

## **THE 2014 REPORT OF PEOPLE'S ADVOCATE INSTITUTION**

### **- SUMMARY -**

*In accordance with the provisions of art. 60 of the Constitution and those of art. 5 of Law no. 35/1997 on the organization and functioning of the People's Advocate Institution, republished, with subsequent amendments, the Annual Report concerning the activity of the institution for one calendar year is submitted by the People's Advocate, until the 1<sup>st</sup> of February of the following year, to Parliament for its debate in the joint sitting of the two Chambers.*

*We present below a summary of the 2014 Report of the People's Advocate Institution, which has been submitted to Parliament, within the legal deadline provided by Law no. 35/1997.*

### **GENERAL VOLUME OF ACTIVITY**

The overview of the activity in 2014 can be summarized in the following statistics:

- **16,841 audiences**, in which violations of individuals' rights have been alleged, out of which **2,033** at the headquarters and **14,808** at the territorial offices;

- **10,346** complaints registered at the People's Advocate Institution, out of which **6,932** at the headquarters and **3,414** at the territorial offices;

Of these, a total of **7,703** complaints were sent to the People's Advocate on paper, **2,551** by email, and **92** were received from abroad.

- **8,194** calls recorded by the dispatcher service, out of which **2,504** at the headquarters and **5,690** at the territorial offices;

- **137** investigations conducted by the People's Advocate Institution, out of which **33** at the headquarters and **104** at the regional offices;

- **56** ex officio inquiries;

- **33 recommendations** issued by the People's Advocate, out of which **17** recommendations have been **implemented** by the authorities, **5** recommendations have been **partially implemented**, **9** recommendations **have not been implemented**, and **2** recommendations **are still within the statutory period**;

- **909** viewpoints expressed at the request of the Constitutional Court;

The most frequently invoked Constitutional provisions were those related to: the principle of separation of powers, the principle of equal rights,

access to justice, including the right to a fair trial, right to defense, right to information, individual liberty, the presumption of innocence, the right to life, physical and mental integrity, ownership, restriction of certain rights or freedoms, the principle of non-retroactivity of the law, including the application of the more lenient penal law, the right to work, social protection and labor, standard of living, the right of the person aggrieved by public authority, international law and domestic law, international treaties on human rights, EU integration, legislative delegation, the right to vote, the right to be elected, the right to education.

- **3 exceptions of unconstitutionality** directly raised by the People's Advocate:

- the exception of unconstitutionality regarding the Law no. 216/2008 on the free transmission of a package of 1,369,125 shares owned the National Company "Maritime Ports Administration" – S.A. Constanța, representing 20% of the share capital to the City Council of Constanța, published in the Official Gazette no. 734/2008. By Decision no. 574 of 16 October 2014, published in the Official Gazette of Romania, Part I, no. 889 of 8 December 2014, the Constitutional Court admitted the exception of unconstitutionality and found that the Law no. 216/2008 on the free transmission of a package of 1,369,125 shares owned National Company "Maritime Ports Administration" – S.A. Constanta, representing 20% of the share capital to the City Council of Constanța is unconstitutional in its entirety.

- the exception of unconstitutionality regarding art. 112<sup>1</sup> para. (2)(a) of the Criminal Code, published in the Official Gazette no. 510/2009. On 15 January 2015, the Constitutional Court admitted the exception of unconstitutionality and found that the provisions of art. 112<sup>1</sup> para. (2)(a) of the Criminal Code were constitutional as far as the extended confiscation does not apply to property acquired before the entry into force of Law No. 63/2012 amending the Criminal Code of Romania and Law 286/2009 on the Criminal Code.

- the exception of unconstitutionality regarding the provisions of art. 56 para. (4) and (5) of the Criminal Procedure Code, published in the Official Gazette no. 486/2010. Until the date of this report the exception of unconstitutionality regarding art. 56 para. (4) and (5) of the Criminal Procedure Code has not been resolved by the Constitutional Court.

Regarding the direct notification of the Constitutional Court with exceptions of unconstitutionality, we mention that in 2014 there were **611** requests by petitioners for raising exceptions of unconstitutionality, which represents a significant increase compared to the previous years.

- **1 objection of unconstitutionality**, directly raised by the People's Advocate – regarding the provisions of the Law amending and supplementing the Government Emergency Ordinance No. 111/2011 on electronic communications. *By Decision No. 461 of 16 September 2014, published in the Official Gazette of Romania, Part I, number 775 dated 24 October 2014, the Constitutional Court upheld the objection of unconstitutionality and found that the Law amending and supplementing the Government Emergency Ordinance no. 111/2011 on electronic communications was unconstitutional in its entirety.*

- **1 appeal in the interest of the law** - on the interpretation of the provisions of art. 17 of the Government Ordinance no. 2/2001 regarding the legal regime of contraventions and Law no. 455/2001 on electronic signature, specifically the signature of the official examiner on the minutes of contravention, required by law for its legality, for contraventions punishable by Government Ordinance no. 15/2002 on the application of the fees for crossing the national road network in Romania, as amended and supplemented. Until the date of this report, the matter of law raised to the Supreme Court has not been solved.

In the course of the year 2014, have been received **38** requests for making appeals in the interest of the law in various fields: labor disputes, property, property rights, etc.

- **2 special reports**. There have been drawn up two special reports, namely: *The Special Report on the consumer's right to be informed about the source of the bottled water*, presented to the Prime Minister and *the Special Report on the rights of children deprived of their liberty in Romania*, presented to the Prime Minister, the Presidents of both Chambers of Parliament, the President of Romania and the Minister of Justice.

## THE FIELD FOR HUMAN RIGHTS, EQUAL OPPORTUNITIES BETWEEN MEN AND WOMEN, RELIGIOUS CULTS AND NATIONAL MINORITIES

The activity of the Field for human rights, equal opportunities between men and women, religious cults and national minorities is varied, encompassing a large number of rights and freedoms stipulated in the Constitution. Although the name of the Field includes the phrase "human rights" not all fall within its competence.

In 2014, the Field for human rights, equal opportunities between men and women, religious cults and national minorities, has received for review

and resolution a number **1231** complaints, which is 11.89% of the complaints registered at the People's Advocate.

## 1. HUMAN RIGHTS

In 2014, in this section, stood out the complaints regarding violations of the right to life, the right to physical and mental integrity, the right to information and the right to petition. We also mention the petitions that dealt with the violation of the right to a healthy environment and the right to healthcare.

Ex officio proceeding. **File no. 6279/2014.** On June 3, 2014, on the news flow *hotnews.ro* was published an article according to which *"Religion teachers in Gorj County were asked by the County School Inspectorate to gather data about the protestant denominations in school and to communicate the number of families belonging to other denominations than the Orthodox Christian faith in the schools in which they teach"*.

