



Human Rights Council
Working Group on the Universal Periodic Review
Forty-third session
1–12 May 2023

Summary of stakeholders' submissions on Romania*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review and the outcome of the previous review.¹ It is a summary of 18 stakeholders' submissions² for the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations³ and cooperation with human rights mechanisms

2. It was recommended that Romania ratify the OP-CRC-IC,⁴ OP-ICESCR,⁵ and OP-CRPD.⁶
3. JS4 recommended ratifying Convention no. 190 on Violence and Harassment of the International Labour Organisation.⁷
4. ICAN urged Romania to ratify the Treaty on the Prohibition of Nuclear Weapons.⁸

B. National human rights framework

Institutional infrastructure and policy measures

5. CoE-CPT recommended ensuring the functional and financial independence of the national preventive mechanism.⁹
6. JS2 observed that Romania did not adopt any national human rights strategy since its last review.¹⁰

* The present document is being issued without formal editing.



C. Promotion and protection of human rights

1. Implementation of international human rights obligations, taking into account applicable international humanitarian law

Equality and non-discrimination

7. CoE-ECRI recommended including national origin, colour, citizenship and gender identity in the list of prohibited grounds of discrimination in the legislation.¹¹

8. JS2 reported that there was no anti-discrimination strategy or related plan since 2014.¹² CoE-ECRI recommended adopting a national strategy on equality, inclusion and diversity without delay.¹³

9. JS2 stated that the structural inequalities in the enjoyment of economic, social and cultural rights, affecting LGBT persons and other minority groups, such as Roma, remained unaddressed.¹⁴

10. CoE-ECRI stated that racist and intolerant hate speech in public discourse and on the internet was widespread. The main targets were Roma, the Hungarian minority, LGBT persons and the Jewish community. Violent attacks against those groups or their property occurred sporadically.¹⁵

11. CoE-ECRI noted that there was no coherent and systematic data collection on hate speech and hate-motivated violence. It noted the insufficient level of knowledge and expertise among the law enforcement bodies and the judiciary in recognising hate crimes.¹⁶ JS2 noted a lack of a common methodology for investigating hate crimes.¹⁷

12. CoE-CM recommended that the authorities continue to take a robust stance against and condemn racist, xenophobic and anti-Roma language in political discourse and in the media.¹⁸

13. OSCE/ODIHR recommended that the authorities respond swiftly to hate crimes, including those motivated by gender or sex, and investigate them so that the perpetrators can be brought to justice and adequate penalties imposed, and ensure the availability of all necessary support for victims. It recommended the possibility of reporting hate crimes online and allowing third-party reporting to police by civil society groups and equality bodies.¹⁹ OSCE/ODIHR recommended building law enforcement and justice sector capacities to recognize and effectively investigate hate crimes.²⁰

14. JS6 recommended launching public information campaigns on negative prejudice and discrimination against people with HIV/AIDS.²¹

Right to life, liberty and security of person, and freedom from torture

15. CoE-CPT recommended refraining from holding persons on remand in police detention facilities, and instead converting arrest detention centres into pre-trial detention facilities and placing them under the authority of the Ministry of Justice and the National Prison Administration.²²

Administration of justice, including impunity, and the rule of law

16. In 2018, CoE-Commissioner underlined the importance of maintaining the independence of the judiciary and urged Romania to carry out ongoing justice and criminal law reforms in full compliance with international human rights standards.²³

17. Noting poor material conditions in prisons, CoE-CPT made several recommendations to improve the living conditions for prisoners.²⁴ Additionally, noting that overcrowding in the prison system remained a serious problem,²⁵ CoE-CPT recommended ensuring that those living in multiple-occupancy cells are afforded a minimum of 4m² of living space each, and increasing use of alternatives to imprisonment.²⁶

18. While noting some progress in the provision of health care services in prisons since 2018, CoE-CPT recommended furnishing prisons with basic and emergency medical

equipment and guaranteeing medical confidentiality, and improving mental health care in prisons.²⁷

Fundamental freedoms and the right to participate in public and political life

19. TI-Romania stated that the law on the protection of whistle-blowers did not include comprehensive requirements for organisations to put in place procedures for internal disclosure, investigation, and protection of whistle-blowers. The law did not include criminal and/or disciplinary sanctions against those responsible for retaliation. Private companies could regulate their internal rules regarding whistleblowing, but this was not mandatory yet. Whistleblowing disclosure could be made confidentially, but not anonymously. TI-Romania concluded that the rights to freedom of opinion and expression of whistle-blowers were not adequately protected and a bill under debate in the Parliament in October 2022 would not improve the existing situation.²⁸

20. OSCE/ODIHR recommended removing restrictions on the suffrage rights of persons with mental disabilities and introducing provisions to ensure that the deprivation of the right to vote for people with a judicial sentence is based on clear criteria respecting proportionality.²⁹

21. OSCE/ODIHR stated that vote-buying was still attempted in economically deprived regions with minority populations, especially Roma. It recommended developing educational initiatives aimed at preventing manipulation and vote-buying amongst Roma communities.³⁰

22. OSCE/ODIHR recommended introducing explicit legal provisions on the right of observers to access all stages of electoral processes in order to enhance transparency.³¹

Prohibition of all forms of slavery, including trafficking in persons

23. ECLJ noted high rates of trafficking in human beings in Romania.³² CoE-GRETA stated that Romania remained predominantly a country of origin of victims of trafficking in human beings, many of whom were trafficked within the country. Sexual exploitation remained the most common purpose of trafficking, followed by labour exploitation.³³

24. Noting with concern the scale of child trafficking, CoE-GRETA urged the authorities to strengthen their efforts to identify child victims and to provide them with specialised assistance. The authorities should sensitise and train child protection professionals and teachers on the risks and indicators of human trafficking and raise awareness of the risks of recruitment and abuse through the Internet and social networks.³⁴

25. CoE-GRETA urged the authorities to step up their efforts to provide assistance to victims of trafficking, in particular by providing a sufficient number of shelter places around the country and by ensuring adequate funding and staff to work with victims of trafficking.³⁵ It urged Romania to make additional efforts to guarantee access to compensation for victims of trafficking.³⁶

