to the governments.<sup>4</sup>

Data collection for the monitoring survey was closed on December 1, 2006. Updated information on further developments in the efforts to combat violence against women in the countries concerned is available on the STOPVAW website.

We hope that both the Fact Sheets and Country Reports will be useful advocacy tools at the national and international levels, and that, by generating legal and policy changes, they will urge the states to fully meet their international commitments to combat violence against women.

Éva Földvári  
*Program Director*  
*Open Society Institute*  
*Violence against Women Monitoring Program*

Enikő Pap  
*Program Officer and Project Coordinator*  
*Open Society Institute*  
*Violence against Women Monitoring Program*

---

<sup>4</sup> The reports are available online at [www.soros.org/women](http://www.soros.org/women) and [www.stopvaw.org/Country\\_Pages](http://www.stopvaw.org/Country_Pages).

## Acknowledgements

The Violence against Women Monitoring Program of the Open Society Institute would like to acknowledge the contribution of the following individuals and organizations in doing research for, drafting, and revising the Country Monitoring Reports and Fact Sheets:

### NATIONAL EXPERTS

- Albania:** Aurela Bozo (*Center for Legal Civic Initiatives*) and Dr. Edlira Haxhiymeri (*Shelter Project for Abused Women and Girls, in Tirana*)
- Armenia:** Susanna Vardanyan and Eduard Grigoryan (*Women's Rights Center*)
- Azerbaijan:** Yuliya Gureyeva (*Consultant for Azerbaijan Gender Information Center*) and Ruhiyya Isayeva (*Chairwoman of Legal Resource and Information Centre Public Union, member of the Collegium of Advocates of Azerbaijan*)
- Bosnia and Herzegovina:** Nada Ler Sofronić Ph.D. (*Research, Policy and Advocacy Center "Woman and Society," Sarajevo*) and Duška Andrić-Ružičić (*"Infoteka" Department at Women's Association "Medica", Zenica*)
- Bulgaria:** Liliya Sazonova (*Center of Women's Studies and Policies*)
- Croatia:** Sandra Benčić, Adriana Bego, and Sanja Sarnavka (*B.a.B.e. Women's Human Rights Group*)
- Czech Republic:** Marie Vavroňová, PhDr. Jiří Vavroň, PhDr. Branislava Vargová, Mgr. Dana Pokorná, PhDr. Petra Švecová, JUDr. Iva Pavlíková, and Mgr. Petra Ledvinková (*ROSA-Center for Battered and Lonely Women Civic Society*)
- Estonia:** Helve Kase (*Estonian Institute for Open Society Research Foundation*)
- Georgia:** Marina Meskhi (*Anti-Violence Network of Georgia*)
- Hungary:** Julia Spronz (*Habeas Corpus Working Group*) and Judit Herman (*NANE Association*)
- Kazakhstan:** Yuri Zaitsev, Anna Drelikh (*Feminist League*), and Alma Yessirkegenova (*Independent Consultant*)
- Kyrgyz Republic:** Nurgul Djanaeva (*Forum of Women's Non-Governmental Organizations of Kyrgyzstan*)

- Kosovo:** Luljeta Demolli (*Kosovar Gender Studies Center*)
- Lithuania:** Vilana Pilinkaite-Sotirovic (*Center for Equality Advancement*)
- Macedonia:** Gabriela Mihova, Jasminka Friscik, Marija Gelevska, and Stojan Misev (*Association for Emancipation, Solidarity and Equality of Women of the Republic of Macedonia – ESE*)
- Mongolia:** M. Mendbayaar (*Women’s Leadership Foundation*)
- Montenegro:** Vanja Mikulic, Irena Milatovic, and Biljana Zekovic (*SOS Hotline for Women and Children Victims of Violence, Podgorica*), in cooperation with the Gender Equality Office of the Government of Montenegro
- Poland:** Agata Krakowka and Artur Czerwinski (*Network of East-West Women Polska*)
- Romania:** Roxana Tesiu (*Center for Partnership and Equality*) and Adela Dinu (*APoWeR – Association for the Promotion of Women in Romania*)
- Russia:** Larisa Ponarina (*ANNA National Center for the Prevention of Violence, Moscow*)
- Serbia:** Biljana Brankovic (*Association Anthropy, Belgrade, Serbia*)
- Slovakia:** MUDr. Jana Olearniková and Mgr. Sylvia Králová (*ZZŽ Fenestra*)
- Tajikistan:** Moufara Hamidova
- Ukraine:** Halyna Fedkovych (*Western Ukrainian Center “Women’s Perspectives”*)

#### THE EDITORIAL TEAM

Enikő Pap  
 Judit Herman  
 Judit Wirth  
 Miklós Vörös  
 Minnesota Advocates for Human Rights (English editing only)  
 Q.E.D. Publishing

# 1. STATE MECHANISMS OF COMBATING VIOLENCE AGAINST WOMEN

## 1.1 National institutions or government bodies responsible for policy coordination and implementation

Law No. 202 of April 19, 2002 on Equal Opportunities between Women and Men (the Equal Opportunities Law)<sup>5</sup> established a national gender equality body in Romania within the National Agency on Equal Opportunities. The law, however, did not require the National Agency to perform any specific tasks aimed at preventing violence against women.

Pursuant to Law No. 217 of May 22, 2003 on Preventing and Combating Family Violence<sup>6</sup> the Romanian government established the National Agency on Family Protection (NAFP), under the Ministry of Labor, Social Solidarity, and Family. The main tasks of the NAFP<sup>7</sup> are as follows:

- development and implementation of a national strategy and programs to prevent family violence;
- oversight of the implementation of family violence regulations and activities carried out under the regulations;
- financing and allocation of resources for programs designed to protect and support families and care for victims of family violence;
- authorizing the establishment of shelters and emergency lines for victims of family violence, and centers for assisting offenders;
- training, authorizing, and coordinating family workers;
- organizing trainings on types of family violence and tools for preventing and combating family violence;
- undertaking research and development of strategies and predictions regarding family violence;

---

<sup>5</sup> Article 26 of Law No. 202 of April 19, 2002 on Equal Opportunities between Women and Men (the Equal Opportunities Law). Consolidated version, published in the *Official Gazette* No. 135 of February 14, 2005.

<sup>6</sup> Law No. 217 of May 22, 2003 on Preventing and Combating Family Violence. Published in the *Official Gazette* No. 367 of May 28, 2003. This law was modified through Government Ordinance No. 95 of December 24, 2003, published in the *Official Gazette* No. 13 of January 8, 2004.

<sup>7</sup> The structure and functions of the NAFP are set forth in Government Decision No. 1624 of December 23, 2003.

- establishing databases to track family violence; and
- involvement and support for the initiatives of social partners who address family violence.

The NAFP is led by the President and the Consultative Council, which is composed of seven members. The law provides for a maximum of 40 employees to be transferred from the Labor Inspectorate, but the agency in fact has only 17 employees in four departments: (1) programs; (2) monitoring and evaluation; (3) financial, accounting, human resources, and administration; and (4) accreditation.

The NAFP issued its last activity report in January 2005.<sup>8</sup> The report described the activities of the agency's first ten months and set forth its priorities for 2005. One of the main achievements highlighted by the activity report is the Collaboration Protocol that NAFP signed with the National Coalition of NGOs Working in the Area of Violence against Women (hereafter: the National Coalition) which was set up on February 1, 2003.

Also during the first ten months the NAFP completed a national map of public and private institutions involved in preventing and combating family violence and established units at the county level for the purpose of preventing and combating family violence.<sup>9</sup> However, the report also points out that, in spite of the successful establishment of these units, serious problems exist with regard to their effective functioning, such as a lack of infrastructure, lack of adequate space, inadequate resources to meet the mandates of the law, and a low level of involvement by local institutions in preventing and combating family violence.

## 1.2 National action plans and other policy documents

The NAFP plans to implement its *National Strategy on Preventing and Combating Family Violence* (hereafter: *National Strategy*) between 2005 and 2007.<sup>10</sup> The *National Strategy* is the sole policy document established on the national level aimed at family violence in Romania. It is based on the premise that the family is “the main cultural model in the complex process of educating children.”

Implementation of the *National Strategy* is based on the following principles:

- respect for human dignity;

---

<sup>8</sup> See the website of NAFP at [www.anpf.ro](http://www.anpf.ro).

<sup>9</sup> These units function within the Directions for Labor, Social Solidarity, and Family set up at county level as well as in Bucharest.

<sup>10</sup> The *National Strategy* is available on the NAFP's website (in Romanian).

- nondiscrimination and equal opportunity;
- promotion of nonviolent behavior at the community level;
- personal responsibility;
- participation of the community in addressing family violence;
- the interdependence between preventing and combating family violence;
- victim protection;
- focus on the needs of the individual;
- partnership; and
- a multidisciplinary approach to addressing family violence.

The *National Strategy* promotes, respects, and guarantees the right of the individual to personal development free from violence. It has the following objectives:

- improvement of the legal framework with regard to the role of the social services system in preventing and combating family violence;
- enhancement of the institutional capacity of the central government and local public authorities for implementing and developing programs and specialized social services to assist victims of family violence;
- development of a culture of partnership at the national level to structure policies related to family violence;
- raising awareness within Romanian society regarding the problem of family violence; and
- active participation of the Romanian government in international activities related to family violence.

The *National Strategy* comprises a number of objectives and tasks with established deadlines for creating a structure to prevent and combat family violence. The objectives of the *National Strategy* are as follows:

- completing and harmonizing the legal framework;
- developing the capacity of local public authorities to identify social problems that relate to family violence;
- analyzing the causes of family violence in different community groups, e.g., ethnic groups, urban/rural groups;
- developing a system of social services responsive to the specific issues and magnitude of family violence and sensitive to cultural, age, and gender differences;

- creating a nation-wide information system for reporting and maintaining data on cases of family violence;
- determining the financial resources needed to address family violence at the local level;
- developing human resources at both the national and local levels;
- establishing support networks at the community level for victims of family violence;
- developing attitudes and promoting non-violent behavior with a goal of zero tolerance of family violence;
- promoting public dialogue to raise awareness within Romanian society regarding the negative consequences of family violence; and
- monitoring and evaluating the activities developed to address family violence.

In addition to the NAFP, other entities responsible for carrying out the *National Strategy* include the National Authority for Children's Rights Protection, the National Authority for Persons with Disabilities, the General Direction for Social Assistance and Child Protection, the Ministry of Labor, Social Solidarity, and Family, the Ministry of Justice, the Ministry of Education and Research, the Ministry of Health, various NGOs, and the Ministry of Interior.

Despite the ambitious goals set out in the *National Strategy*, it is likely – based on past experience – that most of the objectives will not be achieved. The primary obstacles are a lack of financial resources and political interest in addressing family violence in Romania. Specific indicators of the challenges include the following:

- No budget has been established to carry out the strategy.
- An assessment of the priorities that were established by the NAFP in January 2005 reveals that most of the objectives were too vague and consequently were not achieved.
- Too many state institutions are responsible for different activities, and it is therefore difficult for the NAFP to monitor the activities of these state partners, most of which are ministries.
- The *National Strategy* lacks any kind of activity indicators, making it difficult – if not impossible – to accurately evaluate whether its objectives are being met.
- NGOs providing services to victims are authorized by the Ministry of Labor and the NAFP. The NGOs may therefore be reluctant to rigorously

monitor and assess the agencies' activities because their funding is dependent on them.

### **1.3 State monitoring of existing legislation and policies**

According to Government Decision No. 1624 of December 23, 2003 establishing the NAFP, the Consultative Council is responsible for conducting an annual evaluation of the Agency's activities, including proposals for improvements. However, there has been no written evaluation of the Agency's activities in 2005 and no systematic mechanism exists for review of existing legislation and policies concerning violence against women.

### **1.4 State budget earmarked for combating violence against women**

The state budget contains no separate budget line for the NAFP. Instead, the budget is included in the budget of the Ministry of Labor, Social Solidarity, and Family. Thus, the agency lacks independence in managing and distributing its funding. Consequently, the NAFP's activities are seriously affected by the lack of independence in regards to allocation of funds and budget.

Official figures on the NAFP budget are not available but it is assumed that the budget is inadequate or is being improperly administered. Agency representatives have repeatedly asserted that the available financial resources are insufficient to carry out its required responsibilities. The NAFP has not made a request for proposals or announced specific funding for NGOs working in the field of domestic violence. Some NGOs working at the local level succeeded in obtaining small amounts of financial support from local public administration authorities – usually no more than 2,300–3,000 euros. Centralized information on budget distribution to local public authorities is not available. As a general rule, family violence is not considered a priority community problem to be addressed at the local level.

### **1.5 State financing system to compensate victims**

Law No. 211 of May 27, 2004 on Measures to Assure Protection for Victims of Offences<sup>11</sup> (hereinafter: the Law on Victim Protection) provides financial compensation for *some* victims of domestic violence including those who suffer serious

---

<sup>11</sup> Law No. 211 of May 27, 2004 on Measures to Assure Protection for Victims of Offences (Law on Victim Protection) Published in the *Official Gazette* No. 505 of June 4, 2004.

bodily injury<sup>12</sup> or rape.<sup>13</sup> The victim's children may also be eligible for financial compensation if the victim dies.

To be eligible for financial compensation, the victim must submit a complaint to a criminal investigation agency or the court within 60 days from the date of the offense. There is no fee for filing a complaint requesting financial compensation. The financial compensation covers medical expenses, material losses resulting from destruction of the victim's goods, and other material benefits that the victim would have been entitled to, if the offense had not occurred. Compensation for loss of material goods may not exceed ten times the national minimum monthly wage. State compensation is reduced by any amount the victim is due as civil damages and any amount received through an insurance claim. Funds for victim compensation are provided from the Ministry of Justice budget. No information is publicly available on the financial compensation that has been paid to victims of bodily injury or victims of rape.