At the same time, on the website of Gorj County School Inspectorate was posted an announcement on the obligation of Religion teachers in schools, to process certain personal data of those belonging to other religious beliefs than the Orthodox faith: *"To the attention of Religion teachers. I kindly ask you to send me, until 15 February, the situation in the schools where you teach regarding the following: - the neo-protestant denominations in school – the number of unorthodox families in the locality and if they have or not house of prayer - the pastor's name - type and frequency of proselytizing activities (where they exist), - the involvement of the parish priest in the relationship with the school and in the work to combat this phenomenon. I shall send the situation that I will receive to the Metropolitan Church, so please respect the deadline and treat this with seriousness."* (The announcement was signed by the school inspector of Religion).

We appreciated that the instructions transmitted by the representative of Gorj County School Inspectorate, regarding the obligation of the religion teachers to process certain personal data related to the religious beliefs of persons other than the Orthodox Faith, was a case of discrimination based on religion beliefs, since the data collection was not aimed at all the legally recognized religious cults, but, only the neo-protestant. The provisions of Art. 29 of the Constitution on the freedom of conscience, were also undermined.

The People's Advocate Institution was notified ex officio and requested the Undersecretary of State - for Pre-university Education of the Ministry of National Education, to examine the case presented and to communicate the measures ordered.

Therefore, the Ministry of Education informed the People's Advocate Institution that the concerned religion inspector has assumed the responsibility for the consequences of his actions, submitting his resignation.

On the other hand, we were informed that the Ministry of Education did not request personal data from its subordinate inspectorates and that the educational policies ensure equal opportunities and access to education for all students and teachers in Romania, without discrimination on ethnicity, religion or social status. In Gorj County, the request of personal data was the initiative of the specialty inspector of the School Inspectorate.

## **2. EQUALITY OF CHANCES BETWEEN MEN AND WOMEN, RELIGIOUS CULTS AND NATIONAL MINORITIES**

In 2014, on the equality of chances between men and women, religious cults and national minorities, there were registered a number of **11** cases, of which **7** complaints and **4** ex officio proceedings.

**File No. 6578/2014.** The Representative of the Swiss Contribution Office - Swiss Embassy in Bucharest sent us, for our information, an address signed by 11 embassies based in Bucharest (the embassies of: Austria, Canada, Finland, France, Germany, Great Britain, Netherlands, Norway, Spain, Sweden and Switzerland), addressed to the mayor of Sector 5 - Bucharest. The address was requesting information and the official stand of the City Hall regarding the approx. 500 people that would be evicted from the apartments and studios located in Andrei Iacob Street, no. 31, Building 1-17, Sector 5 Bucharest, currently owned by SC Administrare Cazare Cantine SA, an insolvent company.

The People's Advocate Institution proceeded ex officio and performed an investigation at the City Hall of Sector 5 Bucharest, on 10 July 2014. In parallel, the People's Advocate Institution has conducted its own investigation (has contacted: the owner of the studios in Andrei Iacob Street, no. 31, Building 1-17, Sector 5 Bucharest, currently owned by SC Administrare Cazare Cantine SA; the creditor SC ORFEUS - IMOB SRL and the judicial administrator). The analysis of the documents made available by creditor and the City Hall (including the reply sent by the City Hall to the Swiss Contribution Office in Romania) revealed the following:

- Although there are 32 court orders for the eviction of the apartments in Andrei Iacob Street, no. 31, Building 1-17, Sector 5 Bucharest (issued between January 2007 - July 2014), court orders issued only for nonpayment of rent and utilities, in fact, to date, none of these court orders was enforced;

- As far as the judicial administrator knows, only few families would be in the situation of not being able to buy the studios. In fact, according to the



law, collective evictions could not be performed, considering the fact that the court orders are individual;

- The secretary of the City Hall has provided us with the last investigation made by the City Hall (between 06-07 May 2014), investigation conducted in 31 apartments located in Andrei Iacob Street, no. 31, Building 1-17, Sector 5 Bucharest, from which resulted that the NGO's complaint was concerning the impending eviction of approx. 200 people (as of 1<sup>st</sup> June 2014) - complaint which was not confirmed at the time of the investigation.

In conclusion, the information obtained by the People's Advocate Institution, directly from the insolvent company and the documents provided by the City Hall, revealed that the information on a possible eviction of approx. 500 people from the area Andrei Iacob Street, no. 31, Building 1-17, Sector 5 Bucharest, at the end of August 2014 - was not confirmed.

However, both the representative of the City Hall and the representative of the People's Advocate Institution concluded that a problem exists - a number of tenants will not have the financial resources to buy the studios where they live. In this context, the representative stated that the City Hall and the Local Council of Sector 5 Bucharest are to submit reports to the Bucharest City Hall and the General Secretariat of the Government, for obtaining additional funds. The case continued to be monitored the People's Advocate Institution.

## **THE FIELD FOR THE RIGHTS OF THE CHILD, FAMILY, YOUTH, PENSIONERS AND PERSONS WITH DISABILITIES**

In 2014, the Field for the rights of the child, family, youth, pensioners and persons with disabilities, has received **1241** complaints, which represents a percentage of 11.99% of the total number of petitions received by the People's Advocate Institution.

### **1. THE RIGHTS OF THE CHILD**

The main aspects of the 111 petitions on the rights of the child, addressed to the Field for the rights of the child, family, youth, pensioners and persons with disabilities, targeted request for information on child custody entrusted to one of the parents, rights and duties of divorced parents towards minor children resulting from their marriage, payment or increase of the alimony, rights and obligations of the tutor towards the minor child in his/her care, the legal possibilities for granting aid for raising the child, parent grievances regarding the content of court orders by which the minor child was entrusted the other parent, granting parental allowance in cases of multiple

pregnancy, access to healthcare, transportation reimbursement for students that cannot be schooled in the locality of domicile, the situation of Romanian children abroad unaccompanied by parents or a legal guardian.

**File no. 3272/2014: Matei** (fictive name) addressed a petition to the People's Advocate Institution, asking us to take a stand regarding the situation presented by the media on the 3<sup>rd</sup> and 4<sup>th</sup> of April 2014, on the situation of institutionalized children in an orphanage from Galati, who were physically and psychologically abused by their caretakers.

Given the seriousness of the case presented in the press, and the scale of the phenomenon of child abuse and violence on children, the People's Advocate Institution ordered an investigation, at the General Directorate of Social Assistance, the Child Protection Galati and the Orphanage No. 3 of Galati, on a possible breach of Art. 49 of the Constitution on the protection of children and youth.

