OSCE ODIHR
HATE CRIME REPORTING

**Information contained in this report was compiled as part of ODIHR's 2022 Hate Crime Report.**
**For more information, including on previous years' reporting, please visit: hatecrime.osce.org/romania**

**For more information about ODIHR's Hate Crime Report, visit: hatecrime.osce.org/our-methodology**

# 1 2022

## Summary

Romania regularly reports hate crime data to ODIHR. The Ministry of Administration and Interior, the Police, the Prosecutor's Office and the Superior Council of Magistracy collect hate crime data.

Amendments to the Criminal Code introduced in 2023 set out the constituent elements of hate crimes and the protected grounds therein.

In 2016, Romania implemented ODIHR's Training Against Hate Crimes for Law Enforcement (TAHCLE) Programme. A specialized hate crime unit was created in the Romanian Police in 2021.

Hate crime data collection in Romania
Support for hate crime victims in Romania
Hate crime capacity building in Romania
Romania's hate crime legislation

## ODIHR's Key Observation

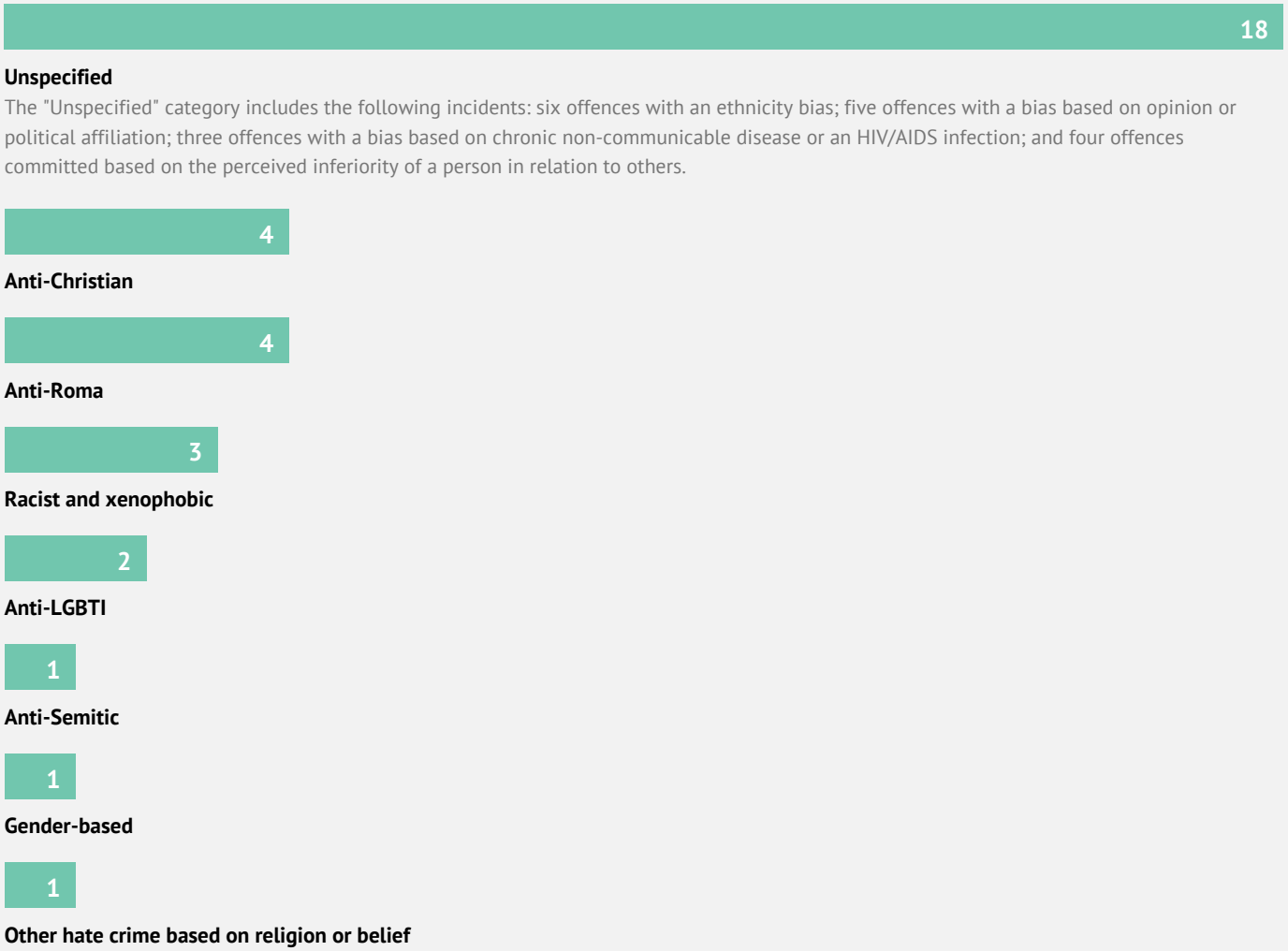
**ODIHR recognizes Romania's efforts to enhance their hate crime data collection. However, based on the available information, it observes that Romania's hate crime recording and statistics do not sufficiently distinguish hate crimes from other crimes. In addition, ODIHR observes that Romania would benefit from ensuring that hate crimes are addressed in a comprehensive manner, including by introducing a co-ordination mechanism.**