No information is publicly available to track planning regarding domestic violence in laws, regulations, and guidelines at the national, regional, and city levels. The lack of transparency makes it impossible to monitor developments in the protection of violence against women.

## **1.6 Recommendations of the UN CEDAW Committee to the state and their implementation**

The United Nations Committee on the Elimination of Discrimination against Women (CEDAW Committee or the Committee) considered the fourth and fifth reports submitted by Romania regarding violence against women under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women (the Convention) in its report issued on February 15, 1999.<sup>14</sup> According to the Committee's report, two features are particularly noteworthy: "domestic violence occur[s] as a result of the breakdown in family bonds, based on economic reasons, a phenomenon which more seriously affects the less well-off sectors" and "the situation of the child suffering domestic violence." The Committee concluded that the social dimension of these problems must be stated clearly.

The Committee – while noting the Romanian government's recognition of the problem – expressed concern about the increase in violence against women in Romania. It was deeply concerned about the absence of legislation criminalizing domestic violence, including marital rape, and recognition of the defense of a so-called

---

<sup>12</sup> Article 182 of the Criminal Code of Romania.

<sup>13</sup> Article 197 of the Criminal Code of Romania.

<sup>14</sup> See: <http://daccessdds.un.org/doc/UNDOC/GEN/N00/225/34/PDF/N0022534.pdf>.

“reparatory marriage” in the Criminal Code. This defense eliminates criminal liability of a rapist if the rape victim consents to marry him. CEDAW also called on the government in light of the Committee’s General Recommendation 19 to make violence against women in all its forms a crime adequately punishable by law. In particular, the Committee urged the government to collect statistical data disaggregated by age on the incidence and type of violence against women. It recommended legislation and procedures for effective law enforcement to ensure that women victims of sexual and domestic violence have immediate redress and protection. It also called on the government to expand its zero-tolerance campaign on violence against women to make such violence socially and morally unacceptable. It also recommended ensuring that law enforcement officials, the judiciary, and healthcare providers are aware that violence against women constitutes an infringement of the human rights of women under the Convention that must be prosecuted with the seriousness and speed they deserve.

## **2. LAWS FOR THE PROTECTION OF WOMEN FROM ALL FORMS OF VIOLENCE**

### **2.1 Laws addressing violence against women or its different forms. Restraining or protection orders**

Romanian legislation addresses violence against women by focusing on family violence, recognizing the family as society’s primary unit, rather than through a women’s human rights paradigm. Long discussion and debate took place in Romania before family violence legislation was adopted. The Romanian legislature has been resistant to the idea that Romania needs legislation based on a women’s human rights paradigm, but instead found that family values are infringed when violence occurs within the family. Meanwhile, NGOs remain split between the two views of the problem. The family-centered perspective prevailed, and the Law on Preventing and Combating Family Violence was adopted in 2003.

“Family violence” is defined in Article 2(1) of this law as “a physical or verbal action deliberately perpetrated by a family member against another member of the same family, resulting in physical, psychic, sexual suffering, or material loss.” The definition further provides that “it is also considered family violence to encroach on women’s fundamental rights and freedoms” in Article 2(2). A “family member” includes the husband, wife, and other close relatives.<sup>15</sup>

---

<sup>15</sup> Article 149 of the Criminal Code.

Interestingly, the Romanian law uses the masculine form naming the husband in defining “family member” but there is no reference to the wife, even though the Romanian language permits the use of both words in defining the male and female members of a married couple. On the other hand, the Romanian legislature provided for broad coverage under the law, stating that “the beneficiaries of the current law are also the individuals who establish relationships similar to those established within married couples, or between parent and child, proved on the basis of the social investigation.”<sup>16</sup>

An important chapter of the Law on Preventing and Combating Family Violence refers to family social workers. Family social workers are authorized by the National Agency on Equal Opportunities to provide specific assistance to family relationships. The agency trains the family social workers and coordinates their activities. The agency defines criteria for professional experience, professional ethics, and morality for the position of family social workers.

Significantly, the law also provides for mediation in cases of family violence. However, in situations of family violence it is more urgently important to separate the victim from the perpetrator, and to provide protection to the victim, than try to maintain a family with a violent background. Thus, mediation is not a viable measure in situations of violence ongoing in the family. The Family Council or authorized mediators engage in the prevention of conflict and mediation between family members. Mediation is not permitted to encroach on the legal process otherwise available under the Law on Preventing and Combating Family Violence. In regards to mediation procedure, the Family Council represents an association without legal status and patrimonial purpose, composed of those family members with full rights.<sup>17</sup> A meeting of the Family Council can be called upon request of one of its members or by the family social worker. Family members who are subject to certain legal restrictions – including restriction of personal freedom or prohibition from leaving their local district area – may not participate as a family council member.

The Law on Preventing and Combating Family Violence has been amended several times, beginning seven months after its adoption.<sup>18</sup> The main amendments provide specific details regarding the establishment and operation of the NAFFP. A special chapter referring to the units for preventing and combating family violence has been added. The units are divided into shelters for the victims of domestic violence and

---

<sup>16</sup> Law on Preventing and Combating Family Violence, Article 4.

<sup>17</sup> Law on Preventing and Combating Family Violence, Article 20, 1, 2.

<sup>18</sup> Government Ordinance No. 95 of December 24, 2003 on the Modification and Completion of the Law on Preventing and Combating Family Violence, published in the *Official Gazette* No. 13 of January 8, 2004.

social assistance units. Shelters are defined as social assistance units with or without a legal personality heading them, that provide protection, shelter, care, and counseling for victims of domestic violence.<sup>19</sup> Other social assistance units are nonresidential centers that provide assistance to victims of domestic violence.

Victims are admitted to a shelter only in emergency cases when separation of the victim from the aggressor is required to protect the victim and with written approval by a social worker. Perpetrators are not permitted access to the shelter. Shelters are established only with NAFP approval and may be public, private, or operated through a public-private partnership. Public shelters are financed by local budgets.

When a victim is admitted to a shelter, she is provided advice on the legal protection available in regard to her possessions that remained with the aggressor. These protections include notification through the judge executor that tacit approval to the alienation and burden of the common goods is revoked or the evidence insurance through legal expertise. The legal counseling is free and, in serious cases, the mayor may, upon notification by the social worker, approve payment of the victim's legal counseling expenses. All shelters must enter into a contract with a hospital or other health unit for medical and psychiatric care and may not function without such an agreement.

Neither the Romanian Criminal Code nor family violence legislation provides for the protection of a proper restraining order. The Sensiblu Foundation launched a public petition in early 2006 to attempt to gain public support for adding a restraining order to the existing legal framework. Numerous meetings have taken place within the NGO community and with the Ministry of Justice during the past two years in an attempt to formulate a legal proposal. To date, perhaps because of resistance by legal practitioners and lawmakers, no significant progress has been made in reaching an agreement on such a provision.

One of the arguments used by lawmakers and the Ministry of Justice officials against enacting a restraining order provision is that the Romanian Criminal Code already provides for a special category of security measures forbidding perpetrators from returning home for a determined period of time.<sup>20</sup> Legal practitioners explain, however, that the provision has very little effect in family violence cases. The prohibition can be ordered only in very restrictive circumstances – namely when the perpetrator is imprisoned for at least a year and the prohibition is requested by the victim. Courts

---

<sup>19</sup> Law on Preventing and Combating Family Violence, as amended by Government Ordinance No. 95 of December 24, 2003.

<sup>20</sup> Articles 129(e) and 134.

rarely imprison perpetrators in family violence cases,<sup>21</sup> and even when they do, the sentence is usually less than a year. Moreover, lawyers experienced in family violence cases say that victims usually do not request such protection, due to pressure from family or close friends.

Law No. 678 of December 2001 on Preventing and Combating Trafficking in Human Beings establishes criminal liability for those committing and being involved in trafficking in human beings, with the punishment of three to 12 years imprisonment and denial of a number of rights. The punishment is harsher – 5 to 15 years imprisonment – if the act causes the victim to sustain serious bodily harm or serious health problems. If the act has resulted in the victim's death or suicide, the offender shall be punished by 15 to 25 years imprisonment.<sup>22</sup>

According to Article 13 whoever recruits, transports, transfers, harbors or receives a person aged between 15 and 18, with the intent of exploiting that person, commits the crime of trafficking in underage persons and shall be punished by three to 12 years imprisonment and denial of a number of rights. If the violation was committed against a person aged less than 15, the punishment shall be 5 to 15 years imprisonment and denial of a number of rights. If acts are committed with the use of threats or violence or of other forms of coercion, through kidnapping, fraud or misrepresentation, abuse of power or by taking advantage of that person's inability to defend him/herself or to express his/her will or by giving or receiving money or other benefits in order to obtain the agreement of a person who has control over another person, the punishment will be 5 to 15 years imprisonment and denial of a number of rights in the case of victims aged

---

<sup>21</sup> One of the reasons given by Romanian practitioners for the small number family violence cases that result in imprisonment is because the number of such cases is rapidly increasing while limited prison space is already filled to capacity.

<sup>22</sup> Article 12(1) Whoever recruits, transports, transfers, harbors or receives a person, through the use of threats or violence or the use of other forms of coercion, through kidnapping, fraud or misrepresentation, abuse of power or by taking advantage of that person's inability to defend him-/herself or to express his/her will or by giving or receiving money or other benefits in order to obtain the agreement of a person who has control over another person with the intent of exploiting the latter commits a criminal violation of this Law and shall be punished with 3 to 12 years imprisonment and denial of a number of rights.

Article 17(1) Whoever causes or allows, knowingly, directly or through an intermediary, the entry or stay on the Romanian territory of a non-Romanian citizen who is being trafficked as defined by this law:

a) by the use of fraudulent means, violence or threats or other forms of coercion, or  
b) by abusing the special state of the trafficked person, which results from that person's illegal or precarious situation of entry or stay in Romania or from pregnancy, a disease or disability or from a physical or mental challenge, commits a criminal offence and shall be punished for the crime of trafficking in human beings.

See: [www.legislationline.org/?tid=178&jid=41&less=false](http://www.legislationline.org/?tid=178&jid=41&less=false).

between 15 and 18 and 7 to 18 years imprisonment and denial of a number of rights in the case of victims less than 15.

The Law also contains chapters on special provisions regarding the criminal procedure, protection and assistance for the victims of trafficking, international cooperation, and prevention of trafficking in human beings.<sup>23</sup>

## 2.2 Applicable provisions in criminal law

### 2.2.1 Criminal offences

Article 217 of the Penal Code prescribes that rape is punishable by three to ten years of imprisonment and the removal of certain rights.<sup>24</sup>

Sexual intercourse with a minor shall be punished by strict imprisonment from three to ten years and the prohibition of certain rights.<sup>25</sup>

Besides the Law on Preventing and Combating Trafficking in Human Beings the Criminal Code also renders for punishment trafficking in adult persons and trafficking in minors.<sup>26</sup> Slavery is punishable under Article 202;<sup>27</sup> while Subjection to forced or obligatory labour under Article 203.<sup>28</sup>

There is a provision regarding sexual harassment in Law No. 202 of 2002 on Equal Opportunities for Women and Men. Furthermore, Article 203(1) of the Penal Code

<sup>23</sup> See: [www.legislationline.org/?tid=178&jid=41&less=false](http://www.legislationline.org/?tid=178&jid=41&less=false).

<sup>24</sup> Article 217(1) Sexual intercourse, of any kind, with a person of the opposite sex or of the same sex, by coercion of this person or taking advantage of the person's inability for defence or to express will, shall be punished by strict imprisonment from 3 to 10 years and the prohibition of certain rights. (2) The penalty shall be severe detention from 15 to 20 years and the prohibition of certain rights, if:

- a) the act has been committed by two or more persons together;
- b) the victim is under the care, protection, education, guard or treatment of the perpetrator;
- c) the victim is a family member;
- d) the victim is a minor under the age of 15; or
- e) the victim suffered serious injury of corporal integrity or health.

See: [www.legislationline.org/?tid=178&jid=41&less=false](http://www.legislationline.org/?tid=178&jid=41&less=false).

<sup>25</sup> Article 218.

<sup>26</sup> Articles 204 and 205.

<sup>27</sup> Placing or keeping a person in slavery, as well as trafficking in slaves, shall be punished by strict imprisonment from three to ten years and the prohibition of certain rights.

<sup>28</sup> The act of subjecting a person, in other cases than those provided in the law, to any kind of labour against his/her will or to any kind of obligatory labour, shall be punished by strict imprisonment from one to three years.

states that sexual harassment is punishable by three months to two years of imprisonment or a fine.

A person who uses poor treatment to subdue a person who is retained or detained during a safety or educational measure shall be punished with imprisonment from two to seven years.<sup>29</sup>

### 2.2.2 Criminal procedures and prosecution

The cases where *ex officio* prosecutions apply are not provided *expressis verbis* by the Criminal Code, but these can be concluded on interpreting *per a contrario* the legal provisions of the Code of Criminal Procedure.

Violence against women and children in itself does not represent an aggravating factor in determining whether a prosecution is in the public interest. However, an offense committed against a family member represents an aggravating circumstance.<sup>30</sup> Furthermore, when aggravating circumstances exist and if the offender is punished with imprisonment, the sentence can be increased to a maximum of five years, unless the law provides otherwise.<sup>31</sup>

### 2.2.3 Special provisions in the defense of children

Poor treatment of a minor is punishable by imprisonment of three to fifteen years and loss of certain rights.<sup>32</sup> Poor treatment of a minor is defined as any measure or treatment by a parent or any other person to whom the minor has been entrusted, resulting in severe endangerment of the physical, intellectual, or moral development of the minor. Furthermore, wrongfully retaining custody of the minor by one parent without the consent of the other parent is punishable by a fine or imprisonment of one month to one year.<sup>33</sup> In addition, special legal measures are designed to protect children against abuse and neglect.<sup>34</sup> Any physical punishment or conduct that deprives a child of his or her rights which results in endangerment of the child's life or physical, mental, moral, or social development is forbidden.

