



CENTRE FOR LEGAL  
RESOURCES

## **ANNUAL ACTIVITY REPORT**

**- 2017 -**

**justice. dignity. equality**

*„The way to secure liberty is to place it in the people's hands,  
that is, to give them the power at all times to defend it in the  
legislature and in the courts of justice.”*

**John Adams**

## CONTENT

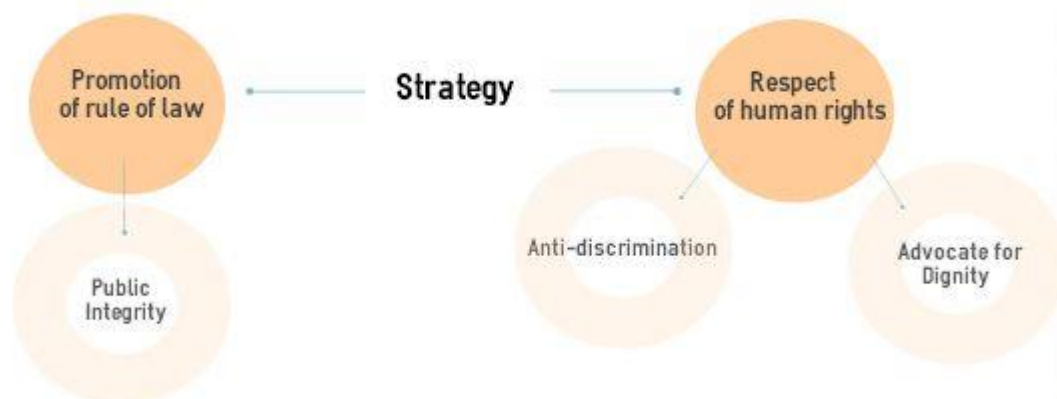
---

<b>ABOUT THE CENTRE FOR LEGAL RESOURCES (CLR) .....</b>	<b>3</b>
<b>THE TEAM .....</b>	<b>4</b>
<b>ADVOCATE FOR DIGNITY PROGRAMME .....</b>	<b>5</b>
<b>ANTI-DISCRIMINATION PROGRAMME .....</b>	<b>8</b>
<b>PUBLIC INTEGRITY PROGRAMME .....</b>	<b>12</b>
<b>CONTACT .....</b>	<b>15</b>

## ABOUT THE CENTRE FOR LEGAL RESOURCES (CLR)

The **Centre for Legal Resources (CLR)** is a non-governmental, non-profit organization, established in 1998 by the Open Society Foundation (nowadays Soros Foundation), which actively advocates for the establishment and operation of a legal and institutional framework that safeguards the observance of human rights and equal opportunities, free access to a fair justice and which contributes to the capitalization of its legal expertise for the general public interest.

**The organisation's Programmes are focused on two strategic areas:**



**General objectives of the CLR's Programmes:**

- ✓ improvement (simplification, clarification, completion) of the legal framework able to respect and apply the national and international standards regarding human rights and liberties;
- ✓ development of a system of competent and transparent public institutions, which safeguard the implementation of the law;
- ✓ raise the public awareness in regard to human rights guaranteed by law

## THE TEAM

---

- Georgiana Iorgulescu – Executive Director
- Valentina Nicolae – Executive Assistant
- Georgiana Pascu – ‘Advocate for Dignity’ Programme Manager
- Cezara David - ‘Anti-discrimination’ Programme Manager
- Radu Nicolae – ‘Public Integrity’ Programme Manager
- Delia Niță – Human Rights Officer
- Cezara Prepelită - ‘Advocate for Dignity’ Programme Assistant
- Niculina Popescu – Economic Manager
- Liliana Florea – Secretary
- Florin Călugăru – Administrator
- Florentina Alexe – Office cleaning

## ADVOCATE FOR DIGNITY PROGRAMME

---

Through the [Advocate for Dignity Programme](#), we make use of the legal framework in order to determine the state to respect the rights of institutionalized people with psychosocial and intellectual disabilities.

### PROJECTS

- [“SOS: Romanian NGOs, together for the rights of persons with mental disability in closed institutions”](#)

Implemented since January 2016 and ended on 31<sup>st</sup> of January 2018, the project aims at strengthening the capacity of the civil society organizations in defending the rights of the mentally disabled persons who live in institutions or who are in danger of becoming institutionalized. Within it, we piloted the concept of [Mobile Legal Clinic](#).

Financing body: Project co-financed by a grant from Switzerland through the Swiss Contribution to the enlarged European Union.