## Official Data

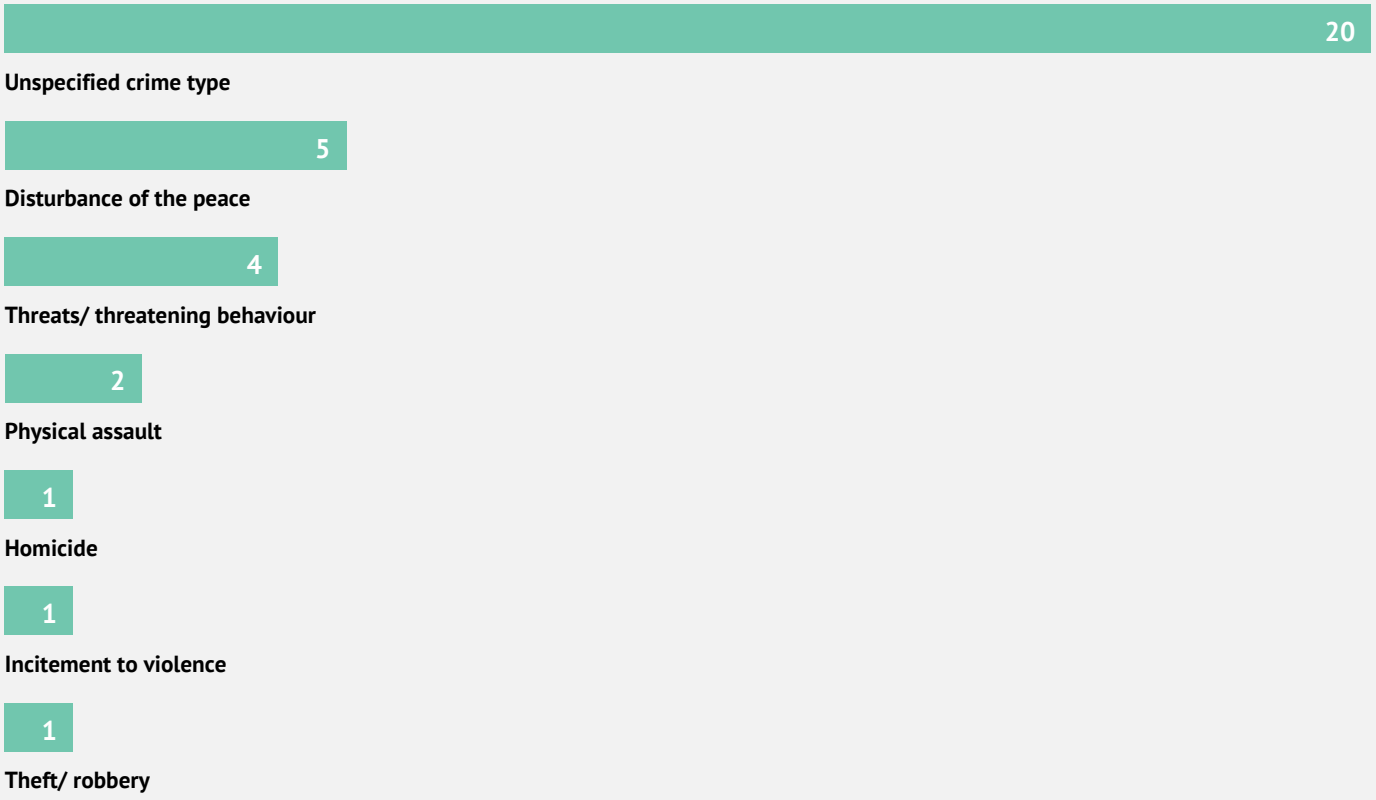
In addition to the above, a further 70 offences were recorded by police and 28 cases registered by the prosecution authorities that fall outside of the OSCE's definition of hate crime. Figures on prosecution represent the number of new cases registered by the prosecutor's offices in 2022. Figures on sentencing represent the number of people convicted in cases to which the legal aggravating circumstance related to "committing the act out of hatred" was applied. This number does not include a further 87 convictions for offences that fall outside of the OSCE's definition of hate crime.