---

<sup>29</sup> Article 346.

<sup>30</sup> Article 89(f).

<sup>31</sup> Article 93(1).

<sup>32</sup> Article 229.

<sup>33</sup> Article 230.

<sup>34</sup> Articles 89–97 of the Law No. 272 of June 21, 2004 on the Protection and Promotion of Children's Rights (Law on Children's Rights). Published in the *Official Gazette* No. 557 of June 23, 2004.

## 2.3 Applicable provisions in civil and family law for cases of violence against women

There are no special legal provisions in Romanian civil and family law that address violence against women, including no remedies such as compensation for material or moral damages. The law concerning divorce, housing, and child custody rights also contain no special legal provisions with regards to family violence. The applicable law is represented by the common law as provided for by the legal provisions of the Civil Code and Family Code. Some protection is provided to children by a provision that provides that trials involving minors cannot be longer than ten court days.<sup>35</sup>

## 2.4 Victim protection and protection of witnesses

The Law on Victim Protection is intended to provide protection to victims of crimes. The law requires that information regarding victims' rights, psychological counseling, free legal aid, and financial compensation be made available to victims.<sup>36</sup> Judges, prosecutors, and police officers are obligated to provide crime victims with the following information:

- services and organizations providing psychological counseling and other forms of assistance, based on the victim's particular needs;
- the place where the victim can submit a complaint;
- the conditions under which free legal aid is available; and
- the conditions under which financial compensation is available from the state.

In addition to psychological counseling offered by governmental social services for victims' protection, NGOs may also provide psychological counseling services independently from or in cooperation with state authorities. NGOs may be granted state subsidies to provide these services.

Minors are guaranteed the right to be heard under the Law on Children's Rights. A child may be heard in any judicial or administrative proceeding that affects his or her interest. If the child is over the age of ten, the right to be heard is mandatory. A child younger than ten years may be heard if the court determines that the child's testimony is necessary for the resolution of the case.<sup>37</sup> If the court determines that the child should be heard, the hearing must take place in the judge's chambers, the child must

---

<sup>35</sup> Law on Children's Rights, Article 125(3).

<sup>36</sup> Law on Victim Protection, Articles 1 and 7.

<sup>37</sup> Law on Children's Rights, Article 24(2).

be accompanied by a psychologist, and the hearing must occur only after the child is given preparation on the procedure.<sup>38</sup>

There are no specific legal provisions concerning data protection in cases of violence against women, but general provisions of the common law are applicable. In addition, one of the objectives of the NAFP is to protect victims – especially minor victims – by maintaining confidentiality of their identities as well as providing psychological protection throughout the criminal investigation.<sup>39</sup> Furthermore, according to the minimum mandatory standards for counseling centers that treat abused, exploited, and neglected children, the information contained a child’s counseling file may not be disclosed to professionals who are not part of the multidisciplinary team for addressing the abuse case (Standard 3.). Counseling centers are required to document injuries resulting from abuse, including taking photographs, provided that the child and a protecting parent consent. Interviewing child victims of sexual abuse requires use of procedural protocols approved by the Head of the Public Service Specialized in Children’s Protection. Standard 11 of Article 214 of the Criminal Code provides that disclosing a professional secret is punishable by a fine or imprisonment of three months to one year. There is no specific legal protection for professionals and service providers working for victims of domestic violence.

The Law on Victim Protection provides no special protection to child victims, except in the case where one parent has died as a result of a violent crime. In that circumstance, children who were previously cared for by the deceased parent have the right to free psychological and legal counseling as well as the right to financial compensation by the state.

## **2.5 Legal assistance and representation for the victims of violence against women**

Free legal aid for victims of offences can be granted based on the legal provisions in Chapter IV of the Law on Victim Protection. In this regard, the law provides that free legal aid can be granted upon request to certain categories of victims. Thus, according to the legal provisions of Article 14 of the Law on Victim Protection, victims of heavy body injuries as provided for by the Article 182 of the Criminal Code, as well as victims of rape and victims of sexual act with a minor can be granted free legal aid.

Apart from the specified categories of victims, free legal aid can be obtained upon request by victims of other offences than those provided for by Article 14 of the Law on Victim Protection, if the monthly wage of the family member is less than or equal

---

<sup>38</sup> Law on Children’s Rights, Article 95(3).

<sup>39</sup> Law on Preventing and Combating Family Violence, Article 8.

to the minimum wage established at the national level for the year in which the victim submitted the request for free legal aid. The free legal aid can be granted only if the victim submits a court complaint to or addresses the criminal investigation authorities within 60 days of the date when the offence was perpetrated. If it was physically or psychologically impossible for the victim to address the criminal investigation authorities, the time frame of 60 days is calculated starting from the date when the impossibility ends.

The request for free legal aid must be submitted to the tribunal in which territory the victim has his/her permanent residence.

## **2.6 Providing information for victims about their rights, obligations, and the services available**

The Law on Victim Protection addresses the measures aimed at ensuring protection is available for victims of offences. According to the legal provisions of Article 1, the law provides for information tools for victims of offences in regard to their rights, as well as for psychological counseling, free legal aid, and financial compensation by the state on behalf of victims of offences. See Section 2.4.

## **2.7 Mainstreaming women's safety in laws and regulations of the national, regional, and urban planning**

N/A

# **3. PROFESSIONAL GUIDELINES, PROTOCOLS, AND INTER-AGENCY COOPERATION**

## **3.1 Professional guidelines and operational protocols for dealing with cases of violence against women**

Family violence situations are not retained, especially by the various special laws, compulsory codes, or guidelines specific to different professions. The topics these regulations address are represented by the existence of abuse or poor treatment to which victims are subdued. It should be mentioned, however, that Order No. 383 of July 12, 2004 on the Approval of Quality Standards for Social Services in the Field of Protection of Victims of Family Violence<sup>40</sup> specifically deals with the quality of

---

<sup>40</sup> Published in the *Official Gazette* No. 745 of August 17, 2004.

standards available for social services in the field of protecting victims of family violence. These standards do not address issues such as items within records, rules of investigation or registration of family violence cases, guidelines for hearings, or victims' treatment.

### 3.2 Legal regulations of inter-agency cooperation

Order No. 384 of July 12, 2004 on the Approval of Collaboration Procedure in Preventing and Combating Family Violence<sup>41</sup> issued by the Minister of Labor, Social Solidarity, and Family, the Minister of the Interior, and the Minister of Health released in August 2004 approves collaboration in preventing and monitoring family violence cases. According to the legal provisions of Article 2, strong collaboration is established through protocols concluded at the county level and in Bucharest between:

- local police inspectorates, respectively the General Police Direction in Bucharest;
- guardian units located at the local level, respectively the Unit of Guardians of Bucharest;
- directions of public health at the local level, respectively the Direction of Public Health located in Bucharest;
- directions for social dialogue, family, and social solidarity located at the local level, respectively located in Bucharest; and
- units for preventing and combating family violence located at the local level and in Bucharest.

According to law provisions, the collaboration protocols shall include:

- preventing family violence through public debates, documentation on the causes and consequences of family violence, and educational programs for parents and children;
- implementing databases for managing cases of family violence by centralizing information received at the unit level for preventing and combating family violence located at the county level;
- monitoring cases of family violence in the area by setting up a separate database;
- exchanging information between the persons in charge of family violence cases;

---

<sup>41</sup> *Ibid.*

- guiding the parties involved in a case of family violence, specifically the victim and the aggressor, toward social services and specialized health care service; and
- collaborating in cases of family violence with specialized services for child protection located at the county level and reporting these cases to the competent authorities, as according to the law.

### **3.3 Medium- and long-term coordinated action plans for the different professions**

There are no medium- or long-term coordinated action plans available for different professions in the field of family violence in Romania.

### **3.4 Involvement of NGOs and other agencies in drafting laws and shaping policies**

A forum for cooperation on the national level between NGOs and the NAFP was inaugurated through the two Collaboration Protocols signed in March 2004 between the National Coalition of NGOs involved in preventing and combating family violence, the NAFP, and the General Police Inspectorate. The National Coalition is an informal network without legal status, comprised of 32 organizations active in the field of preventing and combating family violence. The National Coalition is structured as four active working groups: legislation drafting, lobbying, institutional development, and strategy and standards development. The coalition is represented by five of its member NGOs to external partners and various social actors. The collaboration protocol of the National Coalition with the NAFP was not renewed after March 2005. Private Romanian donors, such as the Sensiblu Romanian Foundation and Philip Morris Romania, also offered significant financial support for activities preventing and combating family violence.

Apart from the work of the National Coalition of NGOs active in the field of preventing and combating family violence, numerous collaboration protocols are registered on the local level. These collaborations involve member NGOs of the Coalition with local public authorities and other social actors interested in the field of preventing family violence.

There is no systematic mechanism to involve NGOs working in the field in drafting, designing, implementing, and evaluating laws and policies. In 2004–2005 JSI Research & Training Institute designed and financially supported a remarkable program to enhance collaboration between the National Coalition of NGOs involved in preventing and combating family violence and the NAFP. JSI acted as the catalyst for

cooperation between the organizations. The collaboration resulted in the drafting of a *National Strategy*. The process itself was very valuable as it actively involved member NGOs from the coalition in setting up the *National Strategy* in the field of preventing family violence, by offering the possibility of continued involvement in the legislative drafting process.

### **3.5 Leading NGOs working in the field of violence against women in the country**

The 33 most active NGOs in Romania in the field of preventing and combating family violence created the National Coalition of NGOs in 2003. The profiles of these organizations vary from a general mission of women's human rights to a specific focus on family violence and social services offered to the victims. According to the *2004 Annual Report* of the National Coalition, 518,672 euros in external funding and 105,440 euros for internal funding were available to the Coalition members. The main external funders in 2004 were: EU programs, UNFPA, Norwegian Association for Women's Rights, the Open Society Foundation–Romania, JSI Research & Training Institute, the Canadian Agency for International Development, and Cooperating Netherlands Foundations for CEE. Less than ten percent (10,500 euros) of total internal funding came from state budget sources through structures of local and central public authorities.

## **4. SPECIAL UNITS IN THE LAW ENFORCEMENT OFFICES**

There are no special units (or assigned persons) in law enforcement agencies dealing specifically with the cases of violence against women in Romania.

## **5. AVAILABLE SERVICES**

### **5.1 Shelters**

Romania has 23 shelters for victims of domestic violence that provide over 210 spaces for women and children. According to the type of service provider, there are: (1) shelters operating as public institutions; (2) shelters administrated by NGOs; and (3) shelters administrated through public-private partnership.

(1) There are five shelters operating as *public institutions*. Local Council Gaești operates Emergency Center Gaești which has 20 spaces and provides shelter for a period of three to five days. It has only administrative and maintenance staff and no beneficiaries yet.

The Public Center for Social Assistance Cugir is a multifunctional center especially for elderly people and has three rooms available for women victims of domestic violence. It has professionals as social workers and psychologist-pedagogues, and it has had no beneficiaries yet.

The Center for Mothers and Children Victims of Domestic Violence belongs to the General Direction of Social Assistance and Child Protection Giurgiu. It has eight spaces and provides legal, psychological, and social counseling, medical assistance, and vocational integration services. Professionals working at the shelter include two social workers, one educator, one psychologist, and auxiliary staff.

General Direction of Social Assistance and Child Protection, Iași – financed by the County Council and from European funds – has a shelter with ten spaces.

The Mayor’s Office Roman has a shelter with eight spaces. The shelters operating as public institutions have no operating procedures or codes of conduct. Some of them have been acquired from NGOs and provide services free-of-charge.

(2) *NGOs administer* services at ten shelters. The “ACTIV” Association, Botosani provides a shelter, vocational reintegration as well as social, legal, and psychological counseling.

Caritas Satu Mare operates a shelter with eleven spaces and provides social, legal, and psychological counseling. Professionals working at the shelter include a lawyer, psychologist, social worker, and an administrator.

Emmanuel Foundation Brașov runs a shelter with twelve spaces and provides psychological counseling, support groups, and individual/group therapy. The foundation has a single administrator and social worker.

Social Center Patriarch Justinian Marina of the Diaconia Association, Bucharest has six spaces and provides legal, psychological, and religious-ethical counseling in addition to social skills courses. Staff at the shelter includes the director, two social workers, a psychologist, a medical assistant, an educator, and two collaborators (a jurist and a doctor).

The Social Center for Emergency Rom-Star of the Rom-Star Association, Bacău has 15–20 spaces that provide shelter for women and children victims of domestic violence as well as for children from orphanages. At the moment, they have no funding and are only able to provide shelter. The working staff includes a social worker, the director and a secretary.

The Hosting Center Casa Maria of the Casa Maria Foundation, Oradea provides shelter and psychological counseling for victims.

BLU HOUSE of the Sensiblu Foundation, Bucharest has four spaces and provides a range of services including financial support, mediation of relationships with other institutions, support in obtaining identity cards, registration for a family doctor, support in finding long-term accommodation, job placement, legal representation and counseling, support groups, and psychological counseling.

Maria House of the Apostles of the Caritas Federation of Timișoara Diocese has six spaces and provides social assistance, group and individual psychological counseling, education, moral and emotional support for children, and various recreational activities. The working staff includes a psychologist, a social worker, a pedagogue, a German volunteer, and two night supervisors. The shelter's codes of conduct as well as operational procedures are accredited through the Romanian government.