Following the investigation conducted by the Territorial Office Galati, the management of the DGASPC Galați ordered a disciplinary investigation in accordance with the Labor Code, in which a number of employees of the center were heard. The proposal of the disciplinary committee was the disciplinary termination of the employment contract for two employees, according to art. 248 para. (1)(e) of the Labor Code. The incident on child abuse was also brought to the attention of the Police through an official address.

## 2. THE RIGHTS OF THE FAMILY

In Romania the state protects marriage and family, supporting it by social and economic measures for development and consolidation.

**File no. 4458/2014: Amalia** (fictive name), living in Germany with her family, for a year, complained about the Agency for Payments and Social Inspection, which she contacted on November 8, 2013 in order to obtain an official document certifying that she does not receive child allowance in Romania for her two years old daughter, but they did not comply with her request.

The People's Advocate Institution has referred the matter to the Agency for Payments and Social Inspection of Bucharest. The result of this action undertaken by the People's Advocate Institution led to taking the necessary measures to resolve all issues regarding child allowance, under the provisions of the Government Emergency Ordinance no. 111/2010, on leave and monthly allowance for raising children.

## 3. THE RIGHTS OF YOUTH

The Complaints submitted to the People's Advocate Institution on the rights of youth were analyzed, particularly in the context of the right to education, the right to information and the right of youth to special protection.

The petitions addressed by the young people to the Field for the rights of the child, family, youth, pensioners and persons with disabilities targeted in particular the dissatisfaction towards the living conditions in social care institutions; not granting scholarships within the deadline set by the University Senate; denial of social housing; refusal to approve transfer, on request, to another foster care home; violation of the right to work and the right to property. Young people have also requested information about the procedure to be followed for obtaining unemployment benefits and information on citizenship.

A real problem is, in the opinion of the People's Advocate Institution, the situation of institutionalized youth who have reached the age of majority without having followed any form of higher education, for whom the state authorities have not created sufficient special protection programs.

**File no. 9494/2014: Cornel** (fictive name) notified the People's Advocate Institution in relation to a possible violation of the right to education and the right of children and youth to protection, provided by art. 32 and art. 49 of the Constitution of Romania.

The complainant, a student of the Faculty of Political Science at the University of Bucharest, European Studies Master Studies program (2011 - 2013), admitted on the budget places, notified us that he could not defend his Master's Thesis, because he has been wrongfully expelled (because his grade at the "research Seminar" subject was not written in the catalog).

In order to clarify this case expeditiously, the representatives of the People's Advocate Institution, conducted their own investigation to the Rector's Office of the University of Bucharest on 22 September 2014. In the course of the investigation, they have discussed with vice-rector on study programs and academic affairs of the University of Bucharest. He gave explanations on the situation of the student and presented the solution adopted by the management of the University of Bucharest to this case.

Thus, following the measures taken by the Rector's Office, the complainant was allowed to take the graduation exam in the following graduation sessions scheduled in the structure of the academic year approved by the University of Bucharest.

#### **4. THE RIGHTS OF THE PENSIONERS**

The **710** petitions in this subfield, in essence, concerned the request of information and guidance on the establishment and amendment of pension rights and, in particular, there has been expressed criticism towards the



activity of the Houses of Pensions and other public institutions whose work affects the pensions, as well as towards the legislation in this field.

As a general remark, we note that pension legislation has seen many changes in recent years, which, unfortunately, did not result in increased consistency and clarity of regulations in this area and did not lead to a decrease in the discontent of pensioners, but created great difficulties for the Houses of Pensions, resulting in the overwork of their staff, to the detriment of service quality and the speed of processing of the pensioners' applications.

**File no. 5044/2014: Ion** (fictive name) informed the People's Advocate about how the Sectoral House of Pensions of the Ministry of Interior has enforced a civil court order of the Bucharest Tribunal, considering that the decision issued pursuant to this civil court order contains errors and omissions.

The People's Advocate Institution notified the management of the Sectoral House of Pensions of the Ministry of Interior.

As a result, the Sectoral House of Pensions of Ministry of Interior issued a new decision based on which, the complainant has received the amount of 19,614 lei netto.

## **5. THE RIGHTS OF PERSONS WITH DISABILITIES**

In the subfield for the protection of persons with disabilities, the People's Advocate Institution has received **191** petitions, by which the petitioners expressed their discontent on: improper classification in the degrees of disability, not allowing due rights for people with disabilities, unjustified reassessment of the degree of disability and assignment of persons to an inferior degree of disability, the refusal of local public administration authorities to hire personal social workers for people with severe disabilities to whom it was legally given the right to benefit from personal social worker, the delay in issuing certificates of registration in a degree of disability, exceeding the time limit for establishing the accessibility for the disabled individuals, lack of funds for payment of personal assistants, the refusal of the competent public authorities to reassess, on remand, the persons with disabilities in order to change their initial classification of the degree of disability, problems concerning the loans for people with disabilities for whom the interest is covered from the state budget, the amount of the allowances for the persons with disabilities, payment of wages for their personal assistants and the possibility of granting social housing to persons with disabilities.

**File no. 4850/2014: Ion** (fictive name), blind, notified the People's Advocate about the refusal of Bucharest Streets Administration to

accommodate an acoustic traffic light and tactile paving at the road junction Olteniței - Constantin Brancoveanu Boulevard, petitioner's area of domicile.

Bucharest Streets Administration informed us that the petitioner's request was solved by installing acoustic the traffic lights in the abovementioned intersection.

## THE FIELD FOR ARMY, JUSTICE, POLICE AND PRISONS

In 2014, within the field for army, justice, police and prisons have been resolved **2210** complaints registered at the headquarters of the People's Advocate Institution. The petitions were structured according to the subfields of activity as follows:

### 1. ARMY

The complaints registered under this subfield were related to the following main aspects:

- Not granting military pension;
- Dismissal of applications for participation in the recruitment and selection for admission to the externalized Training Course for active-duty Officers;
- Failure to reply to requests for issuing a salary certificate, needed for the recalculation of pension;
- Requests for audiences to higher echelons;
- Upholding the appeal of the National Council for Studying the Archives of the former Department of State Security, proving the affiliation to the Department of State Security;
- Failure to reply to various requests addressed to the Ministry of Defense.

**File no. 993/2014: Mihai** (fictive name) expressed his dissatisfaction with the lack of response to his application to the Military Unit 01512, by which he requested a salary certificate, needed for the recalculation of pension.