26. CoE-GRETA was concerned that the criminal justice response to human trafficking had weakened. A significant number of sentences were suspended. The use of plea bargaining, or similar agreements allowed defendants to have their punishments reduced. Romania should promote specialisation and training of judges to deal with human trafficking cases in a victim-sensitive and trauma-sensitive manner.³⁷

Right to work and to just and favourable conditions of work

27. JS4 referred to gender inequalities in economic spheres. Women were underrepresented in well-paid posts, whereas they dominated as unpaid family workers or occupied low paid feminized sectors. Women remained economically vulnerable and at a high risk of poverty.³⁸ JS4 recommended reducing disparities between men and women in labour market and establishing equal salary scales for all sectors.³⁹

28. JS4 recommended investing in childcare facilities and multiplying the social assistance facilities for persons with disabilities and older persons so that women can fully participate in the labor market.⁴⁰

29. JS7 recommended developing and implementing programmes so that young people acquire skills and competences for integration in the labour market, especially focusing on young people who left the State protection system, young mothers and other vulnerable groups.⁴¹

30. CoE-ECSR concluded that the national minimum wage was not sufficient to ensure a decent standard of living and that young workers and apprentices' wages were not fair.⁴²

Right to social security

31. CoE-ECSR concluded that the minimum level of unemployment benefit was inadequate. Efforts made to progressively raise the system of social security to a higher level were inadequate.⁴³

32. SC-Romania reported on the discrepancies between the urban and the rural population of Romania – 16.1 percent of the population living in cities were at risk of poverty or social exclusion, while more than half of the rural population was facing such risk.⁴⁴ HHCUK recommended addressing the issue of poverty, including extreme poverty and social exclusion in a coordinated and integrated manner.⁴⁵

33. SC-Romania noted that since 2020 the percentage of children at risk of poverty or social exclusion increased owing to COVID-19 pandemic. SC-Romania recommended strengthening the welfare system to support children and families at risk of poverty, and prioritising children and vulnerable families in policy development and budgeting processes and supporting local authorities in tackling child poverty.⁴⁶

Right to an adequate standard of living

34. CoE-ECRI recommended amending the law on housing to establish clear and uniform criteria for allocating social housing and to prioritise vulnerable groups, including Roma, and ensuring that housing allocation is transparent and non-discriminatory.⁴⁷

Right to health

35. SC-Romania reported on high infant mortality rates with a significant discrepancy between rural and urban areas.⁴⁸ CoE-ECSR observed that the measures taken to reduce infant and maternal mortality rates were insufficient.⁴⁹

36. HHCUK urged the Government to acknowledge the shortcomings and the inequity in the healthcare system and to take all steps necessary to protect the life and health of all children.⁵⁰

37. JS2 reported on problems in the protection of sexual and reproductive health and rights, including in the provision of adequate access to contraceptives, and accessibility to and availability of abortion services despite being legal.⁵¹ JS2 stated that the number of family planning centres were reduced by more than 50 percent. These centres were significantly financed from external funds and the Government failed to replace them with domestic funding.⁵²

38. JS2 noted that during the COVID-19 pandemic, the Government restricted the access to various sexual and reproductive services in hospitals.⁵³ JS4 stated that abortions were removed from the list of emergency medical acts and postponed.⁵⁴

39. JS2, JS3 and JS4 reported on cases of refusal to perform abortions in some public hospitals.⁵⁵ JS2 stated that abortion on request could be expensive, and the costs were not subsidized. Women continued to resort to illegal and unsafe abortions putting their health and life at risk given the financial constraints, the refusal of state medical units to fulfil their legal obligations to perform such medical intervention and the lack of access to emergency contraception.⁵⁶

40. JS3 stated that some anti-choice organizations established pregnancy crisis centres, providing women with incorrect and biased information. New anti-abortions hotlines were opened in 2022.⁵⁷

41. JS2 noted high birth rates among adolescent in Romania.⁵⁸ Likewise, SC-Romania reported on a problem of underage mothers.⁵⁹

42. JS2 and JS4 recommended the adoption of a national strategy on sexual and reproductive health and its operational plan.⁶⁰ JS4 recommended that the operational plan focuses on preventing teenage pregnancies and sexual education in schools.⁶¹ JS4 recommended securing access of adolescents to youth-friendly family planning services.⁶² JS2 recommended increasing access to free contraceptives for adolescents and vulnerable women and ensuring that conscientious objection is not used to refuse access to legal abortion.⁶³

43. JS2 stated that transgender people were exposed to health risks due to a lack of specialised services and expertise in supporting medical transition, high costs of tests, treatments and interventions, and a lack of necessary commodities in pharmacies such as hormones.⁶⁴

44. JS8 reported that the number of new cases of HIV infections increased.⁶⁵ JS4 and JS8 stated that Romania did not take steps to prevent HIV/AIDS and other sexually transmitted diseases. The current National HIV Program was primarily focused on antiretroviral treatment.⁶⁶ JS8 stated that the international commitment made by Romania in the context of the United Nations Agenda 2030 to end AIDS by 2030 could not be achieved.⁶⁷ JS8 and JS2 recommended adopting a national strategy on HIV/AIDS with an operational plan based on a multiannual budget that focuses on the prevention among vulnerable groups and key populations at increased risk of HIV and uninterrupted treatment for people infected with HIV.⁶⁸

45. JS4 and JS8 stated that the Government did not apply a human rights-based approach to drug users, failing to respect their basic right to health.⁶⁹ JS4 noted a proposal made in the Parliament in 2022 to increase criminal penalties for possession of drugs for personal consumption and penalties for all drug-related offenses.⁷⁰ JS8 recommended that the authorities support and finance interventions and policies designed to serve people who used drugs reflecting their specific needs and replace the criminalisation of the drug use with health policies.⁷¹

Right to education

46. RIHR stated that in 2022, the budget allocation for education was 3.11 percent of the GDP while the legislation stipulated 6 percent. There were schools in rural areas without adequate sanitation, central heating, sport halls, or libraries.⁷² SC-Romania stated that although free under the law, public education involved a wide range of costs, including unofficial payments by families to cover certain running school costs.⁷³ SC-Romania recommended improving the cost-per-pupil financing so that the allocated budget entirely covers the costs and parents' financial participation is no longer needed, and investing in the improvement of the school infrastructure.⁷⁴

