



**Prot. N.: 1830/2022**

**THE CODE OF CONDUCT**

**OF THE ROMAN CATHOLIC ARCHDIOCESE**

**OF ALBA IULIA**

**31<sup>st</sup> December, 2022**



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The mission of the Church is to proclaim the gospel of Jesus Christ. This is not only done through preaching, administering the sacraments, or catechesis, since all of the Church's activities are evangelization. Every believer is called to be a model of sanctity and a virtuous life. They must strive to pass on the faith through the testimony of their life, that is, their words and actions should be in harmony with the faith they profess: *“In the same way your light must shine in people's sight, so that, seeing your good works, they may give praise to your Father in heaven.”* (Matthew 5:16)

This responsibility belongs primarily to the ones that God has appointed as shepherds of His flock, but also to everyone who holds various offices in the Church. As a result, in the light of the universal provisions of the Church and the latest instructions of the Holy Father, we define uniform guidelines for the clerics of the Roman Catholic Archdiocese of Alba Iulia, as well as for those who are employed, commissioned, or serve as volunteers in the Archdiocese.

This *Code of Conduct* has no intention of repeating everything that the Church's Magisterium has already disposed of with its authority on this topic, but rather to facilitate the mission of the Church by:

- supporting those who serve in Church so they can testify authentically about Jesus Christ;
- providing them guidance so that they can serve safely, keeping human dignity in focus;
- protecting minors, vulnerable adults, and everyone coming into contact with the Archdiocese against ill-treatment and all forms of abuse;
- defining an operant procedure for cases where a well-founded suspicion of ill-treatment or any kind of abuse occurs;
- doing everything to ensure that clerics and persons in a legal relationship with the Archdiocese do not become victims of ill-treatment or abuse.

## **1. PROFESSIONAL AND PERSONAL INTERACTION**

Clerics' vocation is to live blamelessly and to demonstrate this with their behaviour. Every person in a legal relationship with the Archdiocese must also comply with its ethical requirements.

1.1 As a result, it is obligatory for them to report all civil and criminal proceedings initiated against them to the Archdiocese Authority.

1.2 The cleric's attire must suite his profession; they must dress according to the performance of clerical duties. In the company of minors and vulnerable adults, they must pay particular attention to ensure that their clothing is not revealing – this applies to personal and online meetings and activities as well. Everyone who is employed, commissioned, volunteering or in any service relationship with the Archdiocese is obliged to wear the appropriate apparel required by their service.

1.3 The pastor has a residency obligation, he cannot be away for more than a week without the knowledge of his ordinary (*Code of Canon Law*, cans. 533 and 550). The cleric should preferably not invite other people in his suite or apartment, not even for the purpose of spiritual guidance, but should use the office or other suitable parish premises for this purpose.

1.4 Possession, use, and trade in narcotics is completely prohibited.

1.5 The cleric may consume alcohol and tobacco products only if it does not hinder the fair and appropriate performance of his duties. If the cleric's service is affected by regular and excessive alcohol consumption, this can be reported in writing to the competent archdeacon or the archbishop's office (Archbishop's Office; 2 Episcop Márton Áron Street.; Alba Iulia; 510010, or [ersekseg@romkat.ro](mailto:ersekseg@romkat.ro)).

1.6 Clergy and persons in a legal relationship with the Archdiocese may use digital devices owned and/or used as a result of the employment (PC, laptop, tablet, smartphone, etc.), electronic mail, social media, contacts, accounts, users, and like solely for service purposes, and may not grant access to them to others. The data used for service purposes must not be deleted or taken with, when they leave the job.

1.7 In public resolutions, statements of opinion, and debates related to social and public issues (including through social media platforms), clerics and everyone in a legal relationship with the Archdiocese must represent the Catholic teaching conforming the *Catechism of the Catholic Church*, which – an accordance with this present *Code of Conduct* – condemns any form of violation of human dignity.

1.8 The cleric and everyone in a legal relationship with the Archdiocese must respect appropriate boundaries in their professional relationships and may not take advantage of the authority resulting from their position or the trust shown to them. To this end, professional and personal interactions must be transparent, they must respect human dignity and professional and ethical boundaries. The Archdiocese helps and supports the practicing of this norm offering trainings.