### ACTIVITIES

- Coordinating and guiding team of experts (lawyers and psychologists) in applying instruments on supporting decision making process and in monitoring the observance of rights of people with psychosocial and intellectual disabilities who live in institutions;
- Organizing and providing legal counselling and assistance services, as well as support in the decision making process, through the Mobile Legal Clinic in counties across the country;
- Developing applied instruments through the Mobile Legal Clinic and the monitoring activities that guarantee the respect for the rights of the people with psychosocial and intellectual disabilities living in state institutions;
- Developing a manual with standard counseling, legal assistance and monitoring instruments in order to ensure the respect of the rights of the people with disabilities living in state institutions/in the process of being institutionalized and of their families;
- [Study visit](#) and working meetings with the representatives of organizations/institutions from other countries that carry out projects similar to the Mobile Legal Clinic;
- Elaborating a public policy proposal and promoting that proposal to institutions mandated to put it forward on the public agenda and implement it;
- Organizing an international conference on assisting people with disabilities in the decision making process (Bucharest, December 2017).

## OUTCOMES

- A set of working and advocacy instruments for the rights of people with disabilities institutionalized in residential facilities;
- [Manual](#) of implementing the legislation and NGO policies in Romania in providing services of support in the decision making process and monitoring;
- The Mobile Legal Clinic teams delivered support in decision making process to 30 residential institutions, as well as hospitals and psychiatry sections in 18 counties (including Bucharest).
- [Eighteen \(18\) monitoring reports/ case studies](#) drafted in 2017 (31, in total, for the entire project) and sent to local and central public authorities and NGOs who work in the social, education and health field.
- Providing support in decision making, and [information and legal assistance services](#) to 67 people with disabilities, personnel in the field of social work and mental health, to families of people with disabilities or their representatives.
- A [public policy proposal](#) on support in the decision making process, drafted and promoted
- A [documentary short movie](#) promoting the access to independent life in community and access to justice for people with disabilities living in residential institutions (either social assistance or mental health institutions)



- A [final report](#) of the project. Structured on several chapters, the Report includes an analysis of the observance of the right of “access to justice” from the perspective of the centers monitored under the Project, as well as of the cases received by the Center for Legal Resources.
- Campaign for promoting the right of people with disabilities, including a [blog](#) and [short videos](#) with testimonials, as well as a [Facebook page](#).



## PRESS RELEASES

- 27<sup>th</sup> of January, Intervention at “Fără prejudecăți”, TVR Cluj (TV station) regarding the [rights of people with disabilities](#) who live in residential centres.
- 15<sup>th</sup> of February, Press release “CLR files criminal complaint for [ill treatments](#) upon people with disabilities institutionalized at CRRN Maciuca
- 16<sup>th</sup> of March, Press release “Gura Văii – [The Human Beings Dump](#)”
- 21<sup>st</sup> of March – Intervention at “Perfect imperfect”, TVR 1 (TV national station) regarding the rights of people with disabilities at the exterior psychiatry section of Gura Văii, Mehedinti County
- 13<sup>th</sup> of December, Press release on the [International Conference](#) “Support in the decision-making process for persons with mental disabilities”

## ADVOCACY AT INTERNATIONAL LEVEL

On June 29<sup>th</sup>, CLR had a [submission to the Universal Periodic Review of Romania](#) – 3rd cycle, concerning the findings of CLR’s human rights monitoring visits to psychiatric hospitals and other closed facilities for people with mental disabilities. Some of the main issues we raised refer to the following findings: People with disabilities die in state custody and there is still no policy of effective investigations in all such cases; there is conflict of interest and malfunctioning in the guardianship system and human dignity is annihilated.

The **CoE Commissioner for Human Rights** expressed serious concern about stopping [CLR’s access](#) in residential centers for people with intellectual disabilities / mental health problems, which seriously undermines the rights of these people, in a [letter](#) addressed to the Minister of Labour and Social Justice of Romania.

The CLR [submitted](#) to the **Committee of Ministers of the Council of Europe** information on the implementation of the ECHR decision, [Center for Legal Resources on behalf of Valentin Câmpeanu v. Romania](#). The press release contains information about termination of the protocol under which the CLR carried out monitoring visits to institutions under the GDSAC (General Direction for Social Assistance and Child Protection); the inefficiency of the prosecution in the protection of persons with institutionalized disabilities; the inadequate system of guardianship/ legal representation that creates situations of conflict of interest; The situation of deaths in residential institutions for people with intellectual disabilities or with mental health problems.