47. CoE-ECSR noted that the net enrolment rate in primary education was too low.⁷⁵ SC-Romania noted that in 2020–2021 school year, the enrolment rate in pre-primary education (3 to 5 years old) reached 76.9 percent and only 5.7 percent of children under 3 years old were enrolled in early education services.⁷⁶

48. BCN noted the limited access of children to education in rural areas. The enrolment rates were the lowest in rural areas owing to inadequate education infrastructure in rural areas. Dropout rates were also higher among children in rural areas.⁷⁷ BCN stated that during the COVID-19 pandemic, online education deepened the education gap between urban and rural areas as students in rural areas had less access to internet and digital equipment necessary to participate in classes.⁷⁸ SC-Romania concluded that Romania failed to ensure equal opportunities in education to children in rural areas compared to their peers living in towns or cities.⁷⁹ BCN recommended building new schools and improving infrastructure in rural areas.⁸⁰

49. BCN noted an inequality in the quality of education received by different social groups.⁸¹ SC-Romania noted a strong link between socioeconomic status and the academic results of 15-year-old children in Romania.⁸² BCN noted that the children who were the most

affected in their education due to the COVID-19 pandemic were reportedly the poor, rural, and persons with disabilities who already faced difficulties in accessing quality education before the pandemic.⁸³ HHCUK recommended ensuring accessible, inclusive, high-quality education for all children without discrimination.⁸⁴ SC-Romania recommended developing and implementing a national plan aimed at ensuring the equity in education of children in vulnerable situations.⁸⁵

50. CoE-ECSR reported that the right of children with disabilities to mainstream education was not effectively guaranteed.⁸⁶ HHCUK stated that in most instances, children with disabilities were attending special schools and that they often stopped their education after high school.⁸⁷ BCN stated that teachers often lacked professional training on how to provide inclusive education to students with various disabilities.⁸⁸ CoE-Commissioner was concerned about the high number of children with disabilities out of education or segregated in special schools. She called on Romania to ensure that children with disabilities are not excluded from free and compulsory primary or secondary education and that they can access inclusive and quality education on an equal basis with others.⁸⁹

51. BCN recommended providing refugee and migrant children with access to education that is appropriate of their age and skills and non-discriminatory and offers effective Romanian language training.⁹⁰

52. BCN stated that bullying remained a widespread problem despite the adoption of legal provisions in 2019, prohibiting bullying in education institutions.⁹¹ BCN recommended taking measures to tackle bullying in schools.⁹²

53. Noting that many queer youths were bullied by both teachers and students,⁹³ JS6 recommended that Romania train school staff on gender identity and sexuality and ensure school counsellors have experience working with LGBTQ+ youth.⁹⁴

54. JS4 reported on a lack of comprehensive, evidence-based sexuality education.⁹⁵ JS4, JS7 and JS8 noted that sexuality education was not a mandatory subject in schools.⁹⁶ JS7 stated that in 2022, the term sex education was replaced by health education, limiting the discipline to a few aspects of personal hygiene. The 2022 legal amendments stipulated that health education could only be taught from grade 8 and only with the consent of the legal representative of the child, on an opt-in basis.⁹⁷ JS4 noted a lack of access of teachers to specific training related to sexuality education.⁹⁸ JS4 and JS8 noted that the lack of comprehensive and evidence-based sexuality education was one of the contributors to the high rates of teenage pregnancies.⁹⁹

55. JS2, JS4 and JS8 recommended that Romania offer comprehensive, rights- and evidence-based and age-appropriate sexuality education and information in schools.¹⁰⁰ BCN recommended lowering the age limit for the access to sex education.¹⁰¹ JS7 recommended training teachers and education specialists to teach this subject in a non-discriminatory and inclusive manner and establishing a mechanism to monitor schools to ensure effective implementation of health and/or sex education courses.¹⁰²

2. Rights of specific persons or groups

Women

56. RIHR stated that stereotypes about the role of women in society persisted in advertising and the press.¹⁰³ CoE-Commissioner highlighted the authorities' obligation to fight prejudices and practices which were based on the idea of the inferiority of women or on stereotyped roles for women and men and called on officials at the highest political levels to send a strong message that gender-based discrimination was unacceptable.¹⁰⁴

57. According to JS3 and JS4, the National Strategy for Promoting Equality of Opportunity and Equal Treatment between Women and Men and for Preventing and Combating Domestic Violence, submitted for public debate in 2021, was not yet approved.¹⁰⁵ JS3 recommended adopting the National Strategy and allocating state funding in accordance with its objectives and targeted results.¹⁰⁶

58. JS4 noted that despite Roma women were facing multiple and intersectional discrimination, the Strategy for the Inclusion of Romanian Citizens Belonging to the Roma

Minority 2021–2027 did not contain a gender perspective and nor had an intersectional approach to Roma women problems and needs.¹⁰⁷

59. JS4 stated that women's political participation remained an issue of concern. Political parties were not respecting legal provisions regarding equal access of women in the electoral process.¹⁰⁸ OSCE/ODIHR noted a lack of effective mechanisms for promoting women's political participation.¹⁰⁹ JS4 recommended including mandatory gender quotas in electoral legislation and undertaking awareness campaigns on women's political representation.¹¹⁰ OSCE/ODIHR recommended that political parties consider ways to increase gender balance and place women in electable positions on the candidate lists.¹¹¹

60. JS4 stated that violence against women and sexual violence were widespread.¹¹² JS4 noted that during the COVID-19 pandemic violence increased, disproportionately affecting Roma women.¹¹³

61. CoE-Commissioner welcomed the efforts of the authorities to bring the legal and institutional framework in line with the requirements of the Istanbul Convention.¹¹⁴ CoE-GREVIO stated that the amended Domestic Violence Law contained a wide definition of domestic violence. It noted the introduction of temporary protection orders and cyber violence as a new form of violence in the definition of domestic violence, and the adoption of normative acts aimed to ensure the efficient protection for victims of domestic violence.¹¹⁵ However, CoE-Commissioner stated that further measures were needed to ensure that provisional protection orders and protection orders were systematically enforced and that breaches of issued orders were subject to effective and dissuasive sanctions.¹¹⁶