We notified the Military Unit 01512 of the problem, and later, due to the lack of their response, the Financial Accounting Division of the Ministry of National Defense. Following the intervention of the People's Advocate Institution, the Ministry of Defense - Financial Accounting Division - has informed us that in accordance with Government Ordinance no. 33/2002 on regulating the issuance of the certificates by central and local authorities, approved by Law no. 223/2002, the Military Unit 01512 has issued the requested certificate.

## 2. JUSTICE

The complaints registered under this subfield were related to the following main aspects:

- Court activity;
- The solutions delivered by the courts or decided by the prosecutor;
- The procedure for the enforcement of court rulings;
- The activity of judicial experts, lawyers, notaries;
- The activity of the criminal prosecution bodies;
- Complaints about the judiciary's refusal to respond to the petitioners' requests with written answers, containing the measures ordered by the prosecution bodies (in particular the absence of written replies from the Prosecutor's Offices and lack of information on the status of the criminal investigations or complaints registered to the Prosecutor's Offices or police stations);
- Duration of judicial proceedings;
- Work of magistrates;
- Calculation of stamp duty;
- Granting legal aid;
- Applications for legal advice on cases pending before courts, in which the petitioners are plaintiffs, the steps they can take in order to resolve their legal problems, and the interpretation and application of the provisions of the various normative acts.

**File no. 6245/2014: Paul** (fictive name) submitted a complaint to the People's Advocate Institution about the steps taken at Bucharest Court of Sector 2 and at the Superior Council of Magistracy, asking to be informed of the decision rendered in the file no. X, required for bringing extraordinary appeals.

Following the approaches made to the Information and Public Relations Office, the Bucharest Court of Sector 2 informed us, by the letter no. 408 / BIRPI / 30.07.2014, that the file no. X, in which the complainant was a plaintiff, was settled by the Civil Decision no. Z, written on 21 July 2014 and notified to the parties on 24 July 2014. The file was closed favorably.

### a) PUBLIC MINISTRY

**File no. 6601/2014. Dumitru** (fictive name) notified us about the steps taken to investigate the sale of the assets of a former agricultural production cooperative and expressed his dissatisfaction with the fact that the Prosecutor's Office attached to High Court of Cassation and Justice - the National Anticorruption Directorate did not inform him about the decision and

the measures ordered in solving the criminal complaint lodged with them. In order to solve the petition lodged with us, we notified the chief prosecutor of the National Anticorruption Department of the Prosecutor's Office attached to the High Court of Cassation and Justice, and subsequently, due to the lack of response from the notified authority, we turned to the General Prosecutor's Office attached to the High Court of Cassation and Justice. The Prosecutor's Office attached to the High Court of Cassation and Justice said that the complaints which the petitioner has formulated, initially registered at the Presidential Administration – Citizen Matters were sent to the Prosecutor's Office attached to the High Court of Cassation and Justice and the National Anticorruption Directorate, which has sent them for competent solving to the Prosecutor's Office attached to the Court of Negrești Oaș, where they were registered under no. X and no. Z. The cases were joined, and by resolution No. X, the Prosecutor's Office attached to the Court of Negrești Oaș, under Art. 10 letter g) of the old Code of Criminal Procedure, confirmed the proposal of the Police to drop the criminal charges against C.I. and G.C., regarding the accusation of abuse while on duty against private interests, since the criminal liability prescription period / statutory period was overdue. So far, no complaint has been made against the above decision, in accordance with art. 339 of the Criminal Procedure Code.

Earlier, a similar complaint, lodged by the petitioner, was the object of file no. Y of the Prosecutor's Office attached to the Court of Negrești Oaș, file in which, through the resolution no. Y of 14 April 2008 was confirmed, "under art. 10 letter g) of the old Code of Criminal Procedure, the proposal of the Police to drop the criminal charges against C.I. and G.C., regarding the accusation of abuse while on duty against private interests, under art. 246 of the old Penal Code, since the criminal liability prescription period was overdue".

The solution was maintained by the higher Prosecutor's Office and by the Court, through the procedure provided by art. 278 of the old Code of Criminal Procedure. Also, we were informed that the complainant had been notified of "the solutions adopted through the procedure established by art. 275-278 and art. 278<sup>1</sup> of the former Code of Criminal Procedure on file no. Y, and also of the solution issued in the case no. X of the Prosecutor's Office attached to the Court of Negrești Oaș" and the outcome of the investigations carried out due to the intervention of People's Advocate.

## ***b) THE SUPERIOR COUNCIL OF MAGISTRACY***

**File no. 501/2014: Adrian** (fictive name) expressed his dissatisfaction with the lack of response to his petition, sent by e-mail to the Superior Council of Magistracy (CSM) on 5 September 2013 regarding the exercise of duties

by the CSM judge of Bicaz Court in the case no. X, concerning the "establishment of a visitation program of a minor child".

We notified the Judicial Inspection of the Superior Council of Magistracy, and later, the president of the Superior Council of Magistracy. Following the intervention of the People's Advocate Institution, the Judicial Inspection of the Superior Council of Magistracy has informed us that by its resolution of 31 January 2014 the complainant's petition was closed, a copy of the resolution being send to him on 17 February 2014. The case was closed favorably.

### 3. POLICE

**File no. 4963/6484/2014: Romeo** (fictive name) claimed that following a petition addressed to the Police of the Capital during 2013, was informed that "the statement given at the end of 2013 to the Police of the Capital was forwarded to Police Station No. 11 for registration in the record of criminal work and conduct of investigations" (...) "and at the end of the investigations the file was to be forwarded to the Prosecutor's Office attached to the Court of Sector 3 Bucharest, with legal proposals on how to proceed". From the date of receipt, the petitioner maintains that he no longer has any reliable information concerning the status of his complaint.

In this context, to clarify the issues presented, we notified the General Police Directorate of Bucharest, who informed us, mainly, that in the criminal case registered at Police Station No. 11 there were conducted investigations for committing the offence of disturbance of possession, provided and punished by art. 320 of the Criminal Code, and on 30 April 2014 it was submitted to Prosecutor's Office attached to the Court of Sector 3 Bucharest with the proposal of dismissal, under art. 16 lit. b) of the Criminal Procedure Code. At the end of the letter was noted that since from the complaint is resulting the petitioner's dissatisfaction with how the investigations were conducted in the abovementioned criminal record, it was forwarded, under art. 336 and the following ones of the Code of Criminal Procedure, to the Prosecutor's Office attached to the Court of Sector 3, for analysis and decision-making. After receiving the information from the notified authority, the file was closed.

### 4. PRISONS

The persons deprived of liberty have the right to notify the People's Advocate institution, in any way, about the violation of their rights and freedoms, except for legal restraints, therefore the public authorities who hold them in custody are obliged to allow them to exercise this right.