**Total budget program: 176,464.00 Euro**

## ANTI-DISCRIMINATION PROGRAMME

---

The [anti-discrimination program](#) has been an active program of the Centre for Legal Resources since 2003. In the course of time, and especially after Romania's accession to the EU, the program began to focus less on the adoption of legislation in the field of anti-discrimination (this has been mostly adopted) and more on the effective implementation of the anti-discrimination legislation. In order to contribute to a Romanian society where equality becomes the norm rather than the exception, CLR pursues the following strategic objectives:

- equality mainstreaming in Romanian laws and policies, especially those with a direct impact on vulnerable groups;
- an increased capacity of civil society organizations and the members of vulnerable groups to combat discrimination, and a Romanian public which is more aware of discrimination and its effects.
- an increased efficacy of the Romanian the equality body (National Council for Combating Discrimination-NCCD) in what concerns its role of preventing and combating discrimination in the Romanian society;

The program works for the achievement of these objectives through the following: Advocacy; Monitoring and reporting; Training and capacity building; Watchdog activities.

Through its various projects, CLR has provided and continues to provide training to NGO members, social partners, staff of local authorities on the following topics: anti-discrimination and equality of chances; media and human rights (with a focus on anti-discrimination); diversity management; and NGO capacity building.

CLR has consistently condemned discrimination, taking public stand against it, especially when it came from state officials and has legally supported or initiated cases before the equality body or courts of law, thus activating the anti-discrimination legislation.

### PROJECTS

- **[“Education without discrimination is also your business!”](#)**

Implemented by CLR from 2016 until end of March 2017, [the project](#) aimed to contribute to the increase of the visibility and transparency of the public debate on how children are educated within schools from a nondiscriminatory perspective and in order to increase the educational inclusion of those vulnerable.

Project co-financed by a grant from Switzerland through the Swiss Contribution to the enlarged European Union.



- [\*\*eMore – Monitoring and Reporting Online Hate Speech in Europe\*\*](#)

From 2016 – 2018, CLR was partner in the [eMORE project](#) coordinated by Rissc- Centro Ricerche E Studi Su Sicurezza E Criminalità (coordinator) and implemented in 9 countries, in total. The [project](#) aims to contribute to developing, testing and transferring a knowledge model on online hate speech and offline hate crime, based on a circular and advanced joint monitoring-reporting system, to gain a sound understanding of the phenomena/trends over the Internet and offline, to allow comparative analysis at national/EU level, and to support the harmonized combating against hate-motivated offences at EU/national level.

Project co-funded by the Rights, Equality and Citizenship Programme (2014-2020) of the European Union.

- [\*\*VICATIS: Victim-centered Approach to Improving Support Services\*\*](#)

Starting in October 2017, the project is coordinated by the Croatian Law Centre, and implemented in partnership in four EU countries, with CLR as partner for implementation in Romania. The results of the VICATIS project are expected to produce direct benefits to the victims of crime in each of the participating countries, to contribute to improved public policy, institutional and implementation frameworks dedicated to victims of crime at the national levels, and to inform the EU-level policy, regulatory, and decision-making efforts aimed at the protection of victims of crime.

A transnational project funded by the Justice Programme of the EU under the Call JUST-JACC-VICT-AG-2016.

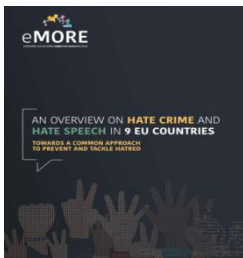
## ACTIVITIES AND OUTCOMES

### ❖ Research reports and policy papers



Two **public policy documents** were drafted: a [policy brief regarding the status and work of school counsellors](#) who are supposed to assist teachers in class with children with disabilities or with special educational needs, as well as a [policy brief on standards of nondiscrimination and diversity in education](#).

They complete the CLR 2016 analysis on a part of the legislation and regulations in Romania dealing with the educational system and antidiscrimination, which also includes a policy paper on current policies “[Combating Exclusion from Quality Education](#)”, a [Policy brief on the initial training module for future teachers](#) and a [Policy brief on the map of exclusion in Romanian school](#).



### [\*\*An Overview of Hate Crime and Hate Speech. Country profile: Romania\*\*](#) Research Report

The report done by CLR aims to inform policy and decision makers as well as people already involved in the antidiscrimination field (NGOs, victim groups, legal professionals etc.) – in Romania as well as in other EU member states – about the phenomena of hate speech and hate crime in Romania. Thus, the report contains an **analysis of the relevant national legal framework**, the presentation of **hate crime data** which is publicly available in Romania, as well as of measures to prevent and combat discrimination, hate

speech and hate crime. The report also includes the results of a **media monitoring activity** performed for the purposes of the eMore project, together with the results of an on-line limited **survey** also implemented as part of the same project.