62. RIHR noted a lack of adequate funding of the protection system and insufficient specialised centres for survivors of gender-based violence.¹¹⁷ JS3 was concerned that the infrastructure created to support survivors of domestic violence with financial support of European Union funds would disappear without adequate and continuous funding from local or central authorities.¹¹⁸ CoE-GREVIO invited the authorities to gradually reduce the dependency on external funding for activities to combat violence against women and ensure a wider share of funding from the state budget.¹¹⁹ CoE-GREVIO encouraged Romania to ensure appropriate resources for social services, including those delivered by local authorities in support of victims of all forms of violence against women.¹²⁰

63. Noting a lack of specialized personnel to work with survivors of domestic violence and insufficient personnel, JS3 recommended that professionals working with gender-based violence survivors are trained.¹²¹

64. RIHR noted insufficient public funding for education, training and awareness-raising programmes to prevent violence against women.¹²² CoE-GREVIO encouraged the authorities to step up their efforts to conduct awareness-raising campaigns, with a view to addressing the various aspects of preventing and combating all the forms of violence against women and to reaching specific groups of women and girls, in particular Roma women.¹²³

65. CoE-Commissioner was concerned about the prevailing gender-based discrimination faced by women victims of domestic violence in law enforcement and the judiciary system and the impunity enjoyed by aggressors. She urged Romania to fight gender-based discrimination, including any form of intersectional discrimination, in law enforcement and the judiciary, strengthen legal assistance for victims, and enhance capacity-building for all officials in the justice system.¹²⁴

66. Furthermore, CoE-GREVIO was concerned by the light sentences that were imposed on perpetrators of acts of violence against women.¹²⁵ CoE-GREVIO encouraged Romania to ensure that judicial sanctions in cases of violence against women and domestic violence are effective, proportionate and dissuasive.¹²⁶

67. CoE-GREVIO stated that the definition of rape in the Criminal Code was not in line with the Istanbul Convention and the victims of rape had no access to fully established rape crisis and/or sexual violence referral centres adequately distributed geographically.¹²⁷ It urged the authorities to amend the provisions of the Criminal Code covering rape and sexual assault and fully incorporate the notion of the lack of freely given consent, and ensure appropriate sanctions for all sexual acts without the consent of the victim.¹²⁸

Children

68. SC-Romania stated that abuse, neglect and exploitation of children occurred at home, in schools and in the communities.¹²⁹ JS7 recommended establishing child-friendly mechanisms for children to effectively report abuse.¹³⁰ SC-Romania recommended training the law enforcement and judiciary staff on the rights of the child.¹³¹

69. Furthermore, SC-Romania recommended developing information programmes and materials aimed at improving parental skills and training the health, education and social work professionals that work with parents to foster positive parental skills and approaches.¹³²

70. CoE-Lazarote Committee recommended ensuring that all children at primary and secondary level receive information about the risks of child sexual exploitation and sexual abuse facilitated by information and communication technologies. It also recommended ensuring that the persons who have regular contacts with children are equipped to identify any situations of sexual exploitation and sexual abuse of children in the education, health and social protection sectors.¹³³

71. JS3 reported that debates about forced marriages and early marriages were filled with prejudices and generally associated with the Roma, although it was reportedly a wider practice.¹³⁴ BCN recommended that Romania achieve its target of eliminating child marriage by 2030.¹³⁵

72. JS6 recommended raising the minimum age of sexual consent to 16 years.¹³⁶

73. HHCUK stated that the Government made deinstitutionalisation of children a priority, but the actual closure of institutions was slow owing to insufficient county budgets allocated for this purpose.¹³⁷ HHCUK recommended that Romania close all remaining institutions, ensure their transition to community-based care, and invest in services to support the prevention of family breakdown and support for young adults leaving care system.¹³⁸

74. CoE-Commissioner was worried that, unlike in the case of other children, the legislation permitted the placement in institutions of young children with severe disabilities.¹³⁹ She urged the authorities to prevent further placements of children with disabilities in institutions and ensure that they are provided with care in families, rather than “family-type” institutions.¹⁴⁰

75. JS5 referred to difficulties relating to the issuance of birth certificates and birth registration of some children. Many Roma children and young adults remained unregistered at birth. The risk was heightened for children born to parents who themselves were undocumented. Birth registration might be delayed in the case of marriages concluded abroad without transcription/registration in the Romanian civil register.¹⁴¹ JS5 recommended that Romania remove all practical barriers to birth registration, with a particular focus on minority groups, so that all children are registered immediately regardless of their parents’ documentation or residence status.¹⁴²

Persons with disabilities

76. CoE-Commissioner called on the authorities to repeal the legislation, allowing the involuntary placement of persons with disabilities in closed institutions.¹⁴³ Romania should develop a strategy to replace involuntary placements with alternative measures in the community designed to ensure care and treatment based on free and informed consent.¹⁴⁴

77. CoE-Commissioner was concerned about the reported cases of serious abuse committed against adults and children living in institutions and urged Romania to ensure that those responsible are brought to justice. Romania should also adopt a clear deinstitutionalisation plan and allocate sufficient funding for replacing institutions with community-based services.¹⁴⁵

78. CoE-ECSR concluded that persons with disabilities were not guaranteed effective access to employment.¹⁴⁶

79. CoE-Commissioner urged Romania to address the systemic obstacles hindering the effective protection of the rights of persons with disabilities.¹⁴⁷

Minorities

80. CoE-ECRML noted that minority languages were not used in public services.¹⁴⁸ CoE-CM recommended facilitating the use of minority languages in relations with administrative authorities in those municipalities where persons belonging to national minorities live in substantial numbers.¹⁴⁹

81. JS1 noted with concern deficiencies concerning intercultural education in general.¹⁵⁰ National minorities were rarely mentioned in textbooks and when mentioned, they reproduced stereotypical images and did not provide adequate information about their history, culture, and their contribution to society.¹⁵¹ CoE-CM recommended intensifying efforts to promote mutual respect and intercultural dialogue between the majority population and persons belonging to national minorities, including the Hungarian minority.¹⁵² JS1 recommended that Romania review Romanian language and literature, civic education, and history textbooks to ensure intercultural content.¹⁵³

