



WWP // EUROPEAN NETWORK

National Report 2017

Romania



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Report Details

Organisation: Community Safety and Mediation Centre

Author: Laura Albu

Other organisation: Romanian Women's Lobby

Organisations/programmes

What type of activities related to preventing domestic violence has your organisation carried out in the last three years?

Established in 2000 in Iasi, Romania, the NGO Community Safety and Mediation Center has been working with victims of domestic violence since its founding.

In the last three years, CMSC developed several projects in the field of protection of victims of domestic violence, as follows:

- Developing and Strengthening the Network for Preventing and Combating Violence Against Women -funded by EEA Grants
- Funding "Her story - Women in inter-ethnic rural communities " through Norway Grants
- Supporting victims of violence through multiple discrimination approach- also funded by EEA grants, through The Romanian Social Development Fund
- Assisting victims of gender based violence through bilateral cooperation between Romania and Norway- funded through Norway Grants

The organisation's focus in the last years was on the following issues:

- a. Increasing the capacity of experts and volunteers to face the needs of the beneficiaries and increasing social cohesion through the introduction of a new service of multi-disciplinary coordination of domestic violence cases under a lawyer's or psychologist's coordination.
- b. Creating communication tools through working together in intervention case teams of specialists from the same county, which were previously working separately on the case, leading to a shorter time for intervention.



Funded by
the European Union

c. Promoting and applying adequate methods of work through the documentation of good practices in direct assistance of victim. Building unified study cases in intervention on 82 cases of adults and 38 cases of children (statistics refer only to the last 6 months in 2016 and only to direct cases CMSC was involved in). Assimilating a better law (217/203) on violence in the family and preparing the legislative modification needed for the implementation of the recently ratified Istanbul Convention by Romania in September 2016.

d. Investing adequate resources in the future of services to ensure continuation by training lawyers, doctors and psychologists in assistance of cases of gender-based violence, taking into consideration that lawyers will receive cases to be assisted pro bono, and psychologists could be later hired in public or private structure of case referrals and therapy.

e. Developing relationships with donor states through the partnership with Hedda Foundation from Norway, enabling a transfer of good practices in tackling multiple discrimination cases with which Romania didn't have much experience.

What would you define as the biggest obstacles/challenges regarding violence prevention to your organisation? Please focus on the last three years.

Main challenges:

- Lack of or no funding at all for permanent services for victims and perpetrators of violence against women and domestic violence;
- Inaccurate national statistics, in which the extent of family violence is underestimated, fragmented and dispersed. Additionally, the different data from varying sources arouse suspicion regarding the accuracy of these statistics
- -There is no professional training in the field of family violence
- There is no current permanent preoccupation for researching the phenomenon of family violence and its causes
- -The existing legislation is incoherent and not adapted to the Romanian reality
- There are no mechanisms for enforcing legal provisions



CMSC, together with main partner Forensic Medical Institute from Iasi city and Norwegian partner Hedda Foundation, were able to develop several tools for addressing some of these challenges (except with the funding one) using the following tools:

- **2015: Executing a study for identification of specific needs for the professionals working with VAW** regarding the approach of the victims of violence and, possibly, people discriminated based on gender, age, ethnicity, etc.
- **2016: Conducting a study regarding the multiple discrimination of victims** (collecting data, analysis, processing) based on the current legislations in Romania, European Union and the Donor States concerning the protection of violence victims, anti-discrimination actions; relevant case studies; conclusions; recommendations;
- **2016: Developing a good practice manual** on the approach of multiple discrimination. To better understand the models of good practice, a number of 20 best practice models were documented.
- **2016: Launching a campaign against multiple discrimination of victims.** The campaign aimed to draw attention towards the violence and abuse to which the victims of violence are exposed and to aspects of discrimination based on gender, age, ethnicity and disability which double the vulnerable status of the victims of violence. The online campaign can be accessed here <https://www.facebook.com/FixMediaAdvertising/?fref=ts> and here <https://www.facebook.com/victimassistiasi/?fref=ts>
- **2016: Holding regional training sessions for professionals from the region of Moldova.** Organizing four regional training sessions, with participation of 300 specialists: 100 medical doctors from the medico-legal system, emergency hospitals and general practitioners and 200 members of inter-sectorial teams from the eight counties. The specialists work with victims of violence and face cases of multiple discrimination – police officers, members of the departments for battling family violence activating in the general departments for social protection and child services, local authorities, personnel from shelters and centres for counselling victims and aggressors etc.