The Eastern European Institute for Reproductive Health, Târgu Mureș has a shelter established in partnership with General Direction of Social Assistance, Târgu Mureș. The shelter has ten spaces and is entirely funded by the General Direction – at least for the time being. The staff includes a psychologist, a social worker, a jurist, and an administrator. The shelter provides social, psychological, and legal counseling, financial support, medical assistance, couples mediation, and social reintegration. The shelter also received accreditation from the Romanian government through its operational procedures and codes of conduct.

Association Save the Children, Pascani has five spaces.

Most of the NGOs do not have codes of conduct and operational procedures, and they lack sufficient funding to support the necessary services. Their activities and support are provided free-of-charge.

(3) There are eight centers administrated through *public-private partnership*. Center for Social Services for Women Victims of Domestic Violence Casa-Cristina of the Mayor's Office Hunedoara in partnership with Conexiuni Foundation has ten spaces. The shelter provides social, legal, and psychological counseling, medical assistance, and vocational orientation.

Lumina Foundation and Brăila Mayor's Office established a shelter with ten spaces that also provides social, psychological, and legal counseling as well as and medical assistance. Women may receive shelter through written request which must be approved by the director of the foundation after a social inquiry and witness depositions or supporting documentation. In 2004 eight women and 12 children received services from the shelter.

The Stop violence! Counseling Center of the AS 2001 Alba Iulia Association and the Mayor's Office Alba Iulia established a shelter with six spaces, which is currently operated by only the Mayor's Office. The shelter provides social, psychological, and legal counseling, couples mediation services, and phone counseling services. Shelter staff is made up of a social worker, a psychologist, and a lawyer.

The Social Center for Emergency of the Columna Humanitarian Foundation and Piatra Neamț Mayor's Office has 20 spaces that provide housing without any additional services.

The Center for Preventing, Monitoring, and Combating Family Violence Buftea of the Family Health Association – in collaboration with Local Council Buftea – has four spaces and provides educational and awareness programs, legal representation, medical assistance, legal and psychological counseling, and case monitoring. The staff includes a psychologist, a lawyer, a medical assistant, the center coordinator, and an administrator.

Talita Kumi Covasna and Direction for Community Assistance of Sfântu Gheorghe Mayor's Office established a shelter with five spaces which also provides social, psychological, and legal counseling, in addition to individual/group therapy.

RAMHA Association Brașov and county public service for social assistance Făgăras established a shelter with 16 spaces while also providing social, legal, and psychological counseling. The staff includes two social workers, a psychologist, a lawyer, the administrator, and an accountant.

Conexiuni Deva and Mayor's Office Deva established a shelter with eight spaces that provides social, psychological, and legal counseling, medical assistance, and payment assistance for medical certificates. Staff at the shelter includes a social worker, a psychologist, and a doctor. Most shelters operated through public-private partnership do not have codes of conduct or operational procedures. The shelters provide services free-of-charge.

In conclusion, only shelters accredited by the Romanian government have codes of conduct and operational procedures and provide immediate help. Few of them have waiting lists and the number of qualified personnel varies from shelter to shelter. Shelter services are not available to migrant women. Special services for children are available only at shelters that have a pedagogue and specialized educator. Public shelters provide monthly reports to local and county councils to which they belong. Non-governmental shelters with websites publish their statistical data periodically on their websites. In situations where there are no shelters in the area, there are other centers

with different target groups that are open to supporting victims of violence.<sup>42</sup> These shelters receive funding from different sources.<sup>43</sup> Due to lack of funding three NGO-supported shelters were closed down (Artemis Association Cluj, PAsS Centre Braşov and Society for Children and Parents–SCOP Timișoara). These shelters were not included in the previous descriptions. NGOs acquired four other shelters from local administration. The map below indicates the geographical distribution of shelters.



Besides shelters for women victims of domestic violence, there are 12 shelters for women victims of human trafficking: the Trafficking Center of Association Social Alternatives, Iași; Reaching Out Pitești; Transit Center for the Victims of Human Trafficking (established by International Organization for Migration and the Ministry of Internal Affairs); Western Shelter for the Victims of Human Trafficking (established

<sup>42</sup> Such centers include the Center for Homeless People of the Local Council Braşov, Day and Night Center for Homeless People of the Direction for Development and Community Assistance Arad, Maternity Center of the General Direction for Social Assistance and Child Protection Bucharest, Philanthropy Alba Iulia of the Orthodox Church, “International Hour” Night Center Gheorghieni, Maternity Center “Casa Zorilor” of RAMHA Association and Halchiu Mayor’s Office, Night Center of Mayor’s Office Miercurea Ciuc, Night Center Timișoara of the Caritas Federation.

<sup>43</sup> European Union through Phare 2001, Social and Economical Cohesion and Scheme for Investments in Social Services programs, and Phare RICOP program; the Direction of Work, Social Solidarity, and Family Alba, Romanian Patriarchy, Caritas Federation and Mayor’s Office Timișoara (beginning January 2006), Sensiblu Foundation, Emmanuel Foundation, Local Council Gaești, Local Council Buftea, County Council Giurgiu, Mayor’s Office Iași, Mayor’s Office Deva, and Mayor’s Office Făgăraș.

by Banat Mitropolitan Church); Transit Center for the Victims of Human Trafficking Arad; and other transit centers for the victims of human trafficking in Botoșani, Galați, Iași, Mehedinți, Oradea, Satu Mare, and Timișoara. Generally, these centers are publicly-funded and provide services such as housing, social, legal, psychological and medical assistance, meals, and vocational orientation.

## 5.2 Hotlines

There are seven hotlines for women victims of violence.

Association for the Promotion of Women in Romania established an emergency phone line called “Blue Line” for victims of domestic violence and sexual abuse. The counselor team includes sixteen supervised volunteers made up of psychology students who participated in a thirty-hour training sessions. The phone line functions weekdays from 8:30 a.m. to 5:00 p.m. After the hours of operation an answer phone takes the calls. The calls are registered on an official record and included in the organization’s periodical statistical reports. Counselors provide assistance, psychological support, and basic legal information. Call charges are supported by the women callers and the program functions on voluntary basis.

AS 2001 Alba Iulia Association and Mayor’s Office Alba Iulia opened a crisis phone line serving victims of domestic violence. A psychologist provides counseling during working hours on all weekdays. The phone line is free-of-charge but is only accessible from within the county. The phone services are accredited, and monthly reports are created, but not made public. The Local Council ensures funding.

The Red Cross Vrancea Branch and County Council Vrancea also started a hotline. Information about its operations and services are available only through written request.

Artemis Association has a crisis phone line for victims of sexual abuse. The hotline operates on a limited basis on Tuesdays and Wednesdays only. Phone counselors participate in an initial training program and are supervised. Conversations are recorded and women beneficiaries cover the costs of the calls. Currently, the service functions through voluntary work.

Foundation Equal Opportunities for Women Iași provided emergency phone counseling until January 2006. The specialists working at the hotline were specially trained psychologists providing mostly psychological support. Counselors provide support on the hotline during weekdays, and the women callers incur the charges. The hotline has been funded through other projects or has provided services on a voluntary basis.

Previously, Veritas Foundation Sighișoara provided twenty-four-hour emergency phone counseling for victims of domestic violence. Calls were redirected to the personal telephones of two specialists (a psychologist and a legal counselor). There were no procedures for registering the calls. At the moment the phone line has only an answering machine.

General Direction for Social Assistance and Child Protection established a national crisis line initially targeting only children. The hotline now provides information mostly to women and children who are victims of violence.

### 5.3 Crisis intervention centers

According to Law No. 217 of 2003 on Preventing and Combating Family Violence the National Agency on Family Protection has to support victims with health recovery and social reintegration programs and provide protection to victims, especially minors by providing psychological protection and confidentiality. In practice these services are not established yet.

Romania has 25 crisis intervention centers, including 20 centers of non-governmental organizations and five centers of public institutions.

- Non-governmental organizations that provide services for women victims of violence: Artemis Association Cluj-Napoca; ARTEMIS Baia Mare; Association of Romanian Women Journalists ARIADNA; Conexiuni Foundation Deva; Center for Community Mediation and Safety (CMSC) Iași; Romanian Group for Human Rights Protection (GRADO) București; Catharsis Foundation Iași; Bucovina Ladies Society Suceava; Femina 2000 Association Roman; Foundation Equal Opportunities for Women Iași; Association PAS Alternativ Brașov; Polimed Apaca Bucharest; Sensiblu Foundation Bucharest; Eastern European Institute for Reproductive Health Târgu Mureș; Caritas Satu Mare; Association for the Promotion of Women in Romania (APFR/APoWeR) Timișoara (Center for Social Assistance, Psychological Counseling, and Crisis Intervention); “Help the Children” Association (Emergency Center for Children and Women Victims of Domestic Violence Iași); AS 2001 Alba Iulia Association; Veritas Foundation Sighișoara; and Rom–Star Association (Emergency Social Center Rom–Star Bacău).
- Crisis intervention centers supported by public institutions: Pilot Center of Assistance and Protection of Family Violence Victims Bucharest; Emergency Center Gaești; Center of Information, Counseling, and Assistance for Victims of Domestic Violence Valcea; Center of Counseling

for Women and Children Victims of Violence Botoșani; and Center of Assistance and Protection of Family Violence Victims Mehedinti.

These centers provide services for women victims of violence including phone counseling, social, psychological, and legal counseling, representation in court, medical assistance, support groups, job placement, vocational orientation, financial support, mediation services, and individual and group therapy. Most of the NGOs' services receive external funding especially from the European Union (Phare and Socrates Programs). Local or central administration in addition to the European Union fund public centers through grants. Services of these centers are not available for migrant women. Service professionals have proper qualifications although most of them do not follow codes of conduct or operational procedures. They work in multidisciplinary teams to facilitate cooperation between institutions.

#### **5.4 Intervention programs for the perpetrators**

There are only two NGOs that conduct programs for perpetrators: Veritas Foundation and Polimed Apaca Bucharest. Both provide psychological counseling and mediation services. There is no tradition of intervention programs for the perpetrators in Romania. Consequently, there are no court mandated treatment or alternative programs.

#### **5.5 Other victim support services**

Other services include mentoring programs that involve support between women victims and other women that have overcome violence. Association for the Promotion of Women in Romania has conducted such programs on a temporary basis since 2002.

## **6. EDUCATION AND TRAINING**

### **6.1 The prevalence of violence against women, prejudices, and stereotyped sex roles in school curricula and the availability of sex education programs**

Through various orders, the Romanian government has created two optional disciplines for primary and secondary school programs. "Civic Education" begins with the third and fourth grades. Its main objective is "knowledge and respect of children's rights and of norms of behavior in the society," according to Order No. 3919 of April 20, 2005 of the Romanian Minister of Education and Research (Annex No. 2.). This subject is continued through the fifth and sixth grades under the name of "Civic

Culture” and its main objective is “knowledge about fundamental values on democracy, democratic practices, and human rights” according to Order No. 4921 of September 22, 2003 of the Romanian Minister of Education and Research (Annex No. 1 and 2.). Students in the fifth grade receive specific knowledge on the roles of the family and community in creating the moral makeup of people’s personalities and moral behaviors within the family. Students in the sixth grade are taught to identify with concepts regarding children’s rights in various contexts, including the proper vocabulary for children’s rights in new contexts; principles and fundamental rights of children as presented in the UN Convention on the Rights of the Child; situations that restrict or violate children’s rights, and institutions that promote and defend children’s rights. In the seventh and eighth grades the Civic Culture maintains the same main objective regarding democracy, democratic practices, and human rights and includes specific information about the modern family, roles in the family, human rights, equal opportunities and equality before the law. Order No. 4740 of August 25, 2003 of the Romanian Minister of Education and Research (Annex No. 1) mandates school programs.

The second optional discipline entitled Health Education includes a series of training modules during primary, secondary, and high school. The curriculum of this subject is part of the *National Program* called “Education for Health in Romanian Schools” and part of Curriculum at the Option of the School (CDS), described in Order No. 4496 of August 11, 2004 of the Romanian Minister of Education and Research and the National Council for Curricula. During the first grade it is recommended that educators emphasize aspects related to “personal hygiene” and “food health,” while the second grade emphasis should be on “growth and development during childhood,” “diseases caused by lack of hygiene,” and “mental health.” Certain objectives of this discipline are related to children’s capacity to identify cases of violence and feelings associated to them. During the third and fourth grades students are expected to identify abusive situations perpetrated by adults against children and types of violence within groups. The fifth and sixth grades include evaluations of factors that support violence and consequences generated by abuse and domestic violence, while seventh and eighth grades have students take initiative in combating detrimental behaviors that include violence within groups, violence of mass-media, and human trafficking.

In high school priority is given to the family and reproductive health education. A specific objective of the curriculum is to analyze the effects of violence and abuse on personality development during adolescence. The curriculum also includes aspects related to legislation on domestic violence as well as causes of abuse (physical, economical, and sexual) and violent manifestations. The curriculum does not mention psychological abuse as part of domestic violence phenomenon.

According to the same order that regulates school programs for this subject the educator is able to select and adapt objectives and learning activities as well as determine the number of learning hours.

Programs on sexual education are developed by various non-governmental organizations.

Association for Health, Education, and Family has regional representatives throughout the country working to promote health education and principles on physical, mental, and social-relations-based health. The association organized several campaigns: the international campaign called “Quit and Win,” the national campaign “Together for a Better Health”, and the regional campaign “Movement for Health”. In addition, it held health exhibitions and visited local health clubs. These programs do not refer specifically to women or sexual education.