82. JS1 highlighted the negative representation of Hungarians in mainstream media and political discourse. Hungarians' positive contribution to Romania's development was rarely mentioned.¹⁵⁴ JS1 recommended that Romania encourage the media to adopt codes of professional ethics and press codes that respect the principle of non-discrimination and promote a non-stereotyped representation of minorities.¹⁵⁵

83. JS1 noted that Hungarian students faced discrimination in mixed language schools and did not have equal access to higher education due to, inter alia, indirect linguistic discrimination inherent in the official examination process. Hungarian speakers were disproportionately underrepresented among university students and in higher education.¹⁵⁶ BCN stated that education in Hungarian was not always available because of shortage in Hungarian-speaking teachers.¹⁵⁷

84. CoE-CM recommended assessing, in consultation with the representatives of national minorities, whether the existing legal framework for teaching in minority languages and practical arrangements correspond to actual needs and, where appropriate, taking the necessary steps to address any shortcomings.¹⁵⁸ JS1 recommended promoting a balanced linguistic landscape in mixed language schools so that minority students are not discriminated to use their language in extracurricular settings, and removing barriers to equal access to higher education for minority students studying in their mother tongue.¹⁵⁹

85. JS6 stated that the Roma faced problems in accessing to education, health care, and decent living, and of insufficient social protection, a lack of representation, anti-Roma propaganda and social exclusion.¹⁶⁰ CoE-ECRI stated that Roma occupied the most disadvantaged position in the labour market. The shortage of social housing persisted and the forced evictions of Roma from their irregular settlements continued, often without any re-housing solutions. The implementation of the National Strategy for the Inclusion of Romanian Citizens belonging to the Roma Minority suffered considerable financial constraints.¹⁶¹

86. CoE-CM recommended increasing efforts to prevent and combat inequality and discrimination suffered by the Roma. It recommended that Romania make specific budgetary provision for the implementation of the national, county and municipal action plans for the Roma integration.¹⁶² BCN recommended that Romania continue improving the integration of the Roma in the society.¹⁶³

87. CoE-ECRI recommended that the authorities step up their efforts to regularise irregular settlements and ensure that all Roma, who may be evicted from their homes enjoy all the guarantees provided in relevant international standards.¹⁶⁴ CoE-CM recommended ensuring that adequate alternative non-segregated accommodation is provided to Roma inhabitants relocated from dwellings unsuitable for habitation.¹⁶⁵

88. BCN stated that school segregation of Roma children remained a problem.¹⁶⁶ In 2020, Roma children had lower enrolment and higher dropout rates. The illiteracy rate in the Roma population was ten times higher than in the rest of society.¹⁶⁷ BCN recommended ending the segregation of Roma children in education and implementing inclusive education strategies.¹⁶⁸

89. JS1 noted that Hungarian-speaking Roma barely appeared in census figures. Their housing conditions were more dire than that of Roma in general. They were less integrated into the labour market and a greater proportion of them lived in poverty. Moreover, Roma strategies failed to address the specific situation of the Hungarian-speaking Roma, vulnerability, and their multiple and intersectional discrimination.¹⁶⁹ JS1 recommended adjusting the Strategy for Inclusion of Citizens Belonging to the Roma Minority 2021–2027 to the needs of Hungarian-speaking Roma.¹⁷⁰

90. WJRO was concerned by the lack of progress in Romania relating to Holocaust-era property restitution since its 3rd review. There continued to be significant problems with the restitution process, including long delays, overly narrow interpretations of the law, and frequent requests for unnecessary, and often unavailable, additional documentary evidence. Tens of thousands of claims of private properties and hundreds of Jewish communal property claims remained unresolved. WJRO proposed steps to speed up the processing of claims, including reconvening the Prime Minister's working group on outstanding Jewish property issues.¹⁷¹

Lesbian, gay, bisexual, transgender and intersex persons

91. CoE-ECRI noted a growing homo- and transphobic climate in Romanian society. LGBT persons experienced various forms of discrimination in their daily lives.¹⁷² JS6 reported that LGBTQI+ persons were prone to harassment, discrimination and abuse.¹⁷³ JS2 noted a lack of measures taken by the authorities to combat discrimination based on sexual orientation, gender identity and gender expression.¹⁷⁴

92. JS2 stated that LGBT persons and gatherings were attacked without legal recourse.¹⁷⁵ Hate crimes remained severely underreported, while the number of unresolved criminal complaints affecting LGBTI individuals and groups was growing.¹⁷⁶

93. JS2 stated that public discourse remained hostile to sexual and gender minorities. Considered efforts were taken to remove the discussion of gender and sexuality from the public sphere under the guise of protecting children and the family. New legal initiatives were tabled in Parliament to ban the dissemination of information concerning sexual orientation and gender identity in schools and public spaces.¹⁷⁷

94. JS2 and CoE-ECRI recommended adopting and implementing a plan to combat homophobia and transphobia in all areas of life.¹⁷⁸ JS2 recommended raising the level of awareness among the general public on equality, non-discrimination and LGBTI persons through public campaigns funded by Romanian authorities in partnership with LGBTI organizations.¹⁷⁹ JS6 recommended investing in training programmes and information campaigns for police officers, judges and prosecutors to ensure effective investigations into crimes against the LGBTQI+ community.¹⁸⁰

95. JS2 noted that the Civil Code prohibited same-sex marriage and did not recognise civil partnership between same-sex couples. Nevertheless, the authorities backed a national referendum in 2018 to exclude same-sex families from constitutional protection.¹⁸¹ CoE-ECRI recommended a legal framework that affords same-sex couples the possibility to have their relationship recognised and protected.¹⁸²

96. JS2 stated that Romania lacked a legal framework for legal gender recognition.¹⁸³ CoE-ECRI recommended developing legislation on gender recognition and gender reassignment in line with the Council of Europe guidelines.¹⁸⁴

Stateless persons

97. JS5 reported on a lack of reliable data of statelessness and of a dedicated statelessness determination procedure.¹⁸⁵ JS5 recommended establishing a fair, accessible statelessness determination procedure in law and providing stateless persons with a right to residence and an opportunity for naturalisation and other rights in line with the 1954 Convention and UNHCR guidance.¹⁸⁶

98. JS5 noted a lack of legal provisions for children born stateless in Romania to acquire Romanian nationality.¹⁸⁷ JS5 recommended ensuring that all children born in Romania acquire Romanian nationality automatically at birth, irrespective of their parents' status.¹⁸⁸

Notes

¹ See A/HRC/38/6, A/HRC/38/6/Add.1, and A/HRC/38/2.

