

GBV sub-WG meeting - Romania
25 July 2023, 11.00 -12.30 (held in hybrid mode online and at ANAIS office)

Participants: ANAIS, Sensiblu Foundation, UNICEF, WHO and UNHCR

New Penal Code Modifications from former judge and trainer at Institute of Magistracy Corina Voicu:

- Through Law 217/2023, from 1 January 2024, there will be amendments on the penal code on rape and sexual assaults involving children. Details of the changes can be found in the IA share folder presentation material.
 - Art. 219: sexual assault of a child who has not attained the age of 16 years old, and penalties for causing or facilitating acts of a sexual nature between children below 16 years old are punishable.
 - Art. 218: the offence of rape of a child would not constitute if there were an age difference between the offender and victim that does not exceed 5 years.
 - Increase the minimum years of imprisonment on rape and sexual assault.
- Gaps can be identified as for example for 16-18 years old; the law considers that there is a consent, therefore, leaves the gap of on Sexual Exploitation and Abuse. E.g., if there is an “ascent” of the act but there is a power difference as for education, health, any other public authority professionals that engage with children between 16-18 years old.
- Due to the complexity of the legal framework, a follow up session is planned to take place jointly with the Child Protection Working Group on 21st September. (Meeting invites will be disseminated closer to the date.

GBV mainstreaming through Livelihoods – ensuring appropriate prevention, risk mitigation, and response strategies across areas of livelihoods programing:

- With the new government assistance program conditionality on engagement in employment for TP holders, it has refugees will be encouraged to participate in livelihood to build self-reliance, also for those that are vulnerable. Prevention of, mitigation and response to GBV is a shared responsibility that also encompass livelihoods partners.
- To mainstream GBV through livelihoods partners, it would be important to set a guidance note on livelihoods sector risks/ industries, signs of risk, what are key measures to ensure GBV risk mitigation when introducing refugees to employment opportunities and response towards harmful practices that could involve GBV. Risks sectors identified were: the service industry, kitchen/restaurants, massage salons, gambling among others.
- Livelihoods WG in collaboration with GBV sub-WG will be identifying GBV focal points on each livelihoods partners to ensure GBV component streamlined through partners programming.

Way forward of GBV sub-WG:

- Calendar for GBV activities is created to coordinate among members have been updated.
- Establishment of GBV sub-WG ToRs: a draft version will be circulated to agree on key principles and responsibilities of the members of the GBV sub-WG. This will be based on the IASC GBV Coordination guidelines.
- Discussion of the possibility of trends analysis of GBV risks and creation of GBV sub-WG led flash report.
- Updating referral pathways.
- GBV Case management SOPs.