| Year | Hate crimes recorded by police | Prosecuted | Sentenced |
|---|---|---|---|
| 2022 | 59 | 129 | 16 |

## Police data by bias motivation



## Police data by type of crime



## National Developments

In 2022, Romania **amended the provision related to incitement to violence, hatred or discrimination** (Article 369 of the Criminal Code). The provision now contains a catalogue of protected characteristics, namely: "race", nationality, ethnicity, language, religion, gender, sexual orientation, political opinion or affiliation, property, social origin, age, disability, chronic non-contagious disease, and HIV/AIDS infection.

On data recording and collection, Law no. 304/2022 on the organization of the judiciary entered into force on 16 December 2022. The law will lead to changes to the organization and functioning of the information system of the Public Ministry, with the aim of meeting hate crime data collection needs. (See Annexes no. 19 and no. 20 of the amendment of the Order of the Prosecutor General attached to the High Court of Cassation and Justice no. 213/2015).

Since 2022, the **Prosecutor's Office** has implemented a project on the protection of crime victims in partnership with the European Union Agency for Fundamental Rights (FRA), the Ministry of Justice's Directorate for Crime Prevention, and the General Directorates for Social Assistance and Child Protection (Bucharest Sectors 2, 3, 4 and 5). The general objectives of the project are to ensure an efficient, accessible and qualitative criminal justice system for victims of hate crime, while the specific objective is to improve the protection of victims of crime, with a special focus on the Roma population. The project produced a report on data collection methods and procedures, highlighting the need to develop a unified system for hate crime recording that would enable cases to be traced from the time a complaint is lodged until the case it is resolved by the court. The project also produced a thematic analysis of the legislative and public policy framework on hate crimes, and developed recommendations on improving the national legislative framework, and victims' access to justice, protection and support. In particular, the recommendations proposed taking a comprehensive approach to addressing hate crime by developing effective guidelines for the investigation and monitoring of hate crimes, training criminal justice professionals, and strengthening intra- and inter-agency co-operation.

