

ROMANIA

ACCESS TO ADEQUATE FOOD

LGBTQ+ people continue to be affected by economic inequality and are at risk for poverty in Romania. A new Fiscal Code due to be in force in January 2024 will further make it difficult for associations to distribute goods and services to them, as NEETs will have to pay mandatory health insurance for six months should they receive funding from any source.

ACCESS TO GOODS AND SERVICES

The National Council for Combating Discrimination (CNCD) is investigating a printing house that refused to print leaflets about lesbian rights and another print shop that refused to print a booklet on gender equality.

BIAS-MOTIVATED SPEECH

In July, MP George Simion shared a social media post to say that LGBTQI people are to blame for the weather conditions, which are divine punishment. In July, the head of the Romanian Orthodox Church said that “homosexuality was, is and will remain unnatural”. A number of other political and religious figures made hostile statements this year (see here, here, here).

ACCEPT Association submitted eight petitions to the National Audiovisual Council of Romania (the regulator for the audiovisual sector in Romania) because of the unbalanced representation in the TV debates on LGBTQIA+ issues and for discriminatory and hateful statements, violence or discrimination. The Council sanctioned one of the TV stations with a fine of 20,000 lei (4,020 EURO) and another with a fine of 10,000 lei (2,010 EURO).

BIAS-MOTIVATED VIOLENCE

A queer person was verbally and physically attacked at a gas station in Bucharest.

This year, ACCEPT filed eight criminal complaints for hate crimes - six of them for threats, one for destruction and one because at the end of the Bucharest Pride march, in front of the Pride Park stage, someone threw irritants, caused three people to go to the first aid tent. In addition, 30 people received legal counselling as victims of hate crimes.

ACCEPT is still challenging in court the refusal of the Romanian Police to provide their methodology on recording hate crime cases which should also cover sexual orientation according to the criminal legislation.

DATA COLLECTION

The IPSOS PRIDE 2023 survey found that 51% of Romanians agree that same sex families should enjoy a form of legal recognition and protection.

EDUCATION

In March, the Ministry of Education presented proposals for two new Education Laws, intended to replace the National Education Law. The new laws included obligations to promote diversity, inclusion, and tolerance, and banned discrimination based on sexual orientation. 13 religious groups called for the withdrawal of provisions and a protest against these changes to the Education Laws was organised by NGOs in front of the Government. As a response, over 50 civil society organisations, student unions and hundreds of teachers, parents and students joined a petition to the Ministry of Education to call for inclusion, diversity, and non-discrimination in education. Following the controversy, the majority parliamentary groups deleted the explicit mentions of sexual orientation as a ground, but instead included a reference to the non-discrimination legislation (Government Ordinance 137/2000) and ensuring in this way that sexual orientation is covered.

A report from Campus Pride assessed the level of LGBT visibility and inclusion on Romanian university campuses. It found that at 34% of faculties, homophobic discourse has been used. 81% of trans respondents stated that their university and its staff do not respect their gender identity. However, testimonials showed that there are an increasing number of allies among colleagues and professors, making Romanian students optimistic about the future.

FAMILY

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

In May, the European Court of Human Rights ruled in Buhuceanu and Others v. Romania that Romania's failure to provide legal recognition and protection to same-sex couples is a violation of Art. 8. The case was brought to the Court by 21 families. Romania filed an appeal in August, which the Court rejected. CSOs called the appeal shameful.

In July, the Internal Affairs Ministry published a legislative proposal for the execution of the Coman judgement. In August, the Internal Affairs Ministry organised a public debate inviting only the Christian Office for Rights and

Liberties. At the request of the latter, the Internal Affairs Ministry removed mentions covering civil unions from the proposal.

In September, the government adopted the proposal, which moved onto the parliamentary procedure. The bill no longer requires that a Romanian citizen's spouse's right of residence be conditional upon the transcription of their marriage certificate in the Romanian registry. Civil society highlighted that same-sex spouses will continue to face discrimination, as with this bill, they will be able to reside in the country for a year, but their relationship will not be recognised in Romania - they will not enjoy any of the benefits and rights that heterosexual married couples do.

FOREIGN POLICY

Romania did not join the European Commission's infringement proceedings against Hungary over its anti-LGBT legislation.

FREEDOM OF ASSEMBLY

More than 25,000 people joined this year's Bucharest Pride in July, marking the largest march to date. The Pride Festival featured 20 events and spanned over nine days. On the day of the Pride march, a counter-demonstration called March for Normality was held in the capital.

Timișoara Pride was held on 1 July, as part of the national cultural programme of the city, which was the 2023 European Capital of Culture. Around 600 people joined the third Iași Pride march, organised by Rise Out in June. A smaller group of far-right protesters was present again - they chanted hateful slogans and threw water at the participants. Oradea organised its first Pride Week in August, drawing 1,560 people - as well as an anti-Pride gathering in the city centre. The march in Cluj-Napoca was attended by 3,600 people and was not without its controversies. Aside from far right protesters on the side, one of the gendarmes tasked with protecting the march accused a trans participant carrying a trans flag of waving the "paedophile flag".

FREEDOM OF EXPRESSION

In February, two far-right MPs tabled the legislative initiative B68/2023 to ban any visual, audio or video materials about LGBTQ+ people, allegedly for the "protection of minors". Civil society widely condemned the move and asked for the bill to be withdrawn.

HEALTH

Civil society organisations published an online database of LGBTI-friendly doctors.

LEGAL GENDER RECOGNITION

The case of a Romanian-British trans man, who changed his gender marker and name in the UK but was unable to have this recognised in Romania, was referred to the European Union Court of Justice in March.

PUBLIC OPINION

A representative public opinion poll found that 41% of Romanians support or are neutral about civil partnership, with 48% of young people (18-27) and 59% of those living in Bucharest being in favour of it. 70% of Romanians would accept their child if they came out as gay. It should be noted that awareness about SOGI was very low, with 43% of respondent's stating that they did not know what the term "heterosexual" meant and only 13% were familiar with the term "non-binary". Another notable aspect was that 56% of respondents wanted pride parades to be forbidden.



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