First Step Association, Iași provides a variety of educational services. These services include sexual education programs for teenagers, maternity assistance for students, adolescents, pregnant women and women with new-born children, and counseling services before and after an abortion.

Evangelical Lutheran Church in Wurttemberg, Germany developed sexual education programs in partnership with the Romanian Orthodox Archiepiscopate of Vadul Feleacului and Cluj-Napoca.

Youth for Youth Foundation created educational programs on reproductive and sexual health for high school students. Programs are conducted on a volunteer basis by previously participating students and other volunteers in an intensive training module approved by the Minister of Education and Research and the Minister of Health.

Contraceptive and Sexual Education Society, Iași organized educational programs on abortion for people in rural communities.

The “Expert” Center for Psychological Counseling and Vocational Orientation from the University Babeș Bolyai, Cluj-Napoca organized courses called “Sexual Education and Promotion of Sexual Health.” The course aims to develop the skills necessary to elaborate sexual education programs. The courses also promote sexual rights and sexual health.

Timiș County Center of Psycho-Pedagogical Assistance developed a sexual education program entitled “Our Sexuality: Between Taboo and Reality.” The center also offered a human trafficking prevention program entitled “We Have the Right for Freedom and Decision. Say STOP to Human Trafficking!” for students in secondary and high schools. The center is financially supported and coordinated by the County School Inspectorate.

Students' League from the University Aurel Vlaicu, Arad developed a sex education program entitled "Be Your Own Master!" for students in high schools. The program includes seminars, debates, a marathon, and ecological activities.

SC. Mediauno srl. is a private company that publishes *Micul Paris* magazine. The magazine includes social actions for the general public. The magazine includes information on a prevention program against drugs, alcohol, and sexually transmitted diseases entitled "Who Takes Care of Himself, Will not Get Sick," a sexual education campaign named "Mark Ten for Contraception and Protection," and two other sexual education programs called "Students' Billiard Cup" and "You for Yourself."

Pro-Vita Clinic, Bucharest is a Christian counseling center that created educational programs on sexually transmitted diseases for high school students. They also have medical education programs to support pregnant women.

Various sex education programs were developed by coalitions of non-governmental organizations in the field such as the Coalition for Reproductive Health and Coalition for a Healthy Community. Continuous education and information is supported by websites like, [www.SexAZ.ro](http://www.SexAZ.ro) and [www.clopotel.ro](http://www.clopotel.ro).

## 6.2 Mandatory and other training programs for future professionals

Educational institutions in Romania – including universities, vocational schools, and other schools – do not have any mandatory violence against women training programs for future professionals. Faculties of law have one mandatory single semester course called "Family Law" but this has no specific reference to violence against women. Usually, it includes general concepts of family law and family relations, civil marriage, kindred and affinity, affiliation, child legal status, adoption, legal obligation of maintenance, child protection, and protection of disadvantaged children.

Educational institutions that train future police officers have no mandatory training program on violence against women.<sup>44</sup>

Educational institutions of psychology have one course called "Psychology of the Couple and Family." This one-semester, three-hour course does not have a specific focus on violence against women. Similarly, faculties of sociology and faculties of social

---

<sup>44</sup> Research has been conducted concerning the curriculum of the Police Academy Alexandru Ioan Cuza from Bucharest – Faculty of Law, Vasile Lascăr School of Police Agents in Câmpina, Grigore Alexandru Ghica Military School of Noncommissioned officers in Drăgășani, Avram Iancu School of Frontier Police Agents in Oradea, Neagoe Basarab Military High School in Buzau, and Septimiu Muresan School of Police Agents in Cluj-Napoca.

assistance have one-semester courses like “Social Assistance of Family and Child,” “Social Assistance of Persons Dependent on Drugs and of Abused Persons,” “Welfare, Child Development” and “Family Sociology” – but these also do not focus on violence against women. The University Babes Bolyai Cluj-Napoca (Faculty of European Studies) has a one semester course named “Human Rights,” but it does not emphasize rights related specifically to violence against women. The Faculty of Journalism from the same university in Cluj-Napoca has a one-semester course entitled “Expressions of Violence in Mass Media” that offers an interdisciplinary approach to representations of violence and aggression, but does not provide specific information about violence against women.

Other training programs for future professionals have been selected according to degree or educational characteristics such as temporary and optional programs, masters’ studies, extracurricular educational programs, and others. A special training module on human rights is included in the Continuous Education Program of the National Institute of Magistrature. Training is provided by members of the magistrate trainer’s network, previously trained magistrates, experts with or without judicial expertise as well as international professionals. Phare grants and other funds from institutions and organizations that signed partnership agreements with National Institute of Magistrature funded last year’s training activities.

There are master’s programs available on topics related to gender issues and women’s, family, and children’s rights at the West University of Timișoara Faculty of Letters and History; University Babes Bolyai Cluj-Napoca Faculty of Sociology and Social Assistance and Faculty of European Studies; University of Bucharest Faculty of Political Sciences; and National School of Political and Administrative Studies Faculty of Political Sciences.

The Faculty of Sociology and Social Assistance of Cluj-Napoca has one-year masters programs on child and family welfare, and social policies and services. The curriculum for this degree focuses specifically on social welfare and gender relations. The faculty also provides specialized postgraduate studies in social management, including a course entitled Policies and Social Intervention in a Changing Society comprised of topics on family policies, discrimination, and social exclusion. The faculty has another course in its postgraduate studies, offered to the public as long distance education, called Gender Issues in Romanian Society. The course is especially designed for persons working in non-governmental organizations. The Faculty of Sociology and Social Assistance also provides two optional one-semester courses for undergraduate students: one called “Protection of Children,” the other “Gender Issues.” “Protection of Children” is a three-hour weekly course which has specific topics on family violence and children’s and parental rights. “Gender Issues” includes topics about stereotypes, inequalities

between men and women, inequalities at work and in the labor market, dysfunctions within families, and inequalities in the public field.

Other training programs for future professionals include extracurricular educational activities conducted by non-governmental organizations.

### **6.3 Mandatory and other training programs for practicing professionals**

In Romania there is no mandatory training program about violence against women and its different forms or about prejudices and stereotyped roles for the sexes for practicing professionals who provide services such as police, prosecutors, judges, health, social, child and family protection personnel or teachers.

Non-governmental organizations organize most of the training programs for practicing professionals in the field of violence against women, and many are only offered on a temporary basis. The Coalition of NGOs Working in the Area of Violence against Women includes 32 organizations and offers a series of training modules for members of the coalition and other organizations working in the field, mainly with funding from USAID. Member organizations share their expertise within the coalition and increase sustainability of the network. In addition, a large number of training sessions were organized by member organizations for their staff and other professionals in the community who come in contact with cases of domestic abuse.<sup>45</sup>

Training programs for other professionals include training for medical staff on “Aspects of Family Violence Against Women and Children” held by ARTEMIS, Baia Mare; training called “Women and Power” by ARIADNA, Bucharest; trainings called “Cross-Sector Collaboration;” “Communication;” “Lobbying and Advocacy;” “Project Management;” “Social Policies;” and “Evaluation of Social Programs” by the Center for Legal Resources (CRJ), Bucharest. Also, citizen counseling centers provide trainings for counselors with the Center Partnership for Equality (CPE), Bucharest. Conexiuni Foundation, Deva provided trainings for family doctors, police officers, and other professionals. Foundation Catharsis, Iași held trainings on psychological support for family doctors. Medical staff in Mureș and Hunedoara counties received trainings from the Eastern European Institute for Reproductive Health, Târgu Mureș.

The Center for Community Mediation and Safety (CMSC), Iași held a training program called “Domestic Violence: Basics and Best Practices” for professionals

---

<sup>45</sup> Training programs for their staff were provided by the following organizations: ARTEMIS Association, Baia Mare; Association PAS Alternative, Brașov; Association of Women Journalists in Romania, ARIADNA, Bucharest; Association for the Protection of Women Polimed Apaca, Bucharest, Conexiuni Foundation, Deva, and Association for the Promotion of Women in Romania (APFR), Timișoara.

working directly with victims in rural areas, including community police officers and medical and police professionals who are responsible for identifying abuse. Sensiblu Foundation, Bucharest conducted a training program on issues about domestic violence for police officers from Bucharest. Training for police officers from Timiș county was held by APFR/APoWeR, Timișoara.

Bucovina Ladies Society, Suceava also held a training program for social workers in rural communities from Suceava county. Foundation Equal Opportunities for Women, Iași held a training for community members. Femina 2000 Association, Roman held seminars for representatives of public institutions and NGOs in Neamț county. A training program for kindergarten teachers called Children Abused in the Family was held by Caritas Organization, Satu Mare.

The “Expert” Center for Psychological Counseling and Vocational Orientation at the University Babes Bolyai, Cluj-Napoca provided a course called Psychological Counseling for school counselors, psychologists, educators, social workers, and doctors. The course was funded by training fees from the participants and included compulsory as well as optional modules. One of the optional modules was “Psychological Counseling of Adults in Crisis Situations” and included information about prevention and intervention educational programs in situations of sexual abuse, domestic violence, and trafficking.

Human European Consultancy, in partnership with the Migration Policy Group, provided a course within a project funded by the European Union for specialists in non-governmental organizations from various countries. Topics of the course included the role of non-governmental organizations in combating discrimination, the national context of discrimination, individual assistance for victims, and skills and tools to combat discrimination.

Educational programs for practicing professionals developed by coalition member organizations were mostly supported through external funding.<sup>46</sup>

Association for the Promotion of Women in Romania (APFR/APoWeR) has a thirty-hour training program offered twice per year for volunteer counselors who operate the crisis phone line for victims of domestic abuse in Timiș County. A similar program was developed in 2004 by the Foundation Equal Opportunities for Women, Iași. The

---

<sup>46</sup> The funding was provided by the following organizations: European Union (Phare and Socrates programs); World Bank; Cooperating Netherlands Foundations for Central and Eastern Europe; Netherlands Embassy; Norwegian Association for Women’s Rights; Farenhaus Zurich Swiss Foundations; Kinder Missions Werk; Evanlich Frauenarbeit Austria; USAID; United Nations Population Fund; Canadian Agency for International Development; JSI Research & Training Institute; National Democratic Institute; and the Open Society Foundation and Network Women’s Program, New York.

Center for Community Mediation and Safety (CMSC), Iași organized other training modules for volunteers who provide support for victims of domestic abuse. Artemis Association, Cluj-Napoca, trained and supervised groups of volunteers working in shelters for victims of domestic violence. These informal education programs were supported by European funding or contributions from non-governmental organizations. Information about these programs is provided in the *Annual Report 2004* of the National Coalition.

#### **6.4 Gender equality issues in higher education curricula and human rights programs**

The Faculty of Letters and History of Timișoara has a two-year master's course in gender studies. The topics include sexual and gender identities, gender and intercultural differences, social interaction and gender perception, gender differences at the workplace, gender and success in politics, gender and couple/family psychology, gender and arts psychology, gender and group dynamics, history of feminism, media and feminism, body and society, and feminism and film theory. Teachers working in the Interdisciplinary Centre for Gender Studies provide weekly twelve-hour courses which are funded by the state.

The Faculty of European Studies of Cluj-Napoca has a one-year master's program called "Gender, Differences, and Inequalities" that includes topics such as gender, family, demographic characteristics, gender and institutions, gender and health, social inequalities and gender policies, gender violence, communication, and gender and power. Both faculties are funded by the state.

The Faculty of Political Sciences of Bucharest has a two-year masters program called "International Relations and European Studies" that includes two specializations: "International Relations" (in Romanian) and "European Studies" (in French). This master's program has one optional course on human rights. The faculty also offers a two-year master's degree program in political sciences that includes a mandatory course called "Feminism and Political Ideology." The three-hour course refers to democracy and women's participation, gender perspective critiques, citizenship, differences and the complementary roles of sexes. The Romanian state funds the Faculty of Political Sciences from the University of Bucharest.

The Faculty of Political Sciences at the National School of Political and Administrative Studies (SNSPA) has a two-year masters program called "Gender and European Policies." Specific topics for this degree include political feminist theory, gender sociology, history of feminism, discrimination and equal opportunities, gender policies in Romania, gender policies in education, gender and economy, and gender analysis. SNSPA is a public university funded by the state.

The following non-governmental organizations have developed educational programs on human rights, including issues of gender equality:

- League for the Defense of Human Rights (LADO) organized activities in the field of women's rights, women's participation in public life, women's health and reproductive health, and violence against women and young girls. LADO also distributed publications with international documents and international legal procedures called *Women's Rights* and *Women's Rights at the End of the Second Millennium*. The organization conducted seminars and published other materials regarding domestic violence and women's rights. Their activities were supported from external funding through grants.
- Coalition of NGOs Working in the Area of Violence against Women facilitated working group meetings and developed training materials, training sessions, and campaigns. All of these efforts had the aim of preventing and combating violence against women in Romania and upholding women's rights as human rights. Funding for the activities of the coalition was provided by JSI Research & Training Institute.
- Center for Partnership and Equality (CPE), Bucharest issued a publication called *Practical Guide for an Integrative Approach of Gender Equality*. This guide presents methods and tools to integrate equality between women and men in the activities of organizations and public policies.
- Association for Freedom and Gender Equality (ALEG), Sibiu promoted women's rights as human rights during the Gender Equality Festival.
- Peace Action, Training, and Research Institute of Romania (PATRIR) developed local training programs for staff and other representatives of non-governmental organizations by promoting women's rights as human rights.
- Pro WOMEN Foundation conducted a program called Gender Equality and Local Authorities that sought to promote and support policies on equality in various fields.
- Lutheran World Federation, Department for Mission and Development issued a publication called *Women in Church and Society*, promoted gender-based policies, and produced a document entitled *Churches Say NO to Violence against Women*.
- National Authority for Youth organized a summer school program entitled "Equal Opportunities for Romania." The program emphasized the complexity of relations between women and men in modern society as well as the principle of women's rights as human rights.