## **2. COMMUNICATION WITH MINORS AND VULNERABLE ADULTS**

2.1 Communication is the basis of service, which is pivotal in Catholic faith. The basis of healthy and safe relationships is genuine love, respect, and compassion, but for the safety of human relationships, appropriate boundaries must be respected.

2.2 Clerics must lead their lives according to the ethical standards formulated by the Church and included in this *Code of Conduct*, but at the same time, they must be aware of the responsibility accompanying their work and position of trust. They must testify of the Church's mission with their behaviour, with particular regard to the protection of human dignity and the support of the oppressed and the vulnerable.

2.3 Clergy and other persons in a legal relationship with the Archdiocese are responsible for their own spiritual, physical, mental, and emotional well-being and level-headed lifestyle. They are also responsible for maintaining their professional competence and for knowing and complying the generally known standards of their profession. The Office of the Archdiocese supports or can initiate them getting help if needed in a personal or professional area.

2.4 The Archdiocese and the Archdiocese Authority adhere to the principle of zero tolerance against abuse, violence, and all forms of ill-treatment.

### **Ethical standards**

2.5 Clerics and anyone in a legal relationship with the Archdiocese may under no circumstances use offensive, profane, humiliating, or degrading words when communicating with minors and vulnerable adults.

2.6 In all cases, physical contact with a minor or a vulnerable adult must comply with the requirements presented in this Code of Conduct and it must serve the interests and needs of the minor.

Clerics and anyone in a legal relationship with the Archdiocese may not use physical force, with the exception of situations where their own or others' physical safety is at stake (e.g., self-defence in the event of a direct attack).

2.7 When dealing with minors and especially with adults who are vulnerable due to their previous experiences of ill-treatment, abuse, and violence, clerics and anyone in a legal relationship with the Archdiocese must create a highly safe environment that respects human dignity.

The environment and the relationship are safe if the minor and the vulnerable adult perceive it that way, when they feel safe to express themselves and ask for information and support regarding sensitive topics and problems arising from their individual life situation.

It is a sign of a safe environment if the cleric or anyone in a legal relationship with the Archdiocese:

- pay attention to minors, vulnerable adults,
- respect the minor, vulnerable adult,
- communicate honestly and openly and in a way that is understandable for the other party,
- it is important to them that the minor, vulnerable adult feels safe while they are with them,
- show their acceptance and love towards the minor, the vulnerable adult, even if they say no or contradict them,
- do not ask for anything that the minor, vulnerable adult does not want to do,
- the minor, vulnerable adult is not afraid in their presence.

2.8 Clerics and anyone in a legal relationship with the Archdiocese must mainly work with minors and vulnerable adults in a *team*. This means either that other people are present during face-to-face meetings (the conversation is not one-on-one) or that the conversation takes place in an environment that is safe for both parties.

2.9 In the case of online contact and communication with minors and vulnerable adults, the cleric or anyone in a legal relationship with the Archdiocese must use the official or public e-mail address. Online communication must also take place within a safe and transparent framework: respecting the protection of privacy and private time both on the part of the cleric or anyone in a legal relationship with the Archdiocese, and on the part of the minor or vulnerable adult.

2.10 If a minor or a vulnerable adult shares information about abuse, violence, or ill-treatment with a cleric or anyone in a legal relationship with the Archdiocese, they are obligated to notify the *Human Dignity Workgroup* (see point 5) within 72 hours, which will register the report.

The person reporting must pay extra attention to the affected minor or vulnerable adult:

- they must remain available to them and provide an opportunity to continue the conversation they started,
- they must provide information on the activity of groups and communities where they can safely meet peers,

- they must provide information on available support options,
- they must request permission to involve others in the process of support and follow-up (including family members in the case of minors).

2.11 Based on the principle of transparency, in the case of private electronic or printed communication with minors or vulnerable adults, clerics and anyone in a legal relationship with the Archdiocese must make sure that the competent parents or guardians are aware of its content. Exceptions to this are cases where a minor or vulnerable adult suffers abuse from the above-mentioned persons. In such a case, the cleric and anyone in a legal relationship with the Archdiocese can involve the competent civil authority for professional help, respecting the Seal of Confession (Can. 1386, Can. 1390).