- **2016: Workshop on good practices of Donor States** – In Ilasi, the Hedda Foundation held a workshop promoting different good practices regarding assistance of victims in Norway, including work with perpetrators in Norway.
- **2016: Two Norway study visits to the Hedda Foundation** to start a comparative analysis and elaboration regarding intervention of cases in multidisciplinary teams and working with perpetrators.
- **Monthly: Permanent training modules** open for all professionals, including free training modules for all specialists, but also for law students, medical students, social studies students, volunteers, teachers and all people interested in the aspects of prevention and intervening in cases.

Country

Overview of general situation in Romania regarding perpetrator work.

There are no coordinated measures yet regarding work with perpetrators. In January 2017, Government declined funding of National Programs of Interest tackling violence against women, which included also funding for centres to work with perpetrators, motivating lack of funding.

At this moment, there are two centres for perpetrators in Baia Mare city, funded through Norway grants, one in Baia Mare penitentiary and one in a partnership between Social Service Baia Mare, ASSOC and County Police Maramureş. Project ended in April 2017 and is not clear if still continues or not.

Other two-day centres are coordinated by local council in Alba county and private public partnership in Mures County.

Overview of Romania criminal and civil responses to domestic violence, especially changes within the last 3 years? (i.e. what are the most important legal and policy measures and how have they been implemented?)

A series of other measures had been enacted to prevent and counter sexual violence, including the setting up of eight crisis centres for rape and partnerships with hospitals. Other measures undertaken by the Government included the adoption of the new Criminal Code in 2014, which criminalized all forms of trafficking in persons.



Romania progress made in relation to Istanbul Convention.

The Inter-Ministerial Committee for the Prevention and Combatting of Domestic Violence was created in 2016 as an implementing body for the Istanbul Convention.

Domestic violence and violence against women continued to be a priority for the country and in 2016 Romania had ratified the Istanbul Convention. The harmonization of internal legislation with the provisions of the Istanbul Convention was under way, with the focus on amending and completing Law No. 217/2003 on the prevention and combating of domestic violence. Another project to this effect was the VENUS project to combat violence against women, which would develop measures centred on the integrated and unified approach to social services, socio-professional and professional training of specialists in the field.

The Law introducing the Gender Perspective and the Law 217 on the Prevention and Combatting of Domestic Violence were considered a priority, and Government had undertaken the commitment to debate them in October 2017 at the latest. At the moment of writing this report (November 2017) the laws were not debated yet.

Even though the Constitution of Romania had high standards, its implementation did not address multiple forms of discrimination. Romanian law did not take into account issues such as age, social or economic status, racial or ethnic background, status, health, disability, poverty and sexual orientation, which are interlinked with gender. Additionally, the laws were often not enforced in a proper manner, and Romanian people did not have trust in the legal system.

Romania faced a huge challenge of discrimination against women and domestic violence; however there would soon be a shift in paradigm in this respect, with the upcoming adoption of the Law introducing the Gender Perspective and the Law 217 on the Prevention and Combatting Domestic Violence. The latter would be harmonized with the Istanbul Convention, and would appoint a legal expert with concrete attributions to promote gender perspective in the national institutions.



On domestic violence measures, the Istanbul Convention was being implemented and Romania would follow the Austrian model, which provided that the aggressor had to be evicted immediately from the residence.

Regarding protection orders issued until 2016, there were 6,490 such protection orders, of which 1,490 were admitted orders for protection and over 1,000 were partially admitted orders.

Other organisations/programmes in Romania that carry out domestic violence perpetrator work

A number of projects had been launched with a view to providing financial support for the development of all necessary means and tools for the enforcement of this new legislation. These included the gender-based violence project under the “Justice” Programme financed by the Kingdom of Norway, focusing on eight assisting centres for aggressors at the local level, coupled with specialized intervention programs for aggressors in order to prevent the relapse of domestic violence

It is not clear when these projects will start.

Best practices in work with perpetrators in Romania

There is no developed cooperation between women’s service organisations and there are no organisations working with perpetrators on a constant base, we cannot name the best practices in Romania. There are several declarations (public and private) in this field, but not concrete work we can refer concretely.

