

ROMANIA

ACCESS TO ADEQUATE FOOD

An increasing number of people have turned to LGBTQ+ associations seeking help with basic needs regarding shelter, repatriation, and employment.

BIAS-MOTIVATED SPEECH

The memorandum to the child protection bill (see under *Freedom of Expression*) tabled in April stated that “in the societies of Western Europe we are witnessing today an assault on new ideologies, such as gender theory, which endanger traditional values, based on Christianity, and the very core of society – the Christian family”.

Hate speech was on the rise in the summer, with several instances being reported to MozaïQ. Religious leaders for instance spoke in a hostile way in the leadup to Iași Pride in June.

BIAS-MOTIVATED VIOLENCE

Four hate crimes were perpetrated over the span of three weeks in the summer - all were reported to the police. Leaflets showing a gay man in a gas chamber and a nazi soldier pressing the gas button were left in MozaïQ's courtyard in August. Civil society attributed the rise in violence to the tabling of the ‘propaganda’ bill (see under *Bias-motivated Speech* and *Freedom of Expression*) and Hungarian PM Viktor Orban’s racist, xenophobic, anti-European and anti-LGBT speech at Băile Tușnad in August.

The police was notified by ACCEPT of death threats against participants a day before the Bucharest Pride march and a bomb threat on the day of the event. An unidentified attacker threw gas bombs into the crowd during the closing concert of the Pride Festival - seven people needed first aid. ACCEPT filed criminal complaints in all three cases.

There was a clear rise in hate crimes during Bucharest Pride - over 20 victims asked ACCEPT for legal advice.

In November, a few days before Trans Day of Remembrance, Vasilica Narcisa, a trans woman was found dead in her dorm room.

DATA COLLECTION

As part of the National Strategy for Preventing and

Combating Anti-Semitism, Xenophobia, Radicalisation and Hate Speech (2021-2023), the police were tasked to draft a methodology for collecting data on hate crimes. ACCEPT learned that the methodology excludes sexual orientation and gender identity and requested the draft to be shared. After the police refused to do that, ACCEPT filed a freedom of information request at the Bucharest Court.

EDUCATION

In October, MozaïQ presented its 'National Campus Pride Report', which analysed the inclusion of LGBTQ+ students in four major universities. Only half of the 350 respondents said they felt safe at university, one in three had heard anti-LGBT hate speech from a professor, and more than half had never seen leaflets or posters about LGBT issues or events on campus. Four out of every five trans respondents said that the teachers and staff did not respect their gender identity.

MozaïQ shared that nearly 250 university students visited the three centres for LGBT students in Bucharest, Timișoara and Cluj, that opened in 2021.

EMPLOYMENT

A teacher was banned from teaching by a high school in October after parents found a post on his social media, where he spoke out against anti-LGBT policies.

MozaïQ held Unicorns@Work - a conference for inclusive workplaces in December.

FAMILY

There continues to be no implementation of the Coman judgement, despite the pre-infringement procedure launched by the European Commission in 2020.

FREEDOM OF ASSEMBLY

More than 15,000 people joined this year's Bucharest Pride in July. The Pride Festival featured 20 events and spanned over nine days.

The Timisoara City Hall requested that local LGBTIQ+ organisation Equivox obtain a permit from the Banat Metropolitan Orthodox Church before



organising a community dinner. Following civil society advocacy, the City Hall approved the event without the Church's approval.

The Bucharest Court of Appeal annulled the government's 2021 restriction limiting the number of participants at public gatherings, allegedly as a COVID-19 precaution. The limit was set at 500, but Pride marches went ahead regardless, both in Bucharest and in Cluj. The Cluj Court of Appeal annulled the government restriction regarding other assemblies, but not in the case of Cluj Pride. Appeals will proceed in both cases.

The second Iași Pride was organised by Rise Out in May-June. Hundreds attended the Pride march on 5 June but were attacked by a group of far-right protesters, who threw eggs at them.

Timișoara Pride was held on 5 July without any incidents.

FREEDOM OF ASSOCIATION

In December, several MPs belonging to the ruling coalition PSD-PNL tabled an amendment to Government Ordinance 26/2000 on associations and foundations, which could significantly impact the ability of NGOs to engage in strategic litigation and challenge local and state-level administrative acts. The amendments set out that NGOs challenging such acts must be registered for two years, could only challenge acts that were introduced after their registration, and must deposit a bond of up to 50,000 lei (10,000 euro).

FREEDOM OF EXPRESSION

On 27 April, the Senate adopted an amendment to Law no. 272/2004 on the protection and promotion of the rights of the child to "protect the child against the dissemination by any means of content regarding the deviation from the sex established at birth or the popularisation of sex change or homosexuality". The bill is a replica of Hungary's 2021 propaganda law and was tabled by the Hungarian Democratic Union of Romania (RMDSZ). Local civil society and the European Parliament's LGBTI Intergroup called on MPs to reject the bill. The legislative proposal is in the Chamber of Deputies and can move forward anytime.

In October, civil society held a march with the motto 'Our tradition is love', demanding that MPs stand firmly against the bill.

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 oestrogen treatment.

Since August 2021, a severe lack of ART medication hit Romania, posing a serious threat to people living with HIV. After many months of civil society pressure calling for a National HIV Strategy, ACCEPT and activist Alexandru Tantu sued the government and the Ministry of Health for their lack of action. ACCEPT also published a comprehensive study on 'The HIV/AIDS situation in Romania'. In November, the Constitutional Court ruled that the dismantling of the National HIV/AIDS Commission in 2021 was constitutional.

Nevertheless, in November the government adopted the National Strategy for the Surveillance, Control and Prevention of HIV/AIDS (2022–2030).

LEGAL GENDERrecognition

ACCEPT, the Public Ministry (General Prosecutor's Office), and the Ombudsperson set up a working group focusing on the implementation of the European Court of Human Rights X and Y v Romania judgment, which set out that the lack of a clear and foreseeable legal framework for legal gender recognition is a violation of the Convention.

The 'Our Tradition is Love' march in October (see under *Freedom of Expression*) also called for access to legal gender recognition for all trans people.

POLICE AND LAW ENFORCEMENT

In October, ACCEPT, the Public Ministry (Romanian General Prosecutor's Office) and Stonewall organised a training of trainers who will hold sessions on hate crimes to 280 prosecutors and 160 police officers by the end of 2023.

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