2.12 Parents or guardians are not required to be notified in the case of non-private communications, such as information sent to youth groups, information about meeting places or times, or other administrative matters.

2.13 Communication on office computers or other office devices used by clerics and anyone in a legal relationship with the Archdiocese is not private.

2.14 The cleric and anyone in a legal relationship with the Archdiocese must hold the conversations in places and times that do not confuse the minor, vulnerable adult regarding the nature of the relationship. From this point of view, conversations organized for late hours, resting times, and in private spaces are considered high risk.

2.15 Clerics and anyone in a legal relationship with the Archdiocese may not offer to accommodate minors and vulnerable adults in their private accommodation, not even during pilgrimages, camping trips, or similar cases (bedroom, hotel room, tent, caravan, etc.). In cases where overnight accommodations are in open spaces (gyms, classrooms, assembly areas, etc.), adequate supervision and segregation between genders and between adults and minors must be ensured.

2.16 Clerics and anyone in a legal relationship with the Archdiocese are prohibited from offering alcohol and tobacco products or making them available to minors and vulnerable adults, as well as consuming the aforementioned products in their presence.

2.17 A filter restricting pornographic and violent content must be installed on all digital devices accessible to minors and vulnerable adults.

2.18 Clerics and anyone in a legal relationship with the Archdiocese may not receive from or offer any gifts to minors or vulnerable adults.

### **3. SPIRITUAL GUIDANCE AND PSYCHOLOGICAL COUNSELING FOR MINORS AND VULNERABLE ADULTS**

3.1 Clerics and anyone in a legal relationship with the Archdiocese must respect the professional boundaries between spiritual guidance and psychological counselling during their activities.

- *Spiritual guidance* is a relationship full of trust between the leader and the guided, the spiritual leader helps the guided person develop their relationship with God. Spiritual guidance is about the search for the voice of the Holy Spirit, the search for God's will, and the discovery of God in all areas of life (cf. can. 212 § 2).



- *Psychological counselling* is an activity during which a qualified specialist helps the clients improve their lifestyle and quality of life without taking over responsibility. An important feature of the counselling process is that during joint thinking, the client learns the basic steps of problem solving, they assume and become aware of the consequences of their decisions. An important objective of the counselling process is that the people receiving it can use the knowledge acquired during the counselling in their daily life as well.

The cleric and anyone in a legal relationship with the Archdiocese are responsible for establishing and maintaining clear, appropriate boundaries of spiritual guidance and psychological counselling relationships.

3.2 The cleric and anyone in a legal relationship with the Archdiocese may undertake psychological counselling for minors and vulnerable adults in cases for which they have the appropriate expertise, training, and certification. In all other cases, involving a specialist is necessary, preferably from among the members of the Human Dignity Workgroup (see point 5) or from a list of experts registered with the Archdiocese Authority (see point 2.10).

In such cases, the cleric or anyone in a legal relationship with the Archdiocese may remain part of the *team*, if necessary, in order to adequately support and accompany the minor/vulnerable adult concerned.

3.3 In the case of spiritual guidance, or when the cleric or anyone in a legal relationship with the Archdiocese advises a minor or a vulnerable adult, the relevant basic laws and all the principles and ethical standards of this Code of Conduct must apply.

In all cases, spiritual guidance and counselling must be safe for the minor, vulnerable adult concerned (see point 2.7) and must serve their well-being.

3.4 Clerics and anyone in a legal relationship with the Archdiocese must handle their notes, files, and electronic data associated with counselling services in accordance with GDPR regulations. The data stored in this way may only be used for a specific purpose.

3.5 Counselling or spiritual guidance with the participation of minors or vulnerable adults may only be recorded as video or audio material if all parties involved and their legal representatives consent in advance in writing.

#### **4. CONFIDENTIALITY**

4.1 The cleric and anyone in a legal relationship with the Archdiocese must discuss the nature, character, and limitations of confidentiality with the minor or vulnerable adult who comes into contact with him in every case. This information must be provided in a comprehensible manner that is suitable for the discernment and consideration of the minor, vulnerable adult.