Romania's **Public Ministry** has also acted as a partner in the project run by the ACCEPT Association CSO. The project has focused on improving the implementation of relevant decisions by the European Court of Human Rights and recommendations by the European Commission against Racism and Intolerance (ECRI) on the criteria of sexual orientation and gender identity. The aim of the project is to increase Romania's capacity to prevent and combat intolerance and discrimination against vulnerable groups by promoting dialogue and partnership between civil society and the authorities. From October to December 2022, ten joint training sessions for prosecutors and police officers were held with psychologists, prosecutors and human rights experts as trainers. In addition, in October 2022, the ACCEPT Association, the Public Ministry, and Stonewall (a British CSO), organized a Training of Trainers (ToT) session on hate crimes organized for psychologists, human rights experts and prosecutors. The trainers have also been tasked within the project to hold training sessions on investigating hate crimes and protecting LGBTI rights for representatives of Romanian institutions.

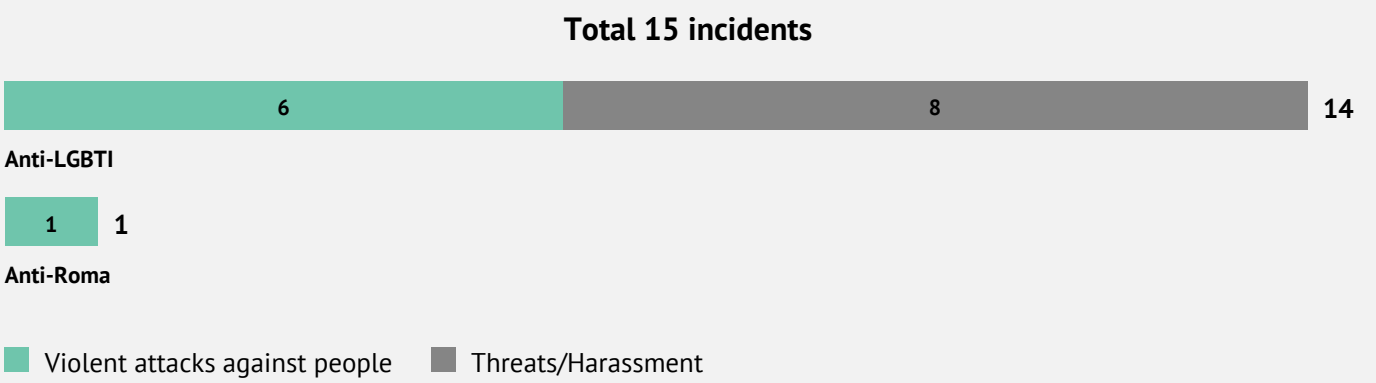
During 2022, **prosecutors from the Prosecutor's Office** and subordinate units participated in regional and national training activities to address hate crime.

In 2022, the **Romanian Police** participated in two workshops on combating hate crime and violent extremism, funded by the Norwegian authorities and delivered with the support of the Norwegian national police. In particular, the workshops focused on addressing anti-Roma hate crimes and increasing the quality of police services.

In 2022, the **National Institute of Magistracy** organized a number of hate crime-related training sessions, including on working with minors belonging to the Roma community, as well as seminars on discrimination, hate crime, anti-Semitism, and incitement to hatred.

In a **notable case**, in July 2022 a 17-year-old German national was placed in custody for the aggravated murder of a female victim. The indictment stated that the accused first attacked and wounded an 82-year-old man before killing a 74-year-old woman due to her Roma ethnicity. The attack and the killing of the last victim were filmed in real time by the defendant and transmitted to the online page of a hate group. Prior to the attacks, the accused had joined racist, Satanist and Nazi groups online. The case is currently in the trial phase before the Sibiu Tribunal.

## Incidents reported by civil society




Please note that the total number of incidents may be lower than the sum of incidents presented in the breakdown chart above, as some incidents involve multiple bias motivations.

In addition to incidents submitted with detailed descriptions, this graph includes 10 anti-LGBTI incidents reported as statistics by the ACCEPT Association.

View civil society incidents for Romania, 2022