² The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org (one asterisk denotes a national human rights institution with A status).

*Civil society**Individual submissions:*

BCN	Broken Chalk, Amsterdam (Netherlands);
ECLJ	European Centre for Law and Justice, Strasbourg (France);
HHCUK	Hope and Homes for Children, Salisbury (United Kingdom of Great Britain and Northern Ireland);
ICAN	International Campaign to Abolish Nuclear Weapons, Geneva (Switzerland);
SC-Romania	Save the Children Romania, Bucharest (Romania);
TI-Romania	Transparency International Romania, Bucharest (Romania);
WJRO	World Jewish Restitution Organization, Jerusalem (Israel);

Joint submissions:

JS1	Joint submission 1 submitted by: Bálványos Institute and Institute for Public Policies in Szeklerland, (Romania);
JS2	Joint submission 2 submitted by: ACCEPT Association and Euroregional Center for Public Initiatives (Romania) and Sexual Rights Initiative (Switzerland);
JS3	Joint submission 3 submitted by: Network for Preventing and Combating Violence against Women, consisting of 25 non-governmental organizations (Romania): Fundația Centrul Parteneriat pentru Egalitate, Asociația E-ROMNJA – Asociația pentru Promovarea Drepturilor Femeilor Rome; Asociația pentru Libertate și Egalitate de Gen (A.L.E.G), Asociația TRANSCENA, Centrul de Dezvoltare Curriculara și Studii de Gen: FILIA (Centrul FILIA), Asociația FRONT; Asociația ANAIS; Fundația SENSIBLU, Asociația GRADO – Grupul Român pentru Apărarea Drepturilor Omului, Casa Ioana, Asociația Inovatrium; Asociația Femeilor Împotriva Violenței ARTEMIS, Institutul Est European pentru Sănătatea Reproducerii – IEESR; Fundația Centrul de Mediere și Securitate Comunitară – CMSC; Asociația PAS ALTERNATIV, Asociația VIS; Societatea Doamnelor Bucovinene; Asociația ATENA DELPHI; Asociația SPICC – Solidaritate, Participare, Incluziune, Comunicare, Cooperare; Asociația Quantic, Asociația Femeilor Universitare; Asociația Psihosfera, Asociația Business; Professional Women – Romania; Asociația SEVA and Asociația Szentkereszty Stephanie Egyesüle;
JS4	Joint submission 4 submitted by: The Coalition for Gender Equality with 12 members: Centrul Parteneriat pentru Egalitate – CPE, Asociația pentru Libertate și Egalitate de Gen (A.L.E.G.), Societatea de Analize Feministe AnA; Asociația Front; Asociația E-Romnja (The Association for Promoting Roma Women’s Rights), Centrul Filia, Centrul de Acțiune pentru Egalitate și Drepturile Omului (ACTEDO), Centrul de Studii în Idei Politice (CeSIP), Asociația Plural, Asociația Ema, Asociația SEXUL versus BARZA, Societatea de Educație Contraceptivă și Sexuală (SECS) (Romania);
JS5	Joint submission 5 submitted by: Institute on Statelessness and Inclusion, Eindhoven (Netherlands), The Jesuit Refugee Service – Romania and the European Network on Statelessness;
JS6	Joint submission 6 submitted by: Students' Association of Constanta; Federation of NGOs for the Child (FONPC), Valcea Association of Students (AVE), Youth Federation of Constanta (FTC), Girl Up Romania and Romanian Students' Union (USR) (Romania);

- JS7 **Joint submission 7 submitted by:** Federația Organizațiilor Neguvernamentale pentru Copil, Federation of NGOs for the Child (FONPC), Youth for Youth Romania (TpT and)UN Youth Delegates of Romania (UNYDRO) (Romania);
- JS8 **Joint submission 8 submitted by:** ACCEPT Association, ARAS-Romanian Association against AIDS, ECPI-Euroregional Center for Public Initiatives, RHRN-Romanian Harm Reduction Network, SECS-Society for Education on Contraception and Sexuality, and UNOPA-National Union of Organizations of People affected by HIV/AIDS.

National human rights institution:

RIHR Romanian Institute for Human Rights, Bucharest (Romania).

Regional intergovernmental organization(s):

CoE Council of Europe, Strasbourg (France), (CoE-Commissioner) Report by Dunja Mijatović, Commissioner for Human Rights of the Council of Europe, following her visit to Romania from 12–16 November 2018, CommDH (2019) 5; (CoE-ECRI) European Commission against Racism and Intolerance report on Romania, adopted on 3 April 2019, ECRI (2019)20; (CoE-GRETA) – Group of Experts on Action against Trafficking in Human Beings, Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Romania, Third Evaluation Round, published on 3 June 2021, GRETA (2021)09; (CoE-CM) Resolution adopted by the Committee of Ministers on the implementation of the Framework Convention for the Protection of National Minorities by Romania on 19 May 2021, CM/ResCMN (2021)13; (CoE-ECRML) Report of the Committee of Experts on the application of the European Charter for the Regional and Minorities Languages, Second Report in respect of Romania, 2018; (CoE-GREVIO) Group of Experts on Action against Violence against Women and Domestic Violence, Baseline Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), Romania, GREVIO/Inf (2022) 6 adopted on 4 March 2022; (CoE-GRECO) Compliance Report, Romania, Fourth Round Evaluation, Corruption Prevention in respect of members of parliament, judges and prosecutors, adopted by the Group of States against Corruption on 22–25 March 2021, GrecoRC4 (2021) 1; (CoE-CPT (2019)) Report to the Government of Romania carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment from 7–19 February 2018, CPT/Inf (2019)7; CoE-CPT (2022)) Report to the Government of Romania carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment in 2021 CPT/Inf (2022)6; (CoE-Lazarote Committee) Implementation report on the Protection of Children Against Sexual Exploitation and Sexual Abuse Facilitated by Information And Communication Technologies by the Committee of the Parties to the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse, 10 March 2022; (CoE-ECSR) European Committee of Social Rights, Romania

OSCE/ODIHR and the European Social Charter;
Office for Democratic Institutions and Human Rights of
the Organization for Security and Co-operation in Europe,
Warsaw (Poland).