4.2 The cleric and anyone in a legal relationship with the Archdiocese may not misuse information obtained during spiritual guidance, counselling, assistance, consolation, or other communication, they must treat it confidentially.

4.3 The cleric and anyone in a legal relationship with the Archdiocese may disclose the data and information they find out about minors and vulnerable adults, if:

- the persons concerned and/or their legal representative consents to this in advance in writing;

- if the persons receiving counselling poses a danger to themselves or others, and it is necessary to disclose certain information in order to prevent or avoid a dangerous situation;
- if the health, safety or well-being of a minor or vulnerable adult is threatened, and the disclosure of information serves the interest of the person concerned, or the sharing of information is required by law;
- clerics and anyone in a legal relationship with the Archdiocese must attempt to obtain the consent of the minor or vulnerable adult before disclosure, in order to ensure that the relationship of trust is not violated;
- in court and official proceedings, the cleric may disclose only the information necessary for the given procedure, and only in the manner permitted by civil and canon law.

4.4 Information obtained under the Seal of Confession may never be recorded or made public (can. 983 § 1).

## **5. PROTECTION OF HUMAN DIGNITY (*HUMAN DIGNITY WORKGROUP*)**

5.1 The Archdiocese expects all clerics and all natural and legal persons in a legal relationship with the institute to act according to the values and principles laid down in this *Code of Conduct*, to avoid all forms of abuse, ill-treatment, and violence in the course of their work and not to act to the detriment of others, especially vulnerable groups.

5.2 The Archdiocese will do everything to ensure that the basic principle of zero tolerance towards violence prevails and provides adequate protection in cases of violence, abuse, or ill-treatment committed against clerics and anyone in a legal relationship with the Archdiocese.

5.3 On January 26, 2022, the Ordinary established the *Human Dignity Workgroup* (hereinafter referred to as HDW) consisting of lay professionals and clerics, which is connected to the Archdiocesan Authority and operates professionally autonomously and independently based on its own regulations, according to the generally known professional value system, in compliance with the profession's ethical standards. Its task is twofold:

- it familiarizes clerics and everyone in a legal relationship with the Archdiocese with the contents of this *Code of Conduct* via training courses; it monitors that the introduction to child protection and related content is integrated into priest training and further education, and that every job interview includes a compliance check of the person applying for the given position, in accordance with the provisions of this *Code of Conduct*;
- it receives reports of cases of abuse and ill-treatment committed against minors and vulnerable adults and it carries out the necessary preliminary investigation.

5.4 Contact:

*Human Dignity Workgroup*

2 Episcop Márton Áron Street,

Alba Iulia – 510010

[emberimeltosag@romkat.ro](mailto:emberimeltosag@romkat.ro)

<https://ersekseg.ro/hu/content/emberimeltosag>

## 6. REPORTING AND INVESTIGATION

Clerics and anyone in a legal relationship with the Archdiocese, in accordance with the fundamental laws, keep in view the principle of zero tolerance of violence. Accordingly, they may not engage in physical, psychological, emotional, or sexual violence, abuse, or tolerate such harassment of others, including similar activity on online platforms.

6.1 In any case where there is a suspicion that an act going against this *Code of Conduct* has been committed against a minor or vulnerable adult, the cleric and anyone in legal relationship with the Archdiocese must report it to the HDW immediately and no later than 72 hours.

6.2 Clerics and anyone in a legal relationship with the Archdiocese may report incidents of abuse, violence, and misconduct occurred during the performance of their duties to the HDW.

6.3 Anyone who finds out that a cleric or anyone in a legal relationship with the Archdiocese commits an act against a minor or a vulnerable adult in violation of this *Code of Conduct* may report it to the HDW.

6.4 Reporting can only be made in writing: on the online notification form (<https://ersekseg.ro/hu/content/emberimeltosag>), at [bejelentes@romkat.ro](mailto:bejelentes@romkat.ro), by traditional mail, or by signing a note made during a personal conversation (see point 5.4 and Annex no. 1.).

The report must include the reporting person's first and last name, address (e-mail address in the case of online reporting, telephone number in the case of mail), and the identity of the victim and the perpetrator must be identifiable.

HDW considers the report valid if:

- it includes existing, real persons (on both parts),
- at least one of the described actions goes against this *Code of Conduct*,
- it contains the basic information about who committed what, against whom/whom, and when.

