



ROMANIA

ACCESS TO ADEQUATE FOOD

Romania became ineligible to many humanitarian programs after being classified as a high income country in 2020 and the state has done little to support marginalised groups during the COVID-19 pandemic. An increasing number of people have turned to LGBTQ+ associations seeking help with basic needs regarding shelter, repatriation, and employment.

BIAS-MOTIVATED SPEECH

On 15 June, a Romanian trans woman was publicly humiliated and targeted by transphobic slurs by border guards at the Cluj Napoca airport. The Romanian branch of the Europol Police Syndicate (CESP) released an online statement denying the claims.

BIAS-MOTIVATED VIOLENCE

In December 2020, a Roma trans woman was forcibly pulled off a bus, knocked to the ground, immobilised, handcuffed and shoved in a police car. On the way to the precinct, the police officer made numerous transphobic statements and threats. The victim claims that she was beaten continuously until they reached the precinct, where several police officers joined in the abuse, including taking pictures of her while she was humiliated. ACCEPT is representing the victim in the investigation.

The 2016 European Court of Human Rights (ECtHR) judgement M.C. and A.C. v. Romania, regarding the failure to investigate a possible homophobic hate crime, is now under enhanced supervision.

EDUCATION

The right-wing nationalist AUR party announced in July that it would seek to introduce legislation similar to the one adopted in Hungary to ban any discussion of SOGIESC issues in schools and in the media. A number of other parties also proposed propaganda laws. On 28 July, ACCEPT requested the Government to stand firmly against such initiatives. On 23 December, a group of UDMR (Democratic Alliance of Hungarians in Romania) MPs tabled a draft bill in parliament.

EMPLOYMENT

In November, MozaiQ released the first study on trans, non-binary, and intersex people's experiences in employment, finding that over 50% of respondents had

to take out loans to cover food and basic necessities in the past year. 70% felt anxiety while job-hunting and 48% had negative experiences at their workplace due to their gender identity.

FAMILY

In March Romanian and regional civil society expressed serious concern about the lack of action from the European Commission since it started a pre-infringement procedure against Romania in 2020, regarding the lack of implementation of the Coman judgement. ACCEPT submitted a new complaint as Romania continues to refuse to acknowledge the judgement. The Commission stated that to start an infringement procedure, it would have to establish a 'general and consistent' non-application of EU legislation, which is difficult.

Currently, the ECtHR is assessing the COMAN and Others v. Romania and the A.B. and K.V. v. Romania case, on the same issue.

FREEDOM OF ASSEMBLY

Despite the minimal COVID-19 incidence rate in the summer, the government maintained strict restrictions over public gatherings such as demonstrations, limiting the number of participants to 100. Such limitations had already been lifted in the case of sports, cultural, religious, or family events. In July, more than 65 civil society organisations urged the authorities to stop silencing civil society.

Bucharest Pride events kicked off on 6 August, celebrating 20 years since the decriminalization of 'homosexuality' in Romania. The Bucharest Municipality originally refused to authorise the Pride March, but reversed its decision. In the end, the Pride march was held in the scheduled time and place, on Calea Victoriei on 14 August.

ACCEPT disregarded the government's abusive restriction over the number of participants, set at 500, and 10.000 people joined the march. The organisers were fined with 7,000 ron (1,414 euro), but ACCEPT is taking legal action to challenge the fine and abolish the restrictions. Similarly, Cluj Pride organisers were fined 2,000 ron (404 euro).

The Bucharest Transport Company withdrew its contract with MozaiQ to organise Pride on the Tram, but backtracked after a protest outside its headquarters



The first [Iași Pride](#) was held on 1 October. The authorities first denied the request to hold the event. A second application was approved by a municipal committee, but denied by the mayor. ACCEPT and Rise Out filed a complaint against the mayor for abuse of public office motivated by discrimination, an act punished by the Criminal Code. In the end, Iași Pride took place safely, with police protection, with fewer than 100 participants as per COVID-19 regulations.

Timișoara Pride Week was held between 7–14 August in collaboration with local authorities. The organisers received threats, as before, but no violent incidents took place.

FREEDOM OF EXPRESSION

On 1 June, the ECtHR [found](#) a violation of the right to private and family life, freedom of association and assembly, and the prohibition of discrimination in the case of ACCEPT Association and Others v. Romania, which is under enhanced supervision. The case concerned a protest against a screening of a film involving a same-sex family during ACCEPT's LGBT History Month in 2013. The protesters were carrying far-right paraphernalia and abused cinemagoers. The Court ruled that the Romanian authorities had failed to offer adequate protection and to effectively investigate, and that "in doing so, the authorities showed their own bias towards members of the LGBT community".

HEALTH

Access to hormone replacement therapy remained severely limited and unsafe this year, with pharmacies only providing a limited number of options for testosterone and estrogen treatment. In July, the law on illicit drugs was [amended](#) and it now criminalises the possession, commercialisation, and purchase of testosterone with a fine of up to 15,000 RON (3,031 euro) for possession and up to seven years in prison for bringing in testosterone from abroad. The trans community in Romania relies on websites to order hormones from abroad, due to the lack of accessible and affordable supplies.

Since August, a severe lack of ART medication has hit Romania. National Healthcare programs, including the HIV program ran out of funding, resulting in anguish and frequent treatment plan changes, which can induce drug resistance and pose a serious threat to people living with

HIV. During Bucharest Pride 2021, civil society [held](#) a protest at the Ministry of Health, calling for a solution and the adoption of a National HIV Strategy. The Minister of Health committed to adopting a strategy, but Romania's governing coalition was overturned in September, leaving uncertainty about the next steps.

LEGAL GENDER RECOGNITION

On 19 January, the European Court of Human Rights [found a violation](#) of Article 8 of the European Convention on the right to private and family life in the X and Y v Romania case, because Romania lacked a clear and foreseeable legal framework for legal gender recognition. The implementation of the judgement is under enhanced supervision.

A second similar case was communicated to the government in September, showing that these violations continue to this day.

PUBLIC OPINION

ACCEPT's public opinion study [found](#) that 68% of Romanians think all families should be protected by law, including same-sex families. 71% thought introducing marriage equality would not have an impact on their own lives. 43% thought that same-sex families should have some form of legal recognition and 26% agreed with introducing same-sex marriage.

Between August - October ACCEPT ran [#ComeOutWithMe](#), the first national coming out campaign. The campaign brings personal stories of LGBTQIA+ people to the public, as 81% of Romanians say they don't know any LGBTQIA+ person. It features 14 LGBTQIA+ storytellers, over 20 influencers, and 300 anonymous coming out stories, and has generated over 15 million views so far.



ROMANIA WEB PAGE
MORE INFORMATION ON WWW.RAINBOW-EUROPE.ORG