- Agency of Mass Media Monitoring, Catavencu Academy conducted a project entitled “Victims of Discrimination.” The project worked for the defense and promotion of fundamental human rights and liberties by combating any form of discrimination in Romanian society, including women’s discrimination.
- *Magazine 22 – YEAR XIV (776)* published the supplement *Human’s Rights Day* on January 20, 2005, which included a piece entitled *Gender Discrimination in Romania*.

## 7. THE ROLE OF THE MEDIA

### 7.1 Media law provisions concerning violence against women and the portrayal of women

The Law No. 504 of July 11, 2002 on Law on Radio and Television Broadcasting (hereinafter: the Radio and Television Law) stipulates that publicity and telemarketing should respect certain conditions, including not affecting the physical, psychological, and moral development of children; not being prejudicial to human dignity; not including any form of discrimination based on race, religion, nationality, gender, or sexual orientation; not encouraging behaviors against the health or safety of the population, and; not encouraging indecent or immoral behaviors.

The Radio and Television Law does not contain specific provisions on violence against women or the stereotyped portrayal of women. Article 39 of the law specifies the types of programs that could affect children:

“Article 39(1) The transmission of programs that may seriously harm the physical, mental or moral health of minors, especially programs containing pornography or unjustifiable violence is interdicted.

(2) The transmission of programs that may affect the physical, mental or moral development of minors may be performed only if due to the time of day when the transmission is carried out or due to the technical means necessary for reception, minors do not have audio or video access to the respective programs.

(3) The transmission of the programs stipulated in paragraph (2) may be performed only after presenting an acoustic or graphic warning and only if the presence of a warning visual symbol during the show is ensured.”

## 7.2 Guidelines and codes of conduct for media professionals

There are two codes of conduct for media professionals: the Deontological Code of Journalists and the Deontological Code of Pressmen.

The Deontological Code of Journalists is part of the Journalist's Statute and a Code of Ethics adopted by the Convention of Mass Media Organizations in Sinaia, July 9–11, 2004. The description of the professional conduct of the journalist includes articles about victims' identities, discrimination, and confidentiality of information sources.

Article 2(1)(2) states that “the journalist is responsible for respecting a person's private life (including aspects related to family, domicile, and correspondence). Involvement in private life is allowed when the public interest prevails. In this context, it is irrelevant if a public person wished or did not wish to acquire this attribute. An activity is not private only because it is not developed in public.”

Article 2(1)(3) provides that “the journalist is responsible for taking into account a minor's legitimate interest. He will protect the identity of minors involved in offences, as victims or perpetrators, with the exception of situations when the public interest requests their identification, or their parents or legal representatives ask for it, in order to protect the superior interest of the minor.”

Article 2(1)(4) states that “the identity of individuals who are victims through accidents, calamities, offences, and especially sexual abuse, should not be revealed, with the exception of situations where the victim's consent has been obtained or a public interest prevails.”

Article 2(1)(5) provides that “the journalist is responsible for not discriminating against any person based on race, ethnicity, religion, gender, age, sexual orientation, or disabilities and for not instigating hatred and violence when he relates facts or expresses his own opinions.”

Article 2(3)(1) states that “the journalist has the obligation to maintain the confidentiality of the sources that ask for anonymity or of those of whom exposure would be a danger to their life, physical or psychological integrity, or employment.”

The Deontological Code of Pressmen was adopted by the Romanian Press Club, an organization conducted by journalists who are often media owners as well. The code stipulates the obligation of the pressmen to respect citizens' private life, confidentiality, and principle assumptions that do not assume guilt, but it does not make any remarks about violence against women and the portrayal of women.

### 7.3 Media watch organizations monitoring violence against women, sexism, and stereotyped portrayal of women

Mass media monitoring activities have been developed and promoted by: (1) specialized press monitoring agencies; (2) press agencies; (3) media portals and sites; (4) agencies of public relations (PR), publicity, market research, communication; and (5) non-governmental organizations.

#### 1. Specialized press monitoring agencies

Law No. 402 of October 7, 2003 on the Modification and Completion of the Law of the Audiovisual regulates audio and video broadcasting as well as the structure and functions of National Audiovisual Council (CNA). CNA is an autonomous public authority under the control of the Romanian Parliament and defends the public interest in the field of audiovisual communication. According to Article 17 of the Radio and Television Law, CNA is authorized to make decisions that protect minors, defend human dignity, and promote nondiscriminatory policies about race, gender, nationality, religion, political affiliation, and sexual orientation.

Media Monitoring Agency (Catavencu Academy) is a Romanian human rights advocacy NGO with media expertise. The organization aims to defend, support, and promote civil and political rights. It has developed a wide number of monitoring projects, primarily in the political field, pertaining to freedom of speech and freedom of the press, and one research project on HIV in written local and central press. They have not produced any studies regarding violence against women, sexism, and stereotypical portrayals of women.

MediaTRUST Romania is a private Romanian press monitoring, public relations, and advertising agency. It specializes in the ICT and pharmaceutical fields, but offers its monitoring expertise for other fields, too. No monitoring activity has been conducted in the field of violence against women.

The Romanian Audit Bureau of Circulations (BRAT) is a nonprofit organization aiming to supply the advertising industry with correct information regarding circulation figures and other types of studies such as audience studies for the press, outdoor studies, radio, internet, cinema, exhibitions etc. BRAT publishes updated circulation figures from the Audit Certificates and the Circulation Declarations on its website at [www.brat.ro](http://www.brat.ro). Its services include media planning, buying, and monitoring but no study about violence against women has been identified.

## 2. Press agencies

National Press Agency ROMPRES was established as a public institution of national interest and is a relevant source of press news and photos. ROMPRES monitors over 40 publications in English, French, German, Russian, Italian, Spanish, Hungarian, Bulgarian, and Turkish.

Mediafax Press Agency develops monitoring activities at the central press level including newspapers, magazines, national televisions, and radio stations. The agency monitors various fields of public interest including social issues but not specifically violence against women.

AlterMedia is an international media network providing alternative information. It regularly transmits news summaries, etc. Its services are based on voluntary work.

RomNET News Agency is a national company of media services providing daily or weekly monitoring and analysis bulletins of regional and central press for public administration, educational, and private institutions and other interested organizations.

Amos News is an independent press agency providing monitoring activities since January 2005.

None of the above described press agencies have developed monitoring activities specifically regarding violence against women, sexism, or stereotypical portrayals of women.

## 3. Media portals and websites

There are 16 media websites and portals that provide daily news at the national or regional level about important events including social issues. The website [www.hrr.ro](http://www.hrr.ro) provides an online publication named *Human Rights Report* addressing journalists, national and international NGOs, students, public administration employees, political leaders, and individuals interested in the field of human rights in Romania. The site is supported by Online Editors' Association with additional support from the Delegation of the European Union and the Concept Foundation. A Romanian version of the report is posted on [www.anchete.ro](http://www.anchete.ro). Its investigations refer to human rights generally, and do not have a special focus on women's rights as human rights.

## 4. Agencies of public relations (PR), publicity, market research, and communication

There are over 33 PR, publicity, market research, and communication agencies. Their main activities include media monitoring, media planning; media buying; media strategies; media information; media training, media PR, and post-buy analysis. Most

of their services are commercialized and individually adapted to clients' needs. Media Monitoring is a press monitoring agency that offers information from written and audiovisual press since 1997. There is no record of monitoring activities conducted by these agencies in the field on violence against women.<sup>47</sup>

## 5. Non-governmental organizations (NGOs)

Center Partnership for Equality (CPE) conducted a study entitled "Domestic Violence in the Media." It also conducted a case study called "Central Romanian Newspapers" in 2004.

Romanian Society for Feminist Analysis (AnA) publishes a magazine of feminist studies named *AnaLize*. In 1997 the organization conducted monitoring of written press of Romanian articles referring to women that focused mostly on singers, actresses, athletes, and models. The results showed that presentations on facts regarding domestic violence included sexual images. Information about reproductive health was presented from an erotic, sexual, or sensational point of view.

Association for the Promotion of Women in Romania (APFR/APoWeR) currently carries out a media and justice monitoring program regarding domestic violence, sexual abuse, discrimination at the workplace, sexual harassment at the workplace, prostitution and human trafficking. The monitoring program reviews local written and audiovisual media and monitors the Court of Timișoara. APFR/APoWeR will publish results at the end of 2006.

## 7.4 Training programs for media professionals on violence against women

Training programs and consultancy services for media professionals are conducted from time to time by press and PR agencies. Such services address general topics but do not refer specifically to violence against women. Periodic training programs are held by universities, including the University Babes Bolyai Cluj-Napoca that has a special course entitled "Expressions of Violence in the Mass Media."

---

<sup>47</sup> Research has been conducted on the following agencies: Media Monitoring; Media Review; MediaTRUST Romania; B Media; AS Media; Media Clipping; Starcom Media; Trend Communication; MediaLOOK; Quest Media; Ager Press; Carat Romania; Media Procom Grup; Media Controller; International Media Shop; Media Insight; Mediaplan; MindShare Media; Five Media Group; Zenith Media Romania; Initiative Romania; Media Direction Romania; Velvet Media; Optimum Media Direction; Media Tour; Media Planning Group; Media Investment Communication; ARBOmedia; Media Service Plus; Alpha Media Service; Global Media; Terra Media & Advertising; and MediaCom Romania.

APFR/APoWeR developed courses on violence against women, especially domestic violence, in 2001. A group of local women journalists were trained on gender policies, equal opportunities, and nondiscriminatory policies. The program was continued in partnership with the Euro-Regional Center for Democracy in 2003–2004 focusing on cross-sector cooperation between women journalists, women from NGOs, and women in politics.

In 2004 Association for Liberty and Gender Equality (ALEG), Sibiu, in collaboration with the Faculty of Journalism from Sibiu organized a seminar called “Mass Media and Gender Stereotypes.”

### **7.5 Media activity in raising the awareness of the general public of violence against women**

Awareness-raising campaigns on violence against women, including mass media campaigns, were usually conducted by NGOs in the field, but the Romanian Ministry for Health and Family and the National Agency for Family Protection also presented campaigns.

In 2002 the Center for Community Mediation and Safety (CMSC), Iași in partnership with McCann Erickson Publicity Agency and Open Society Foundation, launched a national campaign against violence against women. A 45-second program was broadcast on several public and private TV stations over a one-month period. It emphasized the idea that children are aware of violence in their families.

This campaign was continued with another TV announcement named “The Street”. The announcement was broadcast nationally as part of the campaign “Indifference makes you an Accomplice.” CMSC is preparing a third campaign aimed at changing the attitudes of family members, friends, and colleagues.

The Association for the Promotion of Women in Romania (APFR/APoWeR), in partnership with Radio West/West City Radio, organizes an annual Valentine’s Day presentation with several talkshows and a radio marathon, addressing domestic violence, women’s rights, and social services for disadvantaged women. The organization produced two thirty-second TV spots on domestic violence that were broadcast on TVR Timișoara. APoWeR also published an information supplement included in *Ziua de Vest* (a newspaper) distributed in the region during 2003.

Generally, most of the organizations working in the field of women’s rights have organized public campaigns and other public events by promoting their activities through local and national media. Further information about campaigns is included in Section 8.1 of this report.

In December 2002 the Ministry for Health and Family initiated a campaign called “Say What You Feel, Do Not Give Up!” which included TV programs and radio jingles about domestic violence.

The National Agency for Family Protection, in partnership with McCann Erickson Publicity Agency, produced a 45-second TV program entitled “Violence is Learned within the Family.” The program was nationally broadcast and focused on raising awareness about domestic violence.

## **7.6 Analyses about violence against women in the media**

A reference book about gender stereotypes was published by Laura Grunberg in 2005. The publication is entitled *Mass Media about Sexes: Aspects of Gender Stereotypes in Romania*.

# **8. AWARENESS RAISING**

## **8.1 Campaigns on violence against women**

Beginning in the year 2000 organizations, especially non-governmental organizations, developed awareness campaigns on a small scale with a low budget and mostly on a voluntary basis. A turning point was 2001 when a series of local awareness actions were initiated in Timișoara and Iași in order to attract local community support for legal regulations addressing intervention in cases of family violence. In 2001 APFR/APoWeR, Timișoara started an intense lobbying and advocacy campaign with the media, youth, political representatives, NGO representatives, human rights professionals, and the general public by gathering signatures to support the first draft of legislation in the field of domestic violence. In November 2001 the draft legislation was officially launched in Bucharest. The European Union, through the Phare Program and the Foundation for an Open Society, funded activities which additionally benefited from media support from Cosmopolitan Romania. In 2002 other awareness and lobbying activities were conducted by the Center for Community Mediation and Safety (CMSC), Iași to promote a second draft of legislation on family violence. Since 2001 the center has carried out four media campaigns, including TV programs, an itinerant theater, and dissemination of informational materials. The European Union, through the Phare Program, the Open Society Institute, the Foundation for an Open Society, and the Canadian International Development Agency (CIDA) ensured funding for these efforts.

The “16 Days of Activism against Gender Violence” campaign has been promoted in Romania with local and regional actions since 2001. Over the years the campaign developed from a regional and inter-regional manifestation to a nationwide initiative, including the efforts and cooperation of many organizations working for the promotion of women’s rights. A common and representative activity of the organizations participating in the 16-Days Campaign was the Silent Witness Exhibition, initiated by APFR/APoWeR and carried out in Timișoara, Iași, Alba Iulia, Cluj-Napoca, Suceava, Sighișoara, and Turnu Severin in 2003. In the following year, the campaign was conducted by the Coalition of NGOs Working in the Area of Violence against Women and covered ten cities: Bucharest, Brașov, Roman, Iași, Suceava, Alba Iulia, Sibiu, Drobeta Turnu Severin, and Timișoara. Funds came from JSI Research and Training Institute, Cooperating Netherlands Foundations for Central and Eastern Europe, the Staples Trust, the International Organization for Christian Orthodox Charity, and National Democratic Institute–Romania.