6.5 In the event of a valid report, HDW will issue a confirmation receipt of the notification to the notifier within 48 hours. Within the next 5 working days, the group initiates contact with the notifier, and then examines the details of the case via a personal interview.

6.6 The legal representative of a minor or vulnerable adult must be informed about the report immediately in all cases where this does not endanger the safety and well-being of the minor or vulnerable adult.

6.7 If it is proven that the cleric or anyone in a legal relationship with the Archdiocese has been wrongfully accused, they must be rehabilitated depending on the possibilities and circumstances. A person making wrongful accusations can be held liable under both civil, and criminal law (see can. 220, can. 1390).

6.8 After completing the preliminary ecclesiastic investigation, the HDW informs the Ordinary in writing, who decides on the appropriate actions within 5 working days and informs the EMM and all the parties involved in the case (notifier, victim, violator) in writing.

6.9 If the launch of ecclesiastical criminal proceedings is justified, these will be conducted according to the Holy See and current ecclesiastical regulations in force at all times.

6.10 The Romanian Catholic Bishop's Conference stipulates<sup>1</sup> that all dioceses are obliged to report cases of sexual abuse against minors to the civil authorities. HDW makes this report.

6.11 The Archdiocese will not organize a clarifying hearing and will not take any further steps about the affected minor (with the exception of steps aimed at immediately ending the abuse/ill-treatment), until the case has been reported to the competent civil authorities and professional support has not been requested.

6.12 Clerics and anyone in a legal relationship with the Archdiocese must be aware that a report made against them in a church forum does not restrict the complainants from using the available legal means to make a case in civil law.

## 7. TRANSPARENCY OF THE INQUIRY AND HEALING

After the report, the Archdiocese exercises its right and obligation to provide transparent, safe and professional information about the case.

7.1 The procedures initiated in case of the violation of this *Code of Conduct* must be communicated to the community (the fact of the report was issued and the investigation, the outcome of the case) in such a way that the privacy of those affected on both sides (and their family members) is ensured.

7.2 The general GDPR applies to the handling of information and data afferent to the procedure. The information must be protected and handled in accordance with canon 471, point 2 of the *Code of Canon Law*, so that security, integrity, and discretion would be ensured.

7.3 The Archdiocese provides medical, therapeutic, and psychological assistance in accordance to the specific case, to those persons (and, if necessary, their families) against whom the case of abuse, violence, or ill-treatment, the violation of this present *Code of Conduct* is confirmed.

7.4 In professionally justified cases, the Archdiocese may require the resort to rehabilitation, mental health or other supportive professional services for the cleric or anyone in a legal relationship with the Archdiocese, against whom proceedings have been initiated for violating this *Code of Conduct*.

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<sup>1</sup> CONFERINȚA EPISCOPIILOR DIN ROMÂNIA, *Ghid pentru tratarea cazurilor de abuz sexual, comise de către clerici, asupra minorilor*, Art. 4., <https://www.bisericacatolica.ro/wp-content/uploads/2019/09/Ghid-printA5-sept-2019.pdf>

## MEASURES FOR THE APPLICATION OF THE CODE OF CONDUCT

I entrust the Human Dignity Workgroup with the application of the provisions of these regulations as soon as possible, as follows.

### Ensuring publicity

After the publication of the *Code of Conduct*:

- the full text should be available on the official website of the Archdiocese (<https://ersekseg.ro/hu/content/emberimeltosag>);
- the contents of the Code of Conduct should be introduced separately to the clerics and separately to anyone in a legal relationship with the Archdiocese by means of interactive training, who will then declare in writing their acceptance of the Code and compliance with the regulations (see Annex No. 3).

### Incorporation of the *Code of Conduct* into human resources processes

The protection of human dignity and the related regulations, including the *Code of Conduct*, should be included in priest training and further education. Before deacon ordination, the candidate declares in writing that he accepts the Code and complies with the regulations.

The Archdiocese integrates into every job interview the examination of suitability of the person applying for a given position. When working with minors and vulnerable adults, a Certificate of Behavioural Integrity (Certificat de integritate comportamentală) is required<sup>2</sup>.