**File no. 5524/2014:** During an investigation conducted by representatives of Cluj Territorial Office of the People's Advocate Institution to



Dej Penitentiary Hospital, they have taken note of the situation of a detainee transferred from Gherla Penitentiary, who had been on hunger strike for 23 days, hospitalized in the Intensive Care Unit of Dej Penitentiary Hospital. Following talks with representatives of People's Advocate Institution, the detainee revealed that he was refusing food to protest about his legal situation.

Pursuant to Art. 54 para. (12) of Law no. 254/2013 on the execution of prison sentences ordered by courts in criminal trials *"prison administration has the obligation to temporarily transfer a person refusing food to a medical institution within the medical network of the Ministry of Health and to notify the convicted person's family or next of kin, if the convicted person's health or physical integrity is seriously affected due to his refusal to eat."*

Given the state of health of the detainee, the People's Advocate issued a recommendation to Dej Penitentiary Hospital, asking them to arrange to temporarily transfer the person refusing food, to a medical institution within the medical network of the Ministry of Health and notify his family thereof.

Dej Penitentiary Hospital ordered the transfer of the convicted person to the Municipal Hospital Dej on 13 June 2014 and notified his family, but the detainee was refusing medical treatment and food, and therefore his health worsened. In this context, Dej Penitentiary Hospital told us that the measure of hospitalization in a hospital within the network of the National Administration of Penitentiaries (in the department of Anesthesiology and Intensive Care) is often taken as a result of the refusal of hospitalization in other hospitals within the medical network of the Ministry of Health (beds unavailable, no contract with CASAOPSNAJ).

Subsequently, the patient was discharged from Dej Municipal and hospitalized in Gherla Municipal Hospital, then he was hospitalized again Dej Penitentiary Hospital, continuing his form of protest. On 23 July 2014, the inmate was hospitalized to Bucharest-Rahova Prison-Hospital, still being on hunger strike.

Given that inmate's life was in danger, the People's Advocate Institution notified the Ministry of Justice of this aspect, considering that a psychiatric forensic extrajudicial examination should urgently be made, to determine whether the inmate has discernment or not, and also notified Bucharest-Rahova Prison-Hospital as well as the National Administration of Penitentiaries with a request for information on the health of the detainee and measures taken.

Following the actions undertaken, the management of Bucharest-Rahova Prison-Hospital, informed us that the convict has accepted the psychiatric examination, establishing the diagnosis of "mixed personality disorder" but refused psychological counseling. On 28 July 2014, the prisoner went back on hunger strike, being balanced hemodynamic and respiratory; he

refused blood sampling, but accepted glucose infusion therapy and electrolyte solution. On August 1, 2014, the prisoner requested and received his ration of bread, being balanced hydro-electrolytic and hemodynamic and was later transferred to Bistrița Penitentiary, in good health. Bistrița Penitentiary informed us that the prisoner was no longer refusing food and his health was appropriate.

## THE FIELD FOR PROPERTY, LABOR, SOCIAL SECURITY, TAXES AND FEES

In 2014, within the Field for property, labor, social security, taxes and fees, were solved **2255** complaints representing a percentage of 32.53% of the total of **6932** complaints registered at the People's Advocate Institution (headquarters).

### 1. PROPERTY

The main issues brought to the attention of the People's Advocate institution, on the infringement of the right to private property, were related to:

- The application of the laws of redress;
- Failure to comply with court decisions in matters of restoration of private property rights;
- Issuance of the property titles in violation of the law;
- The lack of response from the central authorities to requests formulated by those entitled to restoration of private property rights;
- The refusal of the authorities to communicate, within the statutory period, information on the documents necessary to file the restitution claims of real property abusively confiscated and the restoration of private property rights;

**File no. 8277/2014: Mariana** (fictive name) notified us in the context of infringement of her private property right guaranteed by art. 44 of the Constitution. The petitioner claimed that the Cadastre and Real Estate Publicity Office Bucharest (OCPI) rejected his application for registration in the Land Registry of a land of 135 sqm located in Bucharest that was restituted to him under the Decision no. 17657 / 14 January 2014 of the General Mayor, as it was included in the real estate for which SC Apa Nova Bucharest S.A. prepared the technical cadastral documentation endorsed by OCPI with cadastral number 16094.

The Cadastre and Real Estate Publicity Office Bucharest informed us that for land registration, the claimant must lodge with SC Apa Nova Bucharest S.A. a survey report, drawn up for the purpose of requesting from SC Apa Nova Bucharest S.A. the preparation of the cadastral documentation

– correction of limits for the real estate concerned; the related cadastral documentation may be submitted simultaneously with the cadastral documentation of correction for this property.

S.C. Apa Nova Bucharest S.A. informed us that after meeting with the petitioner on the 1<sup>st</sup> of September 2014, when she submitted the necessary documentation, they began the procedure for correction of the cadastral documentation. Subsequently, S.C. Apa Nova Bucharest S.A. informed us that they have completed the procedure for the correction of the land register and cadastral documentation for the real property concerned.

## 2. LABOR AND SOCIAL PROTECTION OF LABOR

Within the subfield, during the year 2014, **290** petitions were examined in the context of possible violations of the right to work and the social protection of work, provided by art. 41 of the Constitution.

As in previous years, the intervention of the People's Advocate Institution was necessary only for a part of the petitions registered. Thus, in cases where the petitioners notified us that the employers – private individuals infringed their right to work or the social protection of work, they were guided to address the competent courts of law or the labor inspectorates.

**File no. 286/2014: Maria** (fictive name) submitted a complaint to the People's Advocate Institution in connection with an alleged violation of her right to work and social protection of work, provided by art. 41 of the Constitution.

The petitioner complained that, although she was holding the contractual position of Librarian in the commune of Bordesti, Vrancea County, the mayor had entrusted her duties which belong to public offices. At the same time, the complainant mentioned that, in order to clarify her situation, she has notified the National Agency of Civil Servants (A.N.F.P.), who informed her that "they contacted the Bordesti Village Hall with respect to the existing situation, requesting them to analyze the situation and decide on the matter".

Regarding the situation presented by the petitioner, we notified the National Agency of Civil Servants. Following this initiative, we were informed that they asked Bordesti Village Hall, Vrancea County to issue of an administrative act for restoring the initial situation, as the contractual jobs have a different legal system from the public offices and the duties of public officials cannot be taken by persons who are employed under individual employment contracts or by contractual staff.

We have also been informed that the Prefect Institution of Vrancea County was notified and made aware of the point of view of A.N.F.P. on the petitioner's situation, taking into account that, according to Law no. 340/2004,

the prefect verifies the legality of the administrative acts adopted by local public authorities.