“V-Day Romania” was a national campaign initiated by the Eastern European Institute for Reproductive Health, Târgu Mureș. The centerpiece of the campaign, Eve Ensler’s “The Vagina Monologues,” was produced and presented exclusively for Romania by the institute in an exquisite artistic stage production. The campaign was supported by UNFPA, UNICEF, and RFHI. The campaign was carried out in the following cities: Bucharest, Timișoara, Târgu Mureș, Sibiu, Cluj-Napoca, and Constanța.

Other national campaigns were developed by ministries and a public agency:

The Ministry for Health and Family initiated a national campaign called “Say What You Feel, Don’t Give Up,” carried out between December 2002 and January 2003. The campaign elements included informational materials disseminated in every county, TV programs, and radio jingles. The Ministry for Education, Research, and Youth carried out a one-day campaign aimed at the adult population during the International Day of Family 2004. Elements include graphics and essays made by the pupils on the topic of violence. The National Agency for Family Protection launched a national TV spot, “Violence is Learned in the Family,” aimed at raising awareness of the phenomenon.

Several regional or local campaigns were developed mostly by NGOs and supported by external funds. The Romanian Group for Human Rights Protection (GRADO), Bucharest conducted the campaign “If He Did Not Love Me, He Would Not Hit Me,” funded by the Center for Legal Resources. The Service for Prevention, Abuse, and Counseling for Parents and Children in partnership with World Vision Organization developed the campaign “Don’t Be Indifferent, Abuse Leaves Traces.” The Center for Partnership and Equality, together with School Inspectorate Bacău, implemented the campaign “The Ambassadors of Europe,” funded by the European Union. Social Alternative Association organized the campaign “These Hands Don’t

Hurt You” funded by the International Organization for Christian Orthodox Charity. Student League of the University December 1, 1918 Alba Iulia – together with the Mayor’s Office, Alba Iulia – developed the campaign “Protection of Women – a Standard for Europe.” Sensiblu Foundation carried out the campaign “Help Them Feel at Home Again” and the “White Ribbon” campaign in collaboration with Pas Alternativ Braşov. Pas Alternativ Braşov developed a campaign “Other Step... Cinderella.” Conexiuni Foundation Deva conducted a campaign “Zero Tolerance to Family Violence.” The Association for the Promotion of Women in Romania developed an annual campaign aimed at local political and institutional representatives, and women and youth of Timiş County. The “Give More Than Love” campaign included a radio marathon, public stands, dissemination of informational materials, and the “Mistake Fashion Charity Ball,” dedicated to the International Day for the Elimination of Violence against Women. Women politicians participated in a fashion show organized to raise funds for the pilot center and protection of victims of domestic violence.

## **8.2 Conferences and other awareness raising, information, and prevention programs**

The “Conference for Preventing and Combating Family Violence” was organized by Center for Partnership and Equality (CPE) and the Initiative for Family Health in Romania in 2003. USAID funded the conference which aimed to create a common intervention network on domestic violence for NGOs working in the field. A conference entitled “The Role of Parliament in Promoting Family Values – Zero Tolerance to Family Violence” was organized by the National Agency for Family Protection with the support of the Romanian Parliament (Commission for European Integration) and the United Nations Population Fund. A public debate entitled “Why and how to Restrain Violence of Audiovisual Programs” was conducted by the National Audiovisual Council with financial support from the European Union through the Phare Program. The “Conference for Preventing and Combating Family Violence” was organized by the Coalition of NGOs Working in the Area of Violence against Women, in partnership with the Commission for Equal Opportunities for Women and Men, with financial support from the National Democratic Institute Romania.

Non-governmental organizations developed other awareness-raising programs generally supported by external funds. The Center for Partnership and Equality developed the GENESIS project. The project’s goal was to inform public authorities and their representatives about equality for men and women through informational materials and trainings. The same organization conducted the “Zero Tolerance to Family Violence” project that intended to establish instruction and prevention criteria,

organize trainings for teachers and school counselors, and elaborate a prevention guide. Transcena Association developed the “Auction” project initially funded by Open Society Foundation–Romania. The project involved the presentation of an interactive play on domestic violence that was held in Bucharest, Cluj-Napoca, and Timișoara. Pas Alternativ Association developed prevention activities in secondary and high schools in Brașov. Artemis Association Cluj-Napoca conducted prevention activities for educators, parents, and children in Cluj-Napoca, Harghita, Mureș, and Brașov counties. In 2004 The Center for Community Mediation and Safety (CMSC), Iași organized itinerant theatres for children in rural communities. Social Assistance Direction from the County Council Iași developed the Program for Family Violence Prevention that included several projects. The county police inspectorate carried out a project named “Safety for Everybody.” Local governmental and non-governmental organizations developed a project named “Regional Community Participation in order to Prevent and Answer Violence against Women,” and another project entitled “Establishment of a Social Center for Protection of Women Victims of Domestic Violence.” IDEE Foundation conducted a European Union-funded project called “What have you Done to your Family?” The project included a social communications campaign with topics related to sexual abuse, domestic violence, traditional stereotypes, and children’s status in the family.

### **8.3 Information materials for the victims about their rights and the services they can seek help**

All organizations that provide direct services for women victims of violence have information materials with contact data of certain organizations and the services they provide. Other materials contain information on domestic violence, sexual abuse, harassment, prostitution, human trafficking, and discrimination. The information contains descriptions of the act, consequences, services, and legislative aspects. Materials are written mostly in Romanian, and distributed at the local/regional levels. The number of copies varies according to funding which usually is provided through external grants. Distribution is dependent on grants and in several situations organizations contribute their own resources to maintain the level of service for the target group. Organizations that do not provide direct services as well as departments of the organizations that do provide direct services, contribute additional materials regarding special educational modules for women victims, research on needs assessment, coverage of violence in Romania, institutions providing services, best practices and monitoring reports of public institutions. Generally, these materials are also supported by external funding and distribution is intermittent. Peace Corps Romania’s Gender and Development (GAD) Committee is an example of an organization that does not provide direct services, but has published a series of materials about domestic violence and women’s rights. The materials include

guidelines to approach adolescent girls, newsletters to promote activities of organizations providing services, and/or developing awareness campaigns.

## **9. RESEARCH AND SURVEYS ON VIOLENCE AGAINST WOMEN**

### **9.1 Research programs and surveys**

In 2003 Center for Partnership and Equality (CPE) conducted a nationwide research project in order to provide a blueprint of domestic violence and violence in the workplace in Romania. Up to now, this remains the only national initiative developed by an NGO in Romania in order to sustain the national representation of the data collected. The research has been financially supported by the Network Women's Program, OSI New York and the Open Society Institute through the Center for Legal Resources.<sup>48</sup>

The general objective of the research project was to complete a nationally representative study that would contribute to:

- the creation of a theoretical model aimed at supporting the work of experts in the field of preventing and combating family violence in Romania;
- the elaboration, definition, and validation of specific tools to assist victims of family violence; and
- the development of a monitoring methodology for assessing the phenomenon of family violence in Romania.

The research was composed of three questionnaires for the general population, institutions, and experts working in the field of family violence. The questionnaire was presented to 1,806 persons, aged 18 and above, including 1,206 women and 600 men. The sample was representative of the national adult population in Romania and the error rate was +/- 2.3 percent. The institutional questionnaire focused on the roles and tasks of public institutions with legal responsibility for preventing and combating family violence. It was sent to 182 representatives with decision-making power. For experts working in the field of preventing and combating family violence, the Delphi method was utilized, and researchers questioned 191 experts from local authorities, police, forensic institutes, family doctors, emergency hospitals, and NGOs.

---

<sup>48</sup> The full text of the research is available in both Romanian and English language and can be downloaded from CPE website at [www.cpe.ro](http://www.cpe.ro).

Research institutes participating in the study included the Marketing and Pooling Institute (IMAS) which carried out the fieldwork, by instituting questionnaires and developing the data from the information collected. SC Gallup International Romania monitored and controlled the accuracy of the data collected by IMAS. The project team was comprised of psychologists, sociologists, researchers specialized in social sciences, NGO representatives, and legal practitioners.

The definition of domestic violence used in the survey was the definition issued by the Committee of Ministers of the Council of Europe,<sup>49</sup> as the national legislation on family violence was not fully in place at the time the methodology was drafted. This research took into account five types of domestic violence:

- psychological violence consisting of verbal assaults, intimidation, mockery, and humiliation;
- physical violence whereby the victim suffers several injuries subsequent to slapping, hitting or beating by another individual or with the use of various objects;
- social violence consisting in a passive form of psychological violence whereby the victim is being controlled, isolated from her/his family or friends, her/his activities are being monitored, which results in the interruption of social relations or a deficit thereof, as well as in restricting the victims' access to information;
- economic violence is another form of passive psychological violence which involves restriction of the victim's access to money or to any other economic resources; and
- sexual violence consisting of forcing the victim to engage in unwanted sexual activity.

The topics approached for each of these particular types of violence were:

- the incidence and the groups at maximum risk of victimization;
- the defining characteristics of victims and of aggressors;
- the period of time during which such violence occurred, the life cycle in which it prevailed, and what exactly it consisted of;
- the way the victim acted and the kind of support she/he received from her/his relatives, friends, neighbors or public institutions; and

---

<sup>49</sup> Recommendation No. R(85)4 on Domestic Violence, stating that domestic violence is "any action or non-action committed within the family by one of the members thereof which threatens the life, physical or psychological integrity or freedom of another member of that family and seriously damages her/his personality development."

- the reasons and factors as well as the effects on the victim's state of health, state of mind, and self esteem.

The following are the main conclusions of the research:

Most victims of domestic violence in Romania have experienced several types of violence. Out of all surveyed male and female victims only one third report only one type of domestic violence, which decreases to 29 percent for women. Women are more likely to report multiple forms of domestic violence. Eight out of 100 women in Romania – as compared to two out of 100 men – have been subjected throughout their lives to more than three types of violence, as psychological violence is combined with physical violence and with sexual, economic or social violence.

The most widespread type of domestic violence is psychological violence which in almost all cases accompanies some other form of domestic violence. Physical violence and social violence make up one half of the total number of cases of domestic violence. Economic violence occurs more seldom, making up one third of the total number of cases, and sexual violence is the rarest reported form and affects the female population. Half of the self-declared victims chose to speak about psychological violence, 35 percent provided details on the forms of physical violence they had been subjected to, and 12 percent extensively spoke about their experiences of social isolation and intense monitoring of their activities (social violence). As a rule, most persons who chose psychological or social violence as the most 'affecting' types had been exposed to one or more types of violence, whereas the depiction of physical violence is associated with suffering violence in its multiple forms throughout one's life.

In conclusion, domestic violence is not served 'by piece' but it comes 'in bulk'. The types of violence defined by the self-identified victims as being the most severe are:

- psychological violence: 71 percent of the male victims and 46 percent of the female victims declare psychological violence as the experience "that hurts me the most";
- physical violence: 43 percent of the female victims, and 11 percent of the male victims state that out of all forms of violence they have been subjected to, this was the most serious; and
- social violence is considered to be the most severe by 13 out of 100 persons who are victims of domestic violence, women and men included, with no statistically significant differences by gender. These are mainly young persons, students and pupils, especially from the large cities and from Bucharest.

According to the data collected through this survey, in the 12 months prior to data collection:

- About 800,000 women in Romania have frequently been subjected to domestic violence in some form: 695,000 women were insulted, threatened or humiliated; over 316,000 women were physically abused, and a similar number were subjected to abuse leading to coerced limitation of social relations; over 277,000 women did not personally own money or their money was taken against their will by other family members, and over 70,000 women suffered various forms of abuse, including sexual abuse.
- Over 370,000 children aged 0–14 in Romania frequently witnessed insults and swearing between their parents or between other adults within the household.
- Over 340,000 children aged 0–14 in Romania witnessed scenes of physical violence between their parents.

Though its incidence is not much higher than EU Member States, domestic violence in Romania is different in nature. Significant determining factors for domestic violence are poverty, socialization in an environment affected by violence, the patriarchal model for family organization, and alcoholism. Romanian society is still characterized by a mentality that is tolerant towards violent domestic behavior.

The population's attitude towards domestic violence also reveals that people do not consider this issue as a priority requiring an immediate solution. The clichés shared by half of the population justify domestic violence and, the behavior of battered women is especially seen as “a beaten woman can leave the aggressor at any time.” This statement and domestic violence defined as ‘dirty laundry’ indicates a miscomprehension that violence is something that can be washed away within the family. The tolerant attitude towards domestic violence and the set of beliefs defining violent behavior as ‘normal’ are accompanied by the ignorance of individual rights provided by the law. Moreover, only 55 percent of the persons subjected to violent abuse, women and men alike, know about legal provisions protecting victims of domestic violence and sanctioning the aggressor. Domestic violence is a field in which legislation is well in advance of mentalities. Such legislation is bound to stay only *de jure* and not *de facto* until mentalities change.

