Explanatory Memorandum

The purpose of the legislative proposal is to supplement and amend Law No. 196 of 13 May 2003, republished in the Official Monitor No. 198 of 20 March 2014, on the prevention and fighting against pornography.

The state has the constitutional obligation to elaborate rules that constitute the basis of a legislation and an institutional system that guarantee the necessary protection of the physical, emotional and moral development of minors, as well as the preservation of their sexual identity corresponding to the biological sex. According to the Romanian Constitution, Art. 49, paragraph 3, it is forbidden to exploit minors, to use them in activities that would harm their health or morality or that would endanger their life or their normal development. Therefore, in order for Romania to achieve this objective, we believe that it is necessary to establish rules that will preserve moral values in society.

In fact, this legislative proposal protects minors from certain explicit contents that, under a certain age, they could misinterpret, contents that negatively influence the development of minors or which minors simply cannot understand, with the real and pernicious danger of creating a serious confusion in the system of moral values, in terms of perception of nature, of the self, of inter-human relations and of the surrounding world.

Based on this premise, the present legislative proposal, in accordance with the provisions of the Romanian Constitution, is proposed in the interest of the healthy physical and moral development of minors, by defining the area of those contents to which minors should not have access, any related media support: platforms, publications, events, curricula or other specific actions.

To this end, this legislative proposal to supplement and amend Law No. 196 of 13 May 2003, republished in Official Monitor No. 198 of 20 March 2014, on the prevention of and fight against pornography, provides for the prohibition of making available to persons under 18 years old any form of advertising, any type of media content or any other form of exposure that presents sexuality as an end in itself, promotes or supports deviation from the sexual identity corresponding to the biological sex, sex change, homosexuality, gender fluidity or any other form of promotion of polymorphous perversion and deviation from the natural.

Our proposal aims to introduce rules to prevent and prohibit the organization of school programs dedicated to minors, with sex education themes of the gender studies type, which can seriously affect the emotional and affective state of minors and can twist the objective, natural and moral perception of reality. In addition, this legislation aims to prevent access to the pre-university education system of sexual content additions from organizations of dubious professional authenticity, often created to represent and promote sexual minorities.

During such programs, representatives of organizations, under the aegis of the conduct of educational activities in the field of anti-discrimination, within the framework of so-called

awareness-raising activities, influence the natural sexual development of minors, which can cause serious damage to the physical, spiritual and moral development of minors.

The amendment we are proposing aims to ensure that programs for minors can only be run by qualified staff and that they can only be attended with parental consent, so that the whole sex education program does not become a platform for promoting the agenda of certain artificial, ideologically constructed and pseudo-scientific minorities.

The Initiative Committee for the promotion of the citizens' legislative proposal on the amendment of Law no. 196 of 13 May 2003 on the prevention and fight against pornography.