### ❖ Debates and conferences

Three regional debates were organized in Iasi, Craiova and Cluj-Napoca in February-March 2017. Attended by 98 specialists in the field of education and social work, both from the public sector and the nongovernmental sector, the meetings approached problems and solutions in regard to the educational inclusion of children vulnerable to discrimination. The [reports of the debates](#) showed a range of problems of the educational system at local level, all summarized in [a press release](#).

National conference in Bucharest, organized at the end of March, attended by over 60 people, to present the project and discuss with key actors ([decisional actors](#)) general sources of educational exclusion, the content and how school curricula and textbooks are done, discrimination of Roma children in school: stigma and segregation, but also the content and the way the initial training of future teachers is realized (see [press release](#)).

### ❖ Campaign regarding antidiscrimination in the educational field



Started in 2016 and finalised in 2017, the campaign reached the following outcomes and impact:

A number of 20,300 access clicks on the bilingual [website](#) (Education without discrimination)

2 radio and 2 TV media partnerships to broadcast the [TV spot](#) and [radio](#) for a period of 3 months

An audience of several thousand people reached, in average, for each article published (articles signed by 20 theoreticians or practitioners in the field of non-discrimination and/ or education). A maximum of 11,400 reach for the analysis of history textbooks.

Over 250,000 reach for the **videos** made in the project and between 12,000 and 40,000 views for each of them (a [Short video](#) about the Roma Holocaust in Romania, with Roma actors and 2 Roma survivors of the Holocaust, with the message “Did you learn about this at school?”, a [testimonial of two Roma survivors](#), [video on LGBT personalities](#) in Romanian history, [video on women personalities](#) in Romanian history).

Participation and interviews by CLR about the campaign at TV and radio stations



Participation and presentations delivered to events organised by other actors

Over thirty (30) NGOs across the country which provided support in terms of information and coalition for advocating for change before the Ministry of Education.

A [Facebook page](#)

### ❖ Tool on online hate speech



CLR contributed to promoting [an app](#) created in the eMORE project, as a tool to raise awareness about online hate speech and implicate people into signaling online hate speech to the project's team to get comprehensive knowledge of the phenomenon and better understanding of trends and hateful online habits across partners' countries. By using the APP, users were

informed that they also had the possibility to report to authorities and/or to civil society organisations able to provide them with legal counselling or psychological support, as the APP doesn't provide any kind of assistance and support to victims of hate speech.

Two seminars were organized at regional level, aiming at the students and teachers, as well as NGOs, in two important university cities in Romania (Cluj-Napoca and Oradea).

## ADVOCACY AT INTERNATIONAL LEVEL

During the UN Universal Periodic Review of Romania, CLR criticized before the Romania's approach on human rights issues, talking about the situation of various groups discriminated against, at various stages of our participation, which began in June 2017 with a submission focusing on the rights of people with disability in closed institutions (see Programme Advocate for dignity above) and ended in June 2018, adding other topics to our contributions.

See for example:

15.12.2017 – [“Fake it, instead of make it” – CLR criticizes before the UN Romania's approach to human rights issues](#)

**Total budget program: 101,123.00 Euro**

## PUBLIC INTEGRITY PROGRAMME

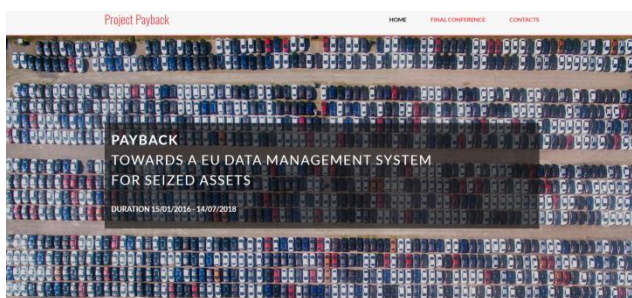
General objectives of the [programme](#):

- identify integrity issues or concerns at the level of local and central public institutions;
- improve the legal and institutional framework in the field of anti-corruption;
- Raising the level of awareness and education in the field of integrity in the public sector.

During 2017 the Public Integrity Program worked in two main areas: asset recovery and social reuse of confiscated assets and anti-corruption awareness rising.