The applicant will receive the *Code of Conduct* and verbal instructions about the valid regulations and ethical standards that regulate the operation of the Archdiocese. Acceptance of the Code and compliance with the regulations must be declared when signing the contract establishing the employment or other legal relationship at the latest (see Annex No. 3).

In the case of volunteers, the programme organisers are responsible for providing information and for enforcing and monitoring the provisions of this *Code of Conduct*.

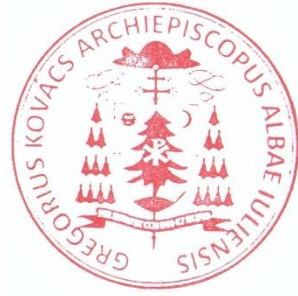
### Assessment and management of risks (*monitoring*)

The Archdiocese is committed to taking every possible measure to identify and minimize preventable risks and to manage them. Therefore, it constantly monitors its own operations, including compliance with the *Code of Conduct*.

At least once a year, the *Human Dignity Workgroup* prepares a summary and evaluation report for the Ordinary on the application of the *Code of Conduct* and, where appropriate, it formulates recommendations. The summary should list possible ongoing investigations, detailing the number of reports, the type of cases, and the legal consequences.

<sup>2</sup> <https://www.mai.gov.ro/faq/certificatul-de-integritate-comportamentala-este-acelasi-lucru-cu-certificatul-de-cazior-juduciar-cum-se-poate-obtine-si-cine-il-elibereaza/>

On December 31, 2022, I announce and order this Code of Conduct of the Archdiocese of Alba Iulia – for a period of two years, ad experimentum.



Dr. Gergely Kovács  
Archbishop

## Appendix

### TERMINOLOGY

This *Code of Conduct* uses the following basic termini in the following interpretation:

A **minor** is a person who has not reached eighteen years of age, unless they have already reached the age of maturity according to the legislation applicable to them (cf. cn. 97-99).

**Vulnerable adult** is a person over eighteen years of age, who cannot protect her/himself because of her/his disability, age, illness or situation (subordinate, vulnerable or forced) in the case of a significant harm, exploitation, ill-treatment, and is therefore at increased risk of any abuse.

**Violence** is any physical, psychological (psychosocial), or sexual abuse, neglect, or exploitation, which occurs in the form of direct or indirect actions or omissions, and which endangers or damages the human dignity, physical, psychological, or social situation or development of a minor and vulnerable adult.

**Harassment** is a behaviour when a minor or vulnerable adult regularly and repeatedly experiences threats, abuse, violence in the real world or in the online space, as a result of which they cannot live their life in the usual way – they must avoid places, people, or stop doing activities. Harassment typically occurs through texting, phone calls, stalking, emotional abuse, emotional blackmail, threats.

Any form of humiliating or degrading treatment is considered **emotional abuse**. For example, being called by derogatory names, constant criticism, belittling, permanent shaming, confinement, isolation from relationships. Furthermore, emotional abuse is any behaviour that has a negative impact on the emotional development of a minor. It may include suggesting to the minor that they are worthless, unaccepted, unwanted, and unloved. It can mean placing expectations on the minor that are inappropriate for their age or development stage. It also includes causing fear or anxiety in minors, shaming, constant criticism, emotional blackmail, and exploitation. Emotional abuse can mean the abuse of the minor's or vulnerable adult's trust and the crossing of boundaries, which may result in the minor consenting and allowing actions that violate their physical integrity, emotional safety, and privacy.

**Spiritual abuse** is a form of spiritual or psychological violence, abuse of the victim's (minor or adult) faith, religious path, Church Traditions and teachings. The victim of spiritual abuse feels unheard, judged, qualified, questioned or forced in ways that invoke spiritual teachings or make them feel that they risk acceptance within the Church if they do not behave in a way that the abuser expects. Spiritual abuse can be defined if the necessary support is not provided and the situation of the person asking /seeking for help does not improve or gets worse. A common form of spiritual abuse is forcing through misinterpretation of Church teachings, using censorship - limiting the freedom of discussion and opinion, demanding obedience - unquestioned, public shaming, threatening with spiritual consequences, inadequate mentoring-pastoring, manipulation, punishment, isolation, humiliation for non-compliance. It is also considered spiritual abuse if the victim does not have access to the best possible spiritual support and guidance.