³ *The following abbreviations are used in UPR documents:*

ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
CRC	Convention on the Rights of the Child
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD

⁴ JS2, p. 11, para. 7. and JS4, para. 73.

⁵ JS2, p. 11, para.8 and JS4, para. 73.

⁶ JS4, para. 73 and CoE-Commissioner, para. 46.

⁷ JS4, para. 39. See also JS7, para. 26.

⁸ ICAN, p. 1.

⁹ CoE-CPT(2019), p. 11.

¹⁰ JS2, para. 10.

¹¹ CoE-ECRI, para. 16. See also JS1, para. 3.

¹² JS2, para. 10. See also CoE-ECRI, p. 9.

¹³ CoE-ECRI, p. 10.

¹⁴ JS2, para. 12.

¹⁵ CoE-ECRI, p. 9.

¹⁶ CoE-ECRI, p. 9.

¹⁷ JS2, para. 19.

¹⁸ CoE-CM, p. 2.

¹⁹ OSCE/ODIHR, para. 15. See also CoE-CM, p. 2.

²⁰ OSCE/ODIHR, para. 15. See also JS2, p. 10 and CoE-ECRI, para. 63.

²¹ JS6, para. 38, p. 15.

²² CoE-CPT (2019), p. 5.

²³ CoE, p. 3 and CoE-Commissioner, p. 4 and paras. 95, 98–100. See also CoE-GRECO, pp. 70–72.

²⁴ CoE-CPT (2019), p. 7. See also CoE-CPT(2022), p. 3.

²⁵ CoE-CPT (2022), p. 2. See also CoE-CPT (2019), p. 5 and paras. 49–50.

²⁶ CoE-CPT(2022), p. 2; and CoE-CPT(2019), p. 5 and paras. 49–51.

²⁷ CoE-CPT (2022), p. 3.

²⁸ TI-Romania, pp. 1–3.

²⁹ OSCE/ODIHR, para. 10.

³⁰ OSCE/ODIHR, para. 18.

³¹ OSCE/ODIHR, para. 7.

³² ECLJ, para. 19.

³³ CoE-GRETA, p. 4. See also ECLJ, para. 20.

³⁴ CoE-GRETA, p. 5. See also ECLJ, para. 27.

³⁵ CoE-GRETA, p. 5.

³⁶ CoE-GRETA, p. 5.

³⁷ CoE-GRETA, pp. 4–5. See also ECLJ, para. 27.

³⁸ JS4, para. 5.

³⁹ JS4, para. 10.

⁴⁰ JS4, para. 11.

⁴¹ JS7, para. 19.

⁴² CoE-ECSR, p. 4.

⁴³ CoE-ECSR, p. 3.

⁴⁴ SC-ROMANIA, para. 6.

⁴⁵ HHCUK, p. 7.

⁴⁶ SC-ROMANIA, paras. 5 and 9.

⁴⁷ CoE-ECRI, para. 80 and p. 10.

⁴⁸ SC-ROMANIA, para. 27.

⁴⁹ CoE-ECSR, p. 3.

⁵⁰ HHCUK, p. 1.

⁵¹ JS2, paras. 1 and 4.

⁵² JS2, para. 30.

⁵³ JS2, para. 32. See also JS3, para. 36.

- ⁵⁴ JS4, para. 15.
- ⁵⁵ JS4, paras. 12 and 16, JS2, para. 31 and JS3, para. 37. See also ECLJ, para. 17.
- ⁵⁶ JS2, para. 31. See also JS4, para. 12.
- ⁵⁷ JS3, paras. 6 and 8. See also JS2, para. 32.
- ⁵⁸ JS2, para. 29. See also JS4, para. 50 and JS7, paras. 6–10.
- ⁵⁹ SC-ROMANIA, paras. 31–32.
- ⁶⁰ JS2, p. 11, para. 12 and JS4, para. 68. See also JS7, para. 15.
- ⁶¹ JS4, para. 68.
- ⁶² JS4, para. 53. See also JS7, para. 15 and SC-ROMANIA, para. 34.
- ⁶³ JS2, p. 11. See also JS4, para. 22.
- ⁶⁴ JS2, para. 34.
- ⁶⁵ JS8, p. 4.
- ⁶⁶ JS4, paras. 60 and 66, and JS8, pp. 1 and 2. See also JS2, paras. 4 and 37–38.
- ⁶⁷ JS8, p. 3.
- ⁶⁸ JS8, p. 7 and JS2, p. 11, para. 10. See also JS4, para. 67.
- ⁶⁹ JS4, para. 66 and JS8, p. 1.
- ⁷⁰ JS4, paras. 65 and 66.
- ⁷¹ JS8, p. 7. See also JS4, para. 71.
- ⁷² RIHR, p. 9. See also BCN, para. 19.
- ⁷³ SC-ROMANIA, para. 21. See also RIHR, p. 11.
- ⁷⁴ SC-ROMANIA, para. 25. See also BCN, paras. 37 and 40.
- ⁷⁵ CoE-ECSR, p. 5.
- ⁷⁶ SC-ROMANIA, paras. 19 and 20.
- ⁷⁷ BCN, para. 7.
- ⁷⁸ BCN, para. 24.
- ⁷⁹ SC-ROMANIA, para. 7.
- ⁸⁰ BCN, para. 31.
- ⁸¹ BCN, para. 7. See also SC-ROMANIA, para. 8.
- ⁸² SC-ROMANIA, para. 8.
- ⁸³ BCN, para. 27.
- ⁸⁴ HHCUK, p. 7. See also BCN, paras. 37 and 40 and SC-ROMANIA, para. 3.
- ⁸⁵ SC-ROMANIA, para. 9.
- ⁸⁶ CoE-ECSR, p. 3.
- ⁸⁷ HHCUK, p. 5.
- ⁸⁸ BCN, para. 8. SC-ROMANIA, para. 8.
- ⁸⁹ CoE-Commissioner, p. 3 and para. 54. See also SC-ROMANIA, para. 9 and BCN, para. 34.
- ⁹⁰ BCN, para. 35.
- ⁹¹ BCN, para. 22. See also SC-ROMANIA, para. 24.
- ⁹² BCN, para. 47.
- ⁹³ JS6, para. 37.
- ⁹⁴ JS6, paras. 38 and 38. See also JS4, para. 46.
- ⁹⁵ JS4, para. 50. See also JS2, paras. 27, 28 and 33, BCN, para. 15 and SC-ROMANIA, para. 33.
- ⁹⁶ JS4, para. 48, JS7, para. 1 and JS8, p. 5.
- ⁹⁷ JS7, para. 2. See also JS4, paras. 48 and 51, JS8, p. 6, BCN, para. 15 and RIHR, p. 2.
- ⁹⁸ JS4, para. 48.
- ⁹⁹ JS4, para. 50 and JS8, p. 6.
- ¹⁰⁰ JS4, para. 52, JS8, p. 7 and JS2, p. 11, para. 11. See also JS7, paras. 6 and 15 and SC-ROMANIA, para. 34.
- ¹⁰¹ BCN, para. 42. See also JS7, para. 6.
- ¹⁰² JS7, para. 6.
- ¹⁰³ RIHR, pp. 5 and 6.
- ¹⁰⁴ CoE-Commissioner, p. 4 and para. 91.
- ¹⁰⁵ JS3, paras. 24–25 and JS4, para. 43.
- ¹⁰⁶ JS3, para. 26. See also JS4, para. 44.
- ¹⁰⁷ JS4, para. 55.
- ¹⁰⁸ JS4, para. 4. See also RIHR, p. 5.
- ¹⁰⁹ OSCE/ODIHR, para. 7.
- ¹¹⁰ JS4, paras. 6 and 9.
- ¹¹¹ OSCE/ODIHR, para. 7. See also JS4, paras. 6 and 7.
- ¹¹² JS4, para. 30.
- ¹¹³ JS4, para. 56.
- ¹¹⁴ CoE-Commissioner, para. 85. See also RIHR, p. 3.