## PROJECTS

- [Payback](#)

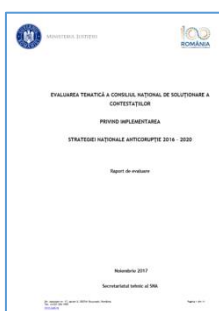


The [PAYBACK project](#) developed and tested in selected MS an innovative Data Management System for seized assets. The PAYBACK DMS is a scalable ICT tool - transferable with adaptations to different EU national contexts - for the collection, management and automatic analysis of data on seized assets.

In 2017, CRJ developed an EU-wide needs analysis and stakeholders expectation review with regard to asset management. The analysis was based on interviews and the questionnaires with relevant stakeholders (**26 questionnaires** filled in by authorities / institutions from **11 EU Member States**). The presentation of the results of the analysis took place at the annual conference of the European Society of Criminology, 13-16 September 2017 (Cardiff, UK).

## ACTIVITIES AND OUTCOMES

### ❖ Engaging stakeholders, debates and amendments



**Ministry of Justice** – the activities involved reviewing draft legislation on financing non-profit activities (Law no. 350/2005), part of the social reuse of confiscated assets package; participation in the civil society platform of the National Anti-Corruption Strategy 2016-2020 and participation in an anti-corruption peer-review mission at the National Council for Solving Complaints (CNSC)

<http://sna.just.ro/docs/pagini/51/Raport%20de%20evaluare%20tematica%20CNSC.pdf>

Public consultations with/requested to National Agency for the Management of Seized Assets (ANABI) on social reuse of confiscated assets and delivering a presentation in the debate organised by Frontline on asset recovery in Romania.

**Ministry of Regional Development and Public Administration** – review of draft legislation on administrative code and elaboration of proposals (conflicts of interest, pantouflage/ switching sides", "cooling-off").



**Giurgiu County Council** – delivering the presentation „Corruption and conflicts of interests” in the conference „Integrity and Corruption prevention in the public sector”. 29.05.2017

**Romanian-American University** – participation as guest speakers in Good Citizenship programme for students (covering rule of law and anticorruption).



**Directorate-General Migration and Home Affairs** - On October 4, 2017, DG Home published the report on corruption in the EU Health System containing a chapter on Romania. In the chapter about Romania, the authors mentioned the results of a research developed within CRJ: [https://ec.europa.eu/home-affairs/news/corruption-healthcare-commission-published-updated-study\\_en](https://ec.europa.eu/home-affairs/news/corruption-healthcare-commission-published-updated-study_en)

#### **Delivering presentations in conferences on anti-corruption in Romania:**

- Presentation „How to adapt, improve and harmonize the fight against corruption in Romania in line with EU human rights standards”, 26.05.2017, Best Practice European Conference “Improving Anti-Corruption Policies and Practices through an active civil society participation” organized by European Network for Education and Training - EUNET (Germany);
- Seminar on social re-use of seized criminal property within the final conference of NGO Fund in Romania, 30.03.2017

**Total budget program: 79,650.00 Euro**

## **PRESS-RELEASES on intelligence (SRI) intrusion in the justice system and justice reform**

---

- 22.08.2017, [On the independence of Romanian justice and the echoes of proletarian wrath](#)
- 31.05.2017 - [Declassification of the SIPA archive, a smoke screen](#)
- 25.05.2017 - [Criminal file on offenses committed in connection with the SIPA / DGPA archive?](#)
- 18.05.2017 - [The Centre for Legal Resources calls for clarifications on the SIPA archive](#) (former prison intelligence service)
- 25.01.2017 - [CRJ calls for the declassification of the Prosecutor's Office-SRI cooperation Protocol](#)
- 19.01.2017 - [The Centre for Legal Resources asks the Government to withdraw the emergency ordinance draft projects on pardoning and amending criminal legislation](#)
- 18.01.2017 - [The Presidential Administration acknowledges that CSAT and SRI have been working for over twelve years outside the Constitution](#)

## CONTACT

---

**CENTER FOR LEGAL RESOURCES (CLR)**

**- CENTRUL DE RESURSE JURIDICE (CRJ) -**

19, Arcului St., District 2, Bucharest, 021032

Tel.: (+40) 21-212.06.90; (+40) 21-212.05.20

Fax: (+40) 21-212.05.19

E-mail: [office@crj.ro](mailto:office@crj.ro)

[www.crj.ro](http://www.crj.ro)

[www.facebook.com/CRJro](https://www.facebook.com/CRJro)