**Neglect** refers to the lack or deficiency in meeting basic physical and/or psychological needs – for example, due to inadequate provision of food, clothing, shelter. This also includes failing to stop harm, not providing appropriate supervision, or failing to provide access to care or treatment, which most likely leads to serious damage to the minor's or vulnerable adult's physical or intellectual and emotional development.

**Physical abuse** can mean various forms of hitting, shaking, throwing, burning, suffocating, and any form of physical harm that injures the minor's or vulnerable adult's physical integrity. An adult making false claims about the minor's condition or intentionally causing illness in the minor is also considered physical abuse.

**Exploitation** refers to forcing a person to work, the use of a person's resources in order to gain profit.

**Sexual violence** involves forcing or enticing a person(s) to engage in sexual activities, regardless of whether the victim is aware of what is happening to them (whether they are able to comprehend what is happening to them or not). Abuse can happen with or without physical contact. The former may include acts involving penetration (e.g., rape) and acts not involving it. The latter may include, for example, involving the subject in viewing or producing pornographic material, or in observing sexual activity. It may also include encouraging the subject to engage in sexually inappropriate behaviour

**Sexual abuse** includes any form of sexual violence, including rape, involvement in pornography, and sexual slavery. Any behaviour that leads to someone being taken against their will or by deception, manipulation, abuse of power, or even trust, or by taking advantage of their unconscious or indecisive state to commit a sexual act, it is considered sexual abuse.

Any act in which an adult uses a minor to satisfy his or her own sexual desires is considered **sexual abuse of a minor**. All of these relationships or interactions against the minor are achieved by force, fraud, bribery, threats, enticement, offering/promising benefits, abusing the minor's trust, or other kinds of pressure

Any material, recording, document depicting a sexual act or focusing on minor(s) and/or on the minor's genitals, created with the purpose of arousing sexual desire, is considered **child pornography, recording depicting sexual abuse of minors**.

**Commercial sexual exploitation** has three main, interconnected forms: prostitution, pornography, and sex-trafficking. Other forms include underage sex tourism, underage marriages, and forced marriage. Performing such acts, recruiting minor victims or using them as clients are both considered criminal conduct.



**Annex No. 1.**

**NOTIFICATION SHEET<sup>3</sup>**

**Date of notification:** .....

**Data about the notifier (required)**

First name, last name: .....  
Home address: .....  
Phone or e-mail: .....

**Data about the victim(s) (if different from the notifier)**

Name: .....  
Age: .....  
Contact: .....

**Data about the alleged violator of the *Code of Conduct***

Name: .....  
Contact: .....  
Cleric: Yes / No (please underline the case)

**Case description**

Location: .....  
Date (If known, please provide the exact date): .....  
How did you find out about the incident? (please mark the appropriate case)  
a) I was a witness   
b) I was informed by the victim   
c) I was informed by the alleged violator   
d) other: .....

Please describe exactly what you were informed about!

.....  
.....  
.....  
.....  
.....  
.....  
.....

Are you aware of any other witnesses:  
..... ?

Please indicate if you would like your data to be handled confidentially: Yes / No (please underline the case)

In the case of confidential data handling, your personal data (as a notifier) cannot be transferred to a third party

<sup>3</sup> The Notification Sheet is only valid together with the Privacy Policy of the *Code of Conduct* (Annex No.2).

## Annex No. 2.

### **Privacy Policy to be attached to the NOTIFICATION SHEET**

Valid from 31 December 2022

The *Human Dignity Workgroup* was established in January 2022 by Archbishop Dr. Gergely Kovács and directly subordinated to the Archdiocesan Authority. Its commission was to work out a code of conduct for clerics and anyone who are employed, commissioned, or serve as volunteers in the Archdiocese, to set uniform guidelines and to provide guidance for the prevention of violence, abuse and other forms of ill-treatment. Its function is to carry out the direct tasks related to the implementation of the *Code of Conduct*: on one hand to familiarize clerics and everyone in a legal relationship with the Archdiocese with the contents of this *Code of Conduct*, on the other hand to receive and investigate the notifications of ill-treatment, abuse, harassment of minors and vulnerable adults.

