

**Experts and stakeholders meeting
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National Report The rights of crime victims in Romania

Silvia Antoaneta Berbec, Lawyer, Association Pro Refugiu

- Statistics Victims January 2019 – December 2019

Crimes - Criminal Code

Title I. Crimes against the person (Art. 188 -227)	8939	7447 adults (42 % women) 1492 minors (64 % girls)
Title II. Crimes against property (Art. 228-256)	1421	1246 adults (40 % women) 175 minors (16 % girls)
Title III. Offenses concerning authority and the state border	445	444 adults (6,75 % women) 1 minor
Title IV Offenses against the application of justice	6	
Title V Corruption and service offenses	59	
Title VII Offenses against public safety	1	
Title VIII Offenses affecting relations on social coexistence	647	

- **National Legislation**

Criminal Code

Criminal Procedural Code

Law No. 211/2004 on some measures to ensure the protection of victims of crime, it contains provisions such as:

- Information of victims
- Psychological counselling and other types of social assistance
- Legal assistance
- Financial compensation (eligibility conditions, legal terms, procedures)

Emergency Ordinance No. 24 of 3 April 2012

Towards a more responsive victim-centered approach of the criminal justice system (RE-JUST)

- Right to be informed within a reasonable term on the status of the criminal investigations and other judicial phases.
- Right to propose evidences.
- The right to consult the case file.
- The right to be heard.
- The right to adress questions to the defendant, witnesses, experts.
- Right to raise objections and submit conclusions.
- The right to interpreter.
- The right to a mediator, in cases permitted by law.
- The right to legal assistance.

- **Free legal assistance for victims**
- **Psychological reports, the presence of the psychologist in the courtroom.**
- **Hearing the victim - injured person.**
- **Protection of victim - injured person, during the criminal investigation and trial phases.**
- Council of Magistracy Decision 1375/2015 –confidential data (medical documents, photos kept in separate volumes of the file).
- Courts e-portal – confidential file (mark in the e-system)
- Law 363/2018 on the protection of natural persons with regard to the processing of personal data by authorities for the purpose of investigation, prosecution of criminal offenses.
- Law 682 / 2002 concerning the protection of witnesses.

- **Training of lawyers, prosecutors, judges**
- Conferences, training on the empathetic communication with the victim, avoid re-traumatisation, legal protection of the children's rights.
- Low number of events approaching this thematic.
- Low number of participants.
- National Institute of Magistracy implements 2 national projects (2019-2021) targeting less than 200 judges and prosecutors (Romania has over 7,000 judges and prosecutors)

workshops /seminars – hearing techniques, combating domestic violence, psychological landmarks in the development of vulnerable people (adults and minors), individualization of punishments.

Conclusions

- From a legislative point of view there are guarantees for the protection of victims' rights.
- The effective access of victims to assistance (legal, psychological, social) depends to a large degree on the availability of specific services in different regions of the country and the need for an improvement of the level of information on how to request such support.
- The victims' lack of confidence in the effectiveness of certain protection measures can be a major obstacle to undermine the chances of resolving a case.
- The introduction of sensitive thematic in the initial and continuous training of judges and prosecutors should be a long-term goal of the national institutions that have competencies in the training domain (not only projects of limited duration of time).