The victims of domestic violence receive support mainly from relatives and friends. Individuals who are socially isolated must find solutions for themselves to escape this situation. Currently, not only are rights and legislation unknown, but the institutional ways of solving the problem are also generally not known. Only one in five victims, mainly women, reported to the police and most were rather unsatisfied with the way the police dealt with their cases. Otherwise, victims only go to hospitals, which only serve victims who need medical attention subsequent to the abuse. The rest of the institutions that have responsibilities in the field are ‘invisible’ to the victims. This is

not the result of victim behavior alone. When asked the question “who do you believe should intervene when somebody beats up his/her partner?” most of the respondents – with the exception of a few isolated cases – answered “the relatives” (44 percent), “the police” (33 percent), “the neighbors” (10 percent) or even “nobody” (21 percent).

Half of the respondents (as well as the victims of domestic violence) have heard about some NGOs supporting victims of domestic violence. This was learned from mass media, mainly from the TV. One third of both the victims and the population are aware of such an NGO active in their local residence. Although, according to data the visibility of NGOs does not seem very high, we must take into account the small number of NGOs at the national level as well as the limited financial resources these NGOs have for promoting their activities.

## **9.2 Violence against women on the agenda of research centers dealing with equality issues**

There are no public research centers addressing gender equality issues in Romania. Some NGOs developed programs and projects dealing with aspects of gender equality or violence against women. ANA Saf and FILIA are exceptions as they are addressing, as their mission, feminist analyses and gender studies even though their activities in the last two years were not very visible.

# **10. STATISTICS AND DATA COLLECTION ON VIOLENCE AGAINST WOMEN**

## **10.1 Official statistics, data collection, and specific indicators on violence against women**

The state did not develop any common indicators to evaluate the scale of violence against women.

The statistics of the General Police Inspectorate do not refer specifically to violence against women. Information regarding this issue is provided upon requests based on the Law No. 544 of November 16, 2001 on the Free Access to Information of Public Interest. The main items registered by the police for data collection are: homicide, attempted murder, injuries resulting in death, serious bodily injuries, rape, prostitution, procurement, and the relationship between victim and perpetrator. Statistics are presented according to types of offenses.

In 2004 the General Police Inspectorate communicated the following data:<sup>50</sup>

- homicide cases: 61 cases of husband against wife, 51 cases between concubines, one case of father against daughter, 23 cases of son against mother, one case of daughter against mother;
- cases of attempted murder: 23 cases of husband against wife, 26 cases between concubines, one case of father against daughter, one case of son against mother, three cases of mother against daughter;
- injuries resulting in death: 11 cases of husband against wife, nine cases between concubines, seven cases of son against mother, one case mother against daughter; and
- serious bodily injuries: ten cases of husband against wife, six cases between concubines and two cases of father against daughter.

Statistics from the prosecutors' office are available only by individual/institutional request according to the Law on Information of Public Interest. Data refers to the relationship between victim and perpetrator. Statistics from the courts are available according to the regulations of the above mentioned law. The public health service sector has no registered case data with regard to the relationship between victim and perpetrator, forms of domestic violence or any other type of violence against women. The items considered by the prosecutors' office are: homicide, attempted murder, injury resulting in death, serious bodily injuries, rape, prostitution, procurement, and the relationship between victim and perpetrator

The National Agency for Family Protection has recently been established; it did not articulate a specific methodology for case registration and requests of statistical information from NGOs and other organizations and institutions working in the field. The items for the statistical registration are: the personal code of the victim; sex, age, origin; educational level, occupation, income; civil status; relationship with the aggressor, nature of abuse, frequency, death; legal procedures, sanctions applicable to the aggressor, sanctions applied to aggressor; and measures taken by the institutions that registered the case.

Officially, there is a general estimation for the number of cases for each county. The migration offices provide only the number of migrants without any distinction according to gender violence. The National Institute for Statistics does not elaborate statistics about violence against women.

There are no national reports from different professions for cases of violence against women. Statistics and data are available to the public in the form of statistical reports

---

<sup>50</sup> At the time of the writing of this report data was not yet available for 2005.

provided by NGOs and institutions working in the field with restrictions for maintaining confidentiality regarding personal data. Court reports are not published, but are available only upon request.

In Romania, there is no genetic data bank for cases of sexual violence.

## 10.2 NGO statistics on violence against women

The Coalition of NGOs Working in the Area of Violence against Women published the following data regarding domestic violence in 2004:

- information and phone counseling: 1,452 cases;
- legal counseling and free representation in court: 569 cases;
- psychological counseling: 909 women survivors of domestic violence and sexual abuse and 154 children and youth;
- support group: 148 women survivors of domestic violence were integrated in support groups; 27 children, being direct or indirect victims of domestic violence, were integrated in groups with specific activities;
- social assistance and job placement: 952 cases; and
- assistance in shelters: 157 victims and 187 children were assisted in the shelters or day centers belonging to the shelters.

NGOs that provide programs for survivors of domestic violence have statistical reports published on their websites:

Association for the Promotion of Women in Romania (APFR/APoWeR) has regional statistics regarding domestic violence since 1999. In 2004 the organization worked with the following cases: information and phone counseling in 301 cases; social assistance in 260 of new cases; legal counseling in 166 cases; psychological counseling in 79 cases; and referral to a support group in nine cases of women and 17 cases of children. In 2005 APoWeR registered information and phone counseling in 232 cases, social assistance in 260 new cases; legal counseling in 143 cases; and psychological counseling in 42 cases.<sup>51</sup>

Sensiblu Foundation published the following information regarding domestic violence and social cases. In 2004 the organization had 193 cases, of which 175 were new beneficiaries. Beneficiaries received direct counseling in 103 cases, and 72 contacted the organization through telephone. From the beneficiaries receiving direct counseling, 84 were domestic violence cases, of whom ten received shelter placement. Between

---

<sup>51</sup> All information and comparative reports are available on [www.apfr.ro](http://www.apfr.ro).

January and June 2005 the organization had 88 women and 75 children beneficiaries. Forty-eight women received social, psychological (group and individual), and legal counseling. Phone counseling was provided for 40 persons. The shelter hosted five women and five children. All information can be found at [www.fundatiasensiblu.ro](http://www.fundatiasensiblu.ro).

## **11. CASE LAW ON VIOLENCE AGAINST WOMEN**

### **11.1 Cases on violence against women before the national and international bodies dealing with human rights issues**

There is no information available in Romania with regard to cases on violence against women before gender equality bodies or bodies dealing with violence against women.

There is no violence against women case from Romania before the international forums.

### **11.2 Published court decisions, case studies, and analyses of case law**

There are no published court cases concerning violence against women in Romania. An electronic database of court decisions was inaugurated in 2005 by the Ministry of Justice. Unfortunately, most of the sections at the court level do not contain much information. There is no information available yet in regard to decisions on violence against women cases. Otherwise, data on court cases in regard to violence against women may be obtained through court-by-court investigations, but this process is nearly impossible. However, Association for the Promotion of Women in Romania disclosed that it has recently started a court monitoring investigation in Timiș county.

## **12. RECOMMENDATIONS TO THE GOVERNMENT**

- Consider specific tasks for the National Agency on Equal Opportunities in the field of violence against women, by promoting women's rights of life, health, physical and psychological integrity;
- Urge the National Agency on Family Protection (NAFP) to build a functional National Strategy on Preventing and Combating Family Violence including financial planning, clear objectives and concrete activities for their units on preventing and combating family violence at the county level and to develop internal policies of monitoring and evaluation with specific indicators;

- Ensure that the NAFP is able to initiate and maintain long term task orientated collaboration with NGOs and allocate financial resources for programs and services provided by NGOs in the field;
- Adopt legislation and procedures for effective law enforcement to ensure that women victims of violence have immediate means of redress and protection, with specific attention to Law No. 217 of 2003 on Preventing and Combating Family Violence;
- Consider abrogation of articles that refer to mediation conducted by Family Council according to Law No. 217 of 2003 on Preventing and Combating Family Violence;
- Take all necessary measures to introduce restraining orders in the current legislation in order to ensure victim's protection through effective measures against the perpetrator;
- Adopt special procedures in the Civil and Family Codes in order to give the possibility for victims of domestic violence to remove the perpetrator from common domicile in a short time and to obtain temporary custody of the children, by the means of protective orders;
- Stipulate sanctions for professionals (judges, prosecutors and police officers) responsible to inform victims about the rights for psychological and legal counseling services as well as financial compensations as provided by Law No. 211 of 2004 on Some Measures Aimed to Assuring Protection for Victims of Offences;
- Adopt specific procedures for intervention, research and collection of evidences in situations of family violence;
- Establish public research centers and allocate funds for national research addressing gender equality issues in Romania;
- Ensure that all public institutions working for the victims of violence provide statistics with clear indicators on gender and type of violence, statistics that are publicly available, with or without submission of individual or institutional request;
- Publish yearly reports of different professions that worked with cases of violence against women (doctors, police officers, social workers, lawyers, prosecutors);
- Establish a genetic database for cases of sexual violence;
- Ensure that the Ministry of Education and Research, and the National Council for Curriculum add to the curricula of the subjects of "Civic Culture" and "Education for Health" specific information on types of abuse, including psychological abuse, and mechanisms of recognizing

violent behavior, and make these subjects compulsory for the primary and secondary school students;

- Request all future professionals that work in the field of social and medical support, law enforcement, and education to attend training on human rights with special emphasis on violence against women and to provide them also further opportunity to get specialized in this area;
- Allocate funds for publications, training materials and manuals for professionals working with cases of violence (police officers, judges, prosecutors, doctors, social workers, psychologists and others), with a special focus on violence against women;
- Certify NGOs and other institutions with expertise in the field of violence against women to provide training in the area for practicing professionals;
- Allocate funds for awareness raising campaigns on violence against women in formal and non-formal educational institutions;
- Allocate funds for media monitoring programs at the national level regarding media approach of violence against women, including incidence of the phenomenon, portrayal of women victims, violations of legal and deontological norms, ways of preventing and combating violence, titles of the media products and others, inter-institutional exchange of information regarding cases of violence, and others;
- Allocate funds for educational and awareness programs addressing journalists on issues regarding media approach of violence against women (legal regulations in the field, deontological norms, stereotypes, and others);
- Initiate national programs that would engage all public radio stations and televisions in awareness campaigns in the field of violence against women;
- Emphasize the role of media institutions to support civil society campaigns through free of charge broadcasting of spots and films, interviews, talkshows, news, and others;
- Take urgent measures to increase number of shelters for victims of domestic violence in each county and provide financial resources for the maintenance of already existing shelters; access in the shelter should be accepted without consideration of victim's domicile;
- Consider the expertise of NGOs active in the field by subcontracting them for services, training and consultancy regarding intervention, case management and institutional procedures in the area of violence against women;

- Take immediate action for setting up a national 24-hour crisis line specifically for victims of violence; this crisis line should be operated by professionals specialized in the field and it should facilitate access to community services;
- Ensure that the *National Strategy on Preventing and Combating Family Violence* foresees the creation of community networks that facilitate access of women in rural areas to assistance services; and
- Allocate funds for continuing education and supervising of professionals working on crisis line, shelters, day centers and other social units.

## ANNEXES

### Annex A. List of laws and regulations screened

Criminal Code of Romania

Law No. 544 of November 16, 2001 on the Free Access to Information of Public Interest

Law No. 678 of December 2001 on Preventing and Combating Trafficking in Human Beings

Law No. 202 of April 19, 2002 on Equal Opportunities between Women and Men

Law No. 504 of July 11, 2002 on Radio and Television Broadcasting

Law No. 217 of May 22, 2003 on Preventing and Combating Family Violence

Law No. 402 of 2003 on the Modification and Completion of the Law of the Audiovisual

Law No. 211 of May 27, 2004 on Measures to Assure Protection for Victims of Offences

Law No. 272 of June 21, 2004 on the Protection and Promotion of Child's Rights

Government Decision No. 1624 of December 23, 2003

Government Ordinance No. 95 of December 24, 2003

Order No. 4740 of August 25, 2003 of the Romanian Minister of Education and Research

Order No. 4921 of September 22, 2003 of the Romanian Minister of Education and Research

Order No. 383 of July 12, 2004 on the Approval of Quality Standards for Social Services in the Field of Protection of Victims of Family Violence

Order No. 384 of July 12, 2004 on the Approval of the Collaboration Procedure in Preventing and Combating Family Violence

Order No. 4496 of August 11, 2004 of the Romanian Minister of Education and Research and the National Council for Curricula

Order No. 3919 of April 20, 2005 of the Romanian Minister of Education and Research

Convention of Mass Media Organizations (July 9–11, 2004) *Journalist's Statute and a Code of Ethics (Deontological Code of Journalists)*, Sinaia

Romanian Press Club *Deontological Code of Pressmen*

Committee of Ministers of the Council of Europe *Recommendation No. R(85)4 on Domestic Violence*

## Annex B. List of documents and books consulted

*Fourth and Fifth Periodic Reports* of Romania regarding violence against women under Article 18 of the Convention on the Elimination of Discrimination against Women, February 15, 1999.

National Agency on Family Protection *National Strategy on Preventing and Combating Family Violence*

Center for Partnership and Equality *Practical Guide for an Integrative Approach of Gender Equality*. Bucharest.

Grunberg, Laura (2005) *Mass Media about Sexes: Aspects of Gender Stereotypes in Romania*.

*Human Rights Report* at [www.hrr.ro](http://www.hrr.ro)

Lutheran World Federation, Department for Mission and Development *Women in Church and Society*. Lutheran World Federation, Department for Mission and Development *Churches Say NO to Violence against Women*.

*Magazine 22 – YEAR XIV (776)*. *Human's Rights Day* supplement. January 20, 2005.

National Agency on Family Protection *Activity Report 2005*. [www.anpf.ro](http://www.anpf.ro) (in Romanian)

National Coalition of NGOs Working in the Area of Violence against Women *Annual Report 2004*

NGO statistics on violence against women at [www.fundatiasensiblu.ro](http://www.fundatiasensiblu.ro)