#### **1. Contact**

Tax number: CIF 4562796

Registration Authority: Roman Catholic Archdiocese of Alba Iulia, 2 Episcop Márton Áron Street, Alba Iulia, RO-510010, [ersekseg@romkat.ro](mailto:ersekseg@romkat.ro), <http://www.ersekseg.ro>

Person responsible for data protection matters:

Attila-Sándor Komáromi, CNP 1721027011101, CI seria AX nr. 538765  
[attilakomaromi@yahoo.com](mailto:attilakomaromi@yahoo.com)

#### **2. For what purpose, how and for how long do we handle personal data?**

Data management

- **purpose:** to identify and filter out the duplications of the filled and sent Notification Sheets;
- **legal basis:** your consent;
- **duration:** your personal data will be handled until your consent is withdrawn;
- **range of personal data processed during:** IP address and Network ID;
- **automated decision-making, profiling during:** no.

There is no legal or contractual obligation for you to provide your personal data as detailed in this section, however, it is necessary to complete the Notification Sheet.

Without giving your consent it is not possible to complete the Notification Sheet.

#### **3. What kind of data processor do we use?**

For storing the personal data notified we use the following data processor: Roman Catholic Archdiocese of Alba Iulia (tax number: CIF 4562796; [ersekseg@romkat.ro](mailto:ersekseg@romkat.ro); [bejelentes@romkat.ro](mailto:bejelentes@romkat.ro); <http://www.ersekseg.ro>).

Like other organisations, we use external service provider(s) to support our processes, including in particular data storage, information transfer or IT support services. When using such services, it may happen that the service provider(s) as data processor(s) temporarily access or storage e-mail addresses, solely for the purpose of providing services.

#### 4. Your rights

You have the right to know what kind of personal data do we storage about you and to request access to your personal data (right of access). You also have the right to correct the possible mistakes or delete inaccurate data, and to request for limiting the processing of your data (right to rectification and erasure). In the case of handling your data on the base of legitimate interest, you can object against handling your data (right of objection). You are entitled to receive your personal data in a commonly used, computer-readable format and to transfer it to another data processor, or to request us to do so, if the legal preconditions for this are met (right to data portability). If data handling happens with your consent, you can withdraw that anytime, but this does not affect the legality of the previous processing.

#### 5. How to exercise your rights?

You may send a request to exercise these rights to the contact details indicated in point 1 above. We will provide information on the action taken on the request without undue delay, but normally within one (1) month of receipt of the request. If we do not take action within this deadline, we will provide information about the reasons for the lack of action.

#### 6. Remedies available to you

If you do not agree with our action or response, or you think that your rights have been violated, you can complain to the following institution: *Autoritatea Națională de Supraveghere a Prelucrării Datelor cu Caracter Personal* (ANSPDCP), 28-30 General Gheorghe Magheru Boulevard, 1<sup>st</sup> Sector, Postal Code 010336, Bucuresti, România, [anspdcp@dataprotection.ro](mailto:anspdcp@dataprotection.ro), <https://www.dataprotection.ro> or you may bring the matter before the court. In the second case, the courts have the jurisdiction in judging the lawsuit. The lawsuit – according to your choice – can be initiated before the court of your dwelling place i.e. place of residence, or before any court (based on your seat).

#### 7. Legislative background

We handle personal data according to the applicable European and Romanian legislation. These are in particular:

- Regulation 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)
- Law 190/2018 on the right to freedom of information and the right to information self-determination, if applicable with regard to the GDPR.

#### 8. Applicability

This Privacy Policy is valid from 31 December 2022 until its withdrawal.

We reserve the right to modify or amend this Privacy Policy at any time. If the situation resulting from the changes is not consistent with the circumstances that existed when you gave your consent, we may contact you again to confirm or re-consent. If this does not take place, we will no longer process your personal data, i.e. we will delete your personal data.

**STATEMENT**

I ....., the undersigned, hereby declare that I have read and understood the *Code of Conduct*.

I declare that I will apply the values, principles, and rules contained therein during my service and work in the Archdiocese of Alba Iulia.

.....  
Place, date

.....  
Signature