Subsequently, we have received from the National Agency of Civil Servants a new address by which we were informed that Bordesti Village Hall, Vrancea County, amended the petitioner's job description, reestablishing the original situation, where she had appropriate responsibilities for a librarian.

### 3. SOCIAL PROTECTION

The citizens have formulated petitions expressing their dissatisfaction with the following aspects: the obligation to submit a project for the disconnection from the centralized heating system, lack of heat in their homes, lack of paved roads, lack of public lighting, lack of utilities, lack of means of public transportation, lack of emergency public institutions. Also, the petitioners sought the support of the People's Advocate Institution for changing the social house assigned to them by the Mayor's Office.

**File no. 10792/2013: Magdalena** (fictive name) complained about the situation in the area where she lives, namely Voluntari City, ANL Henri Coanda neighborhood, lot no. 728. The claimant was dissatisfied with the lack of paved roads, public lighting, bins for waste disposal, utilities, means of public transportation, emergency public institutions (police, medical clinic, fire brigade) and educational (school, kindergarten) and mailing address. These issues were brought to the attention of the mayor of Voluntari City by the complainant, in two petitions that remained unanswered.

To clarify the situation we notified the mayor of Voluntari City. Since we have not received an answer within the statutory period, we brought this case to the attention of the Prefect of Ilfov County, but neither this institution has answered.

In this situation, the People's Advocate Institution ordered an investigation on 15 April 2014. In the investigation participated the prefect of Ilfov County and the director of the Decentralized Public Services within the Prefecture.

During the meeting, the Prefect of Ilfov County showed that the Bucharest Municipality was running a program for "the construction of public water supply networks, sewerage, public lighting and roads for the housing assembly <Henri Coanda> Sector 1-2 lots". In addition, the director of the Decentralized Public Services, informed us that on 28 March 2014, the Mayor of Voluntari has requested information about the progress of the works.

As a result of the investigation conducted at the headquarters of the Ilfov County Prefecture, the Mayor of Voluntari City informed us that the matters of road paving and construction of sewerage network will be

accomplished within the project "Urban Centers" run by Voluntari City Hall, through the Regional Operational Program 2007 – 2013, Priority Axis 1 - Supporting the sustainable development of cities - urban growth poles. The deadline for the completion of the investment objective, in accordance with the execution agreement concluded with the construction company, is March 2015.

Regarding the living conditions inside the residential ensemble, it was shown that the construction works were not completed by the investor ANL - National Housing Agency. At the same time, it was shown that for carrying out the works needed to ensure living conditions within the private residential ensembles built on mortgage, the National Housing Agency concludes, under the law, contracts for design and construction directly with network operators, businesses operators specialized in such works and/or operators of communal household authorized by the law. Funding the works is the responsibility of the homeowners (according to art. 2 para. (61) of the Methodological Norms for the implementation of Law no. 152/1998 on the establishment of the National Housing Agency, approved by Government Decision no. 962 / 2001).

#### 4. TAXES AND FEES

In 2014, were examined **202** petitions in the matter of taxes and fees, in the context of the constitutional provisions of art. 31 on the right to information, art. 52 on the right of a person aggrieved by a public authority, art. 56 on financial contributions and art. 139 on taxes, fees and other contributions.

**File No. 8419/2014: Ioana** (fictive name), widow of a war veteran, has the legal benefit of exemption from local taxes. This exemption was granted until 2013, and in 2014 she was asked to pay the habitat fee for the years 2012 to 2014.

However, according to art. 16 para. (1) e) of Law 44/1994 on war veterans and certain rights of war invalids and war widows, republished, as amended and supplemented, war veterans and war widows benefit from *"exemption from local taxes and fees as well as the fees for arable land up to 5 ha. These exemptions also apply to war widows who have not remarried"*.

And also according to art. 284 para. (7<sup>2</sup>) of the Fiscal Code, as amended and supplemented, which states that *"Exemption from local taxes and the fees for arable land, meadows and forests, with an area of up to 5 ha, applies to war veterans, war widows and widows of war veterans who have not remarried"*.

We mention that this last legislative text has been introduced in the Fiscal Code by Law no. 24/2010 amending and supplementing art. 284 of Law no. 571/2003 on the Fiscal Code, published in the Official Gazette no.



143 of 4 March 2010. As a result, the exemption is provided for in the Tax Code including the time frame 1 January 2012 - 31 December 2014.

Regarding the aforementioned legal provisions, we asked the local council to take the necessary legal measures to settle this situation. Following the actions undertaken, the petitioner was exempt from the habitat fee for the period 2012 - 2014, and she's no longer registered in tax roll with the debit.

### **THE FIELD FOR THE PREVENTION OF TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENTS OR PUNISHMENTS**

By the Government Emergency Ordinance no. 48/2014 for amending and supplementing Law no. 35/1997 on the organization and functioning of the People's Advocate institution and for amending and supplementing certain acts, the People's Advocate institution, as an autonomous public authority, independent from any other public authority, has been designated as the only national structure to carry out, through the Field for the prevention of torture in places of detention, the specific duties of the National Mechanism for the Prevention of torture in places of detention, within the meaning of the Optional Protocol, adopted in New York on 18 December 2002, at the Convention against torture and other cruel, inhuman or degrading treatments or punishments adopted in New York on 10 December 1984, ratified by Law no. 109/2009.

The Field for the prevention of torture in places of detention consists of the central structure and the territorial structure. The central structure comprises the Zonal Center Bucharest and territorial structure consists of three regional centers.

At the torture prevention activity, at both central and territorial structures, are participating:

- Non-managerial specialty employees with legal studies;
- Specialists under permanent employment contracts and freelancers from other specialties than permanent employees, under service contracts, selected by the People's Advocate, on the basis of proposals received from professional associations to which they belong (e.g. The Romanian College of Physicians, The Romanian College of Psychologists, The National College of Social Workers, Sociologists' Society in Romania);
- Representatives of NGOs active in human rights protection, selected on the basis of their work by the People's Advocate.

To monitor the places of detention, the Field for the prevention of torture in places of detention carries out announced or unannounced visits to the places of detention falling under the provisions of the law.

The visiting team shall be composed of at least one physician, depending on the specialization required, and a representative of NGOs.

Visits are carried out ex officio, based on an annual visitation plan, proposed by the Deputy Ombudsman for the Field for the prevention of torture in places of detention and approved by the People's Advocate, or unannounced or based on the referral of any person or when taking notice by any means of the existence of a situation of torture and other cruel, inhuman or degrading treatment or punishment in a place of detention.