- 115 CoE-GREVIO, p. 6. See also RIHR, p. 3.
116 CoE-Commissioner, para. 88.
117 RIHR, p. 5.
118 JS3, para. 11. See also JS4, para. 28.
119 CoE-GREVIO, para. 56. See also JS3, paras. 12, 19 and 23.
120 CoE-GREVIO, para. 179.
121 JS3, paras. 16 and 19.
122 RIHR, p. 5.
123 CoE-GREVIO, para. 112.
124 CoE-Commissioner, para. 90 and p. 4. See also CoE-GREVIO, para. 291 and JS4, paras. 34 and 35.
125 CoE-GREVIO, para. 457.
126 CoE-GREVIO, para. 323.
127 CoE-GREVIO, para. 456.
128 CoE-GREVIO, para. 289. See also JS3, para. 47.
129 SC-ROMANIA, para. 2.
130 JS7, para. 32. See also BCN, para. 46.
131 SC-ROMANIA, para. 16. See also JS3, para. 47.
132 SC-ROMANIA, para. 16.
133 CoE-Lazarote Committee, pp. 166 and 190 (Recommendation IX-3 and Recommendation X-5). See also JS4, para. 38. See also JS6, para. 21.
134 JS3, para. 45.
135 BCN, para. 32.
136 JS6, para. 21, p. 10. See also JS3, para. 47.
137 HHCUK, pp. 4 and 5.
138 HHCUK, p. 7. See also CoE-Commissioner, para. 51 and p. 3.
139 CoE-Commissioner, p. 3.
140 CoE-Commissioner, para. 51.
141 JS5, paras. 20, 21, 24 and 27. See also BCN, para. 10.
142 JS5, p. 13.
143 CoE-Commissioner, p. 3.
144 CoE-Commissioner, para. 48.
145 CoE-Commissioner, paras. 50–51.
146 CoE-ECSR, p. 3.
147 CoE-Commissioner, para. 47.
148 CoE-ECRML, p. 6.
149 CoE-CM, p. 2.
150 JS1, p. 1.
151 JS1, paras. 16 and 44.
152 CoE-CM, p. 2.
153 JS1, p. 12, para. 5.
154 JS1, p. 1 and para. 52.
155 JS1, p. 12, para. 6.
156 JS1, paras. 13, 15, 18 and 38.
157 BCN, para. 5.
158 CoE-CM, p. 2.
159 JS1, pp. 11–12, paras. 2 and 4. See also BCN, para. 29.
160 JS6, para. 24.
161 CoE-ECRI, pp. 9 and 10.
162 CoE-CM, pp. 1–2. See also OSCE/ODIHR, para. 17.
163 BCN, para. 30.
164 CoE-ECRI, para. 78.
165 CoE-CM, p. 1.
166 BCN, para. 20.
167 BCN, para. 6.
168 BCN, para. 45. See also CoE-ECRI, paras. 73 and 75.
169 JS1, paras. 54–56.
170 JS1, p. 12, paras. 7 and 8.
171 WJRO, paras. 8, 19 and 22.
172 CoE-ECRI, p. 10. See also JS2, paras. 2 and 5.
173 JS6, para. 36. See also JS2, paras. 2 and 5.
174 JS2, para. 10.
175 JS2, paras. 2 and 5.

¹⁷⁶ JS2, paras. 2, 5 and 20.

¹⁷⁷ JS2, paras. 2, 5, 6, 11, 13 and 14. See also JS6, para. 31, 32 and 22.

¹⁷⁸ JS2, p. 10, para. 5 and CoE-ECRI, p. 10.

¹⁷⁹ JS2, p. 10, para. 4. See also JS6, para. 38, p. 15.

¹⁸⁰ JS6, para. 38, p. 14. See also JS2, p. 10.

¹⁸¹ JS2, para. 5.

¹⁸² CoE-ECRI, para. 92 and p. 10. See also JS2, p. 11.

¹⁸³ JS2, para. 5.

¹⁸⁴ CoE-ECRI, para. 94 and p. 10.

¹⁸⁵ JS5, paras. 14, 15, 17 and 35.

¹⁸⁶ JS5, p. 13.

¹⁸⁷ JS5, para. 29.

¹⁸⁸ JS5, p. 13.