The only initiative we know because our organisation was directly involved in it, was linked with several activities carried out under our two projects in 2016 - ***Support of victims of violence through multiple discrimination approach***- funded by EEA grants and ***Assistance of victims of gender based violence through bilateral cooperation between Romania and Norway***- funded through Norway Grants.

The activities focusing on the work with perpetrator in Norway and bringing more knowledge about work and methods in Romania, included the following steps:



- **-Two study visits in Oslo**(April and August 2016) including discussions with Reform - Resource centre for men, <http://reform.no/in-english> , Norwegian Centre for Violence and Traumatic Stress Studies (NKVTS), <https://www.nkvts.no/en/Pages/index.aspx> and Hedda Foundation <http://heddafound.no> – on best practices of work with perpetrators.
- **Elaboration of a manual of good practices in 2016** on the approach of multiple discrimination. In order to better understand the models of good practices, in which an entire chapter was dedicated to good practices in Norway for working with perpetrators.
- **Workshop of good practices of Donor States -in June 2016 Hedda Foundation** held in Iasi a workshop promoting different good practices regarding assistance of victims in Norway, including work with perpetrators in Norway.

Several ideas for future projects of our organisation are pending on finding funding for them, all regarding future work with perpetrators in Romania

- Police intervention in gender based violence – pilot project -twinning between one Police sections in Iasi city, Romania, and Stovner Oslo Police department regarding risk assessment (SARA tool), working with aggressors, monitoring retraining orders, prevention measures, using of electronic devices to monitor and prevent further violence (bracelets, panic buttons, etc)
- Opening in Iasi of a centre of work with aggressors doubled by specialised training for psychologists in anger management and working with aggressors, documentation and study visits in Norway, Iasi Court protocol to recognise trained therapists list in the field, cases referral from Police and Court toward the new pilot centre with feedback gave by Norway experts.
- Opening a research centres in Iasi, Romania, for studies regarding violence and post-traumatic stress, after Norwegian Centre for Violence and Traumatic Stress Studies (NKVTS), <https://www.nkvts.no/en/Pages/index.aspx>. These centres have no equivalent yet in Romania, assuming an interdisciplinary approach including dimensions regarding ethnicity, age, sex, medical aspects, social and psychological perspectives.



Needs and recommendations

What has to be done to prevent domestic violence in Romania (regarding work with perpetrators)? What are the most important tasks and steps that should be focused on in Romania in order to tackle domestic violence on a general?

The legislative package drafted to ratify the Istanbul Convention was a positive step. All forms of violence against women, including domestic violence, appeared to be prevalent in Romania, however not all forms of violence, including domestic violence, criminalized. All forms of abuse would be sanctioned under the new law, including psychological, sexual and physical.

There is an inadequate **level of training for all agencies and institutions** involved in the fight to eliminate gender based violence, including security, educators, health and judiciary. There is not a high percentage of the total personnel in these sectors, which have undergone any training regarding violence against women specifically. The training is not a regular part of their curricula, and is optional and sporadic.

Regarding shelters -the victims are required proof of the abuse to obtain shelter. Shelters are not accessible to all women including women with disabilities and Roma women, and are not present in all areas, including rural and urban, and in all regions in the country. Regarding the fact that 14 of 42 counties did not have a shelter, there was a plan in the pipeline for mobile emergency centres, which would relocate from one county to another. Non-governmental organizations would be involved in this project. The eight centres for rape were not physical centres but rather multidisciplinary focal points working in the emergency units in hospitals in the eight regions.

There is a high withdrawal rates for complaints of domestic violence. The police department had recommended that these withdrawal rates be dealt with and that women should not withdraw complaints. A lot remain to be done in cases of ex-officio prosecution.

Regarding the temporary protection orders, there was a procedure whereby the first filter was a policeman who drafted the order; the second filter was with the prosecutor, who acted as the intermediary between the policeman and the victim; and the third filter required the judge to



file a decision order. There was a confusion regarding the provisional temporary protection order: it would be regulated under the Law 217 and would allow for the protection of the victim once the violence was identified. On protection orders, the new legislation should be covering all forms of violence against women, including stalking, and will address the matter of requiring proof to obtain protection order.

Starting a coherent strategy of developing capacity of service providers to start working with perpetrators.

Train specialists in work with perpetrators. Work with perpetrators should be more structured, and quality control and monitoring efforts should be more systematic.