In cases where there is a breach of human rights through torture or cruel, inhuman or degrading treatment producing an imminent risk of harm to the life or health of a person, a preliminary report shall be prepared urgently. The deadline for preparation and adoption of the preliminary report is 3 days and may be extended for valid reasons by another 3 days.

The People's Advocate has the obligation to immediately notify the judiciary when, in exercising his duties, becomes aware of possible offenses committed under criminal law.

The Deputy Ombudsman for the Field for the prevention of torture in places of detention drafts the annual report on the Field's work, part of the annual report of the People's Advocate Institution, to be submitted for approval to the People's Advocate.

In performing his duties, the People's Advocate or, where appropriate, the Deputy Ombudsman for the prevention of torture liaises with the Subcommittee on Prevention of torture and other inhuman or degrading treatments or punishments, established by the Optional Protocol, sends information to it and meets with its members.

**In order to fulfill the duties and powers given to it**, the People's Advocate Institution has organized meetings with representatives of professional associations (The Romanian College of Physicians, The Romanian College of Psychologists, The National College of Social Workers, Sociologists' Society in Romania, The Romanian Association of Psychiatry and Psychotherapy), followed by the signing, in the shortest time possible, of a Protocol of Collaboration between them and the People's Advocate.

For the implementation of these legal provisions, the People's Advocate Institution organized the Interview for co-opting specialists as external collaborators (physicians, psychiatrists, psychologists, social workers, sociologists etc.), and after taking into account the proposals of the professional associations, are to be drawn up the Final Lists of the external collaborators, assigned to either the central structure or the territorial structures of the Field for the prevention of torture in places of detention.

Meetings were held with representatives of NGOs, given that, according to art. 29<sup>4</sup> para. (4) of Law no. 35/1997, as amended and supplemented by Government Emergency Ordinance no. 48/2014 "In the activity for the

prevention of torture shall participate representatives of NGOs active in the field of human rights protection, selected on the basis of their work, by the People's Advocate". Following these meetings, the parties agreed on the conclusion of a Collaboration Protocol Agreement between the People's Advocate and the NGOs, on the participation in the work of preventing torture in places of detention.

The People's Advocate issued the Order by which approved the structure of the Field for the prevention of torture in places of detention, namely: the central structure, including the Zonal Center Bucharest and territorial structure which consists of three regional centers (Alba, Bacau, Craiova) establishing, at the same time, the counties under their area of competence. The People's Advocate also issued the Order on the criteria for selection of staff within the Field for the prevention of torture in places of detention.

For the reassessment of the places of detention and for establishing records there was requested and received information, from the public authorities falling under the provisions of art. 29<sup>2</sup> of Law no. 35/1997, as amended and supplemented by Government Emergency Ordinance no. 48/2014, on the places of detention under their authority, with a view to drafting the Annual visitation plan by the Field for the prevention of torture in places of detention.

As for the secondary legislation on the prevention of torture in places of detention, work is in progress for drafting the Methodological Norms on the implementation of the Law no. 35/1997 regarding the activity of the Field for the prevention of torture and other cruel, inhuman or degrading treatment or punishment in places of detention.

At the beginning of 2015 is to be organized the competition for hiring specialized staff and specialists who will work within the Field for the prevention of torture in places of detention.

Since the appointment of the People's Advocate Institution as the National Preventive Mechanism against Torture, there have been established and maintained contacts with the Subcommittee on Prevention of Torture.

## THE ACTIVITY OF THE TERRITORIAL OFFICES OF THE PEOPLE'S ADVOCATE INSTITUTION

At the local level, the constitutional and legal role of the institution, namely the protection of the rights and freedoms of individuals in relation to public authorities is fulfilled by the **14 territorial offices**, organized in all the cities that are seats of the courts of appeal, namely: Alba-Iulia, Bacău,

Braşov, Constanţa, Cluj-Napoca, Craiova, Galaţi, Iaşi, Oradea, Piteşti, Ploieşti, Suceava, Târgu-Mureş and Timişoara.

The activity of the territorial offices during in the year 2014 consisted in: resolving 3414 petitions, verifying the accuracy of the information in mass-media for 36 ex officio proceedings, conducting 104 investigations, granting 14808 audiences, answering 5690 telephone calls through the dispatch service and conducting 797 informative activities.

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Annually, within the People's Advocate Institution is conducted ***the training program for the staff of the territorial offices*** of the People's Advocate Institution. Thus, on 3-4 December 2014, the annual meeting for training the staff of the territorial offices of the People's Advocate Institution was held in Bucharest. The training activity of the staff of the territorial offices of the People's Advocate Institution started with a workshop on the rights of children protected in foster care, organized by UNICEF on the basis of the cooperation agreement concluded with the People's Advocate Institution. In this training workshop were also involved representatives of the National Authority for the Protection of Children's Rights and Adoption as well as teachers of the Faculty of Sociology.

We also mention that on 20-22 June 2014, was held in Targu Neamt, the meeting of the People's Advocate with the staff of the territorial offices from: Constanta, Ploiesti, Galati, Bacau, Iasi, Suceava and on 27-29 June 2014 was held in Alba-Iulia, the meeting of the People's Advocate with the staff of the territorial offices from: Alba-Iulia, Brasov, Craiova, Timisoara, Oradea, Targu-Mures, Cluj-Napoca and Pitesti.

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Pursuant to art. 36 para. (1) of Law no. 35/1997 on the organization and functioning of People's Advocate Institution, republished, during the year 2014, the People's Advocate Institution has organized an action for granting social aid, financed from the fund made available to the People's Advocate Institution for such purposes, to Pinocchio 3 Foster Care Home within the General Directorate for Social Assistance and Child Protection, Sector 3, Bucharest. The aid was offered to the 40 children living in this unit, aged between 3 and 14 years and consisted of clothing, footwear, toys, candy and personal hygiene products; the gifts were individualized according to every child's need.

## RELATIONSHIPS WITH OTHER OMBUDSMEN AND SIMILAR INSTITUTIONS

The events organized by the People's Advocate Institution aim at increasing the role and prestige of the People's Advocate, as an institution of the rule of law and enhancing the institution's image, both internally and internationally.

Among the domestic events we mention:

- The visit of Mr. Nils Muiznieks, Human Rights Commissioner of the Council of Europe, at the headquarters of the People's Advocate Institution;
- The conference with the theme "Aspects concerning the enforcement of the new criminal and civil codes";
- The visit of the delegation of Amnesty International led by the manager of Europe and Central Asia Program and by the representative of the European Roma Rights Center, at the headquarters of the People's Advocate Institution;
- The meeting of the People's Advocate with the representative of UNICEF Romania;
- The meeting of the People's Advocate with H.E. Ambassador of the Federal Republic of Germany;
- The visit of the members of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment - CPT, at the headquarters of the People's Advocate Institution;
- The anniversary celebration of the Court of Auditors;
- Symposium with the theme "150 years - History and tradition in the Romanian Senate, parliamentary bicameralism in Romania. Tradition and perspectives";
- The meeting of the People's Advocate with H.E. Ambassador of the Hellenic Republic;
- The Anniversary Conference – Romania and European Convention on Human Rights – 20 years;
- The meeting of the People's Advocate with the delegation of Bundestag Committee on Internal Affairs;
- The meeting of the People's Advocate with H.E. Ambassador of the Netherlands;
- The meeting of the People's Advocate with a delegation of the Norwegian Helsinki Committee;
- People's Advocate a delegation of the Commission on Human Rights and Humanitarian Aid of the German Parliament;



- The meeting of the People's Advocate with a delegation of the Legal and Internal Affairs Committees of the Parliament of the Land Rheinland-Pfalz - Germany;
- The debate on the theme "National Mechanism for the Prevention of Torture";
- The meeting of the People's Advocate with the chief of the regional team for Europe of the UN Subcommittee for the Prevention of Torture;
- The conference with the theme "The role of the multidisciplinary team in the early intervention for children at risk";
- The meeting of the People's Advocate with a delegation of the legislature of the Republic of Turkmenistan;
- The meeting of the People's Advocate with a delegation of experts of the European Commission Mission within the Cooperation and Verification Mechanism on Justice - CVM;
- The participation of the People's Advocate in the Joint solemn meeting of the Chamber of Deputies and Senate, dedicated to the ceremonial oath of office taken by the Romanian President, Klaus Werner Iohannis.

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The People's Advocate institution participated in various ceremonies and events organized on the occasion of important events such as: Romanian Principalities Unification Day, Romania's Independence Day, Coalition Victory Day in the Second World War, Union European Day, Heroes Day, National Flag Day, National Anthem Day, Romanian Armed Forces Day.

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Externally, we mention:

- Parents' Congress - Save the Children, Chişinău - Moldova;
- The 9<sup>th</sup> Seminar of the liaison officers of the European Network of Ombudsmen, Strasbourg - France;
- Working Group with the theme "Resolve restitution of real property in the Republic of Macedonia and the role of the Ombudsman, Skopje - Macedonia;
- Launch meeting: The platform for cooperation on asylum and migration, Vienna - Austria;
- The 2<sup>nd</sup> Symposium of Ombudsman Institutions, Ankara - Turkey;
- The 6<sup>th</sup> International Conference of Ombudsman Institutions for the Armed Forces, Geneva - Switzerland;
- Conference "First OPCAT South-East European Forum, Belgrade - Serbia.

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■ To exchange experience and task-specific information, the People's Advocate Institution continued its collaboration with the European Ombudsman.

Until 2013 inclusive, the European Ombudsman drafted, biannually, The Bulletin of the European Ombudsmen, in English, French, German, Italian and Spanish. The Bulletin aims at sharing best practice between ombudsmen in Europe. The People's Advocate Institution had a permanent presence in the Bulletin's issues.

On the occasion of the 9<sup>th</sup> Seminar of the liaison officers of the European Network of Ombudsmen it was decided the issuance of the Bulletin in a new format. As such, during 2014, the European Ombudsmen Bulletin has not been published, and since 2015 it will appear in an electronic format – multilingual, in four numbers.

During 2014, the People's Advocate institution participated in studies launched by the European Ombudsman through the European Network of Ombudsmen, with a view to exchanging best practices. The studies aimed at:

- Consulting the members of the European Network of Ombudsmen on claims against Ombudsman institutions - summons;
- Consulting the members of the European Network of Ombudsmen on third party access to personal health records;
- Consulting the members of the European Network of Ombudsmen on the implementation of EU legislation - complaints about the Common Agricultural Policy (CP) Reform / Single Payment Scheme;
- Consulting the members of the European Network of Ombudsmen on EU Structural Funds and human rights.

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Also during 2014 the People's Advocate Institution continued its collaboration with universities across the country, by **conducting student internships** both at headquarters and in its territorial offices - **260 students**.

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In order to improve the efficiency of its activity and to strengthen relations with the public authorities willing to cooperate with the Ombudsman in the interest of the citizens, for defending their rights and freedoms, there have been concluded cooperation protocols with UNICEF Romania and the organization Save the Children.

## COMMUNICATIONS AND RELATIONS OF THE PEOPLE'S ADVOCATE INSTITUTION WITH THE MEDIA

Also during 2014, the People's Advocate Institution has published a quarterly Newsletter including detailed aspects of the activity, assessments submitted by the petitioners and public authorities on the People's Advocate Institution, cases resolved through the intervention of the People's Advocate Institution.

The Newsletter can be found on the website of the institution, [www.avpoporului.ro](http://www.avpoporului.ro), Media Relations Section.

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The People's Advocate and his deputies participated in **11** radio-TV broadcasts, were published in **38** articles in the central and local press, issued **63** press releases and organized **2** press conferences.

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The territorial offices of the People's Advocate Institution also experienced an unprecedented intensification of their communications and relations with the media. Thus, in 2014, were published in the local press, **293** articles concerning the activity of territorial offices and their representatives participated in **136** radio and television broadcasts.

## HUMAN, MATERIAL AND BUDGETARY RESOURCES

The institution is headed by the People's Advocate, assisted by five deputies who have the rank of secretary of state, each of them specialized in one of the five existing fields of activity.

In the territory, the activity is carried out by the 14 territorial offices, organized according to the geographical location the Courts of Appeal.

The staff organization consists of 86 employees: 3 counselors chief of office, 23 counselors, 46 experts, 8 referents, 6 employees as administrative and technical staff.

At the beginning of 2014 there were 8 vacancies, and during the year, between January and December, were hired 2 new employees and other 3 left the institution.

At the end of 2014 there were 9 vacancies, as follows: coordinating director (1), counselor (1), expert (2), chief of cabinet (2), janitor (1) and driver (2).

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For the performance of its activity, the People's Advocate Institution has been allocated by Law no. 356 / 12.19.2013 on the state budget for 2014 the amount of 5922 million lei. By the government ordinance on the state budget rectification for 2014, no. 9/2014, has been approved the increase by 126 thousand lei of the People's Advocate Institution budget at Title I - staff costs. And by the government ordinance on the state budget rectification for 2014, no. 59/2014, has been approved the increase by another 10 thousand institution's budget.

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