



Economic and Social Council

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Committee on Economic, Social and Cultural Rights

Concluding observations on the sixth periodic report of Romania*

1. The Committee considered the sixth periodic report of Romania¹ at its 3rd and 5th meetings,² held on 13 and 14 February 2024, and adopted the present concluding observations at its 29th meeting, held on 1 March 2024.

A. Introduction

2. The Committee welcomes the submission by the State party of its sixth periodic report and the supplementary information provided in the replies to the list of issues,³ as well as the statistical data contained therein. The Committee expresses appreciation for the open and constructive dialogue with the State party's interministerial delegation.

B. Positive aspects

3. The Committee welcomes the legislative, institutional and policy measures taken to increase protection of economic, social and cultural rights in the State party, including the adoption of the National Strategy for Social Inclusion and Poverty Reduction for the period 2022–2027, which is aimed at reducing the number of people at risk of poverty or social exclusion by at least 7 per cent compared with 2020, by 2027, and the adoption of Law No. 367/2022 on Social Dialogue, which extends the scope of trade union rights to all workers, including those in non-standard forms of employment, the self-employed and civil servants. The Committee also welcomes specific strategies on equality and combating discrimination, on health and on combating corruption, as well as the other measures mentioned in the present concluding observations.

C. Principal subjects of concern and recommendations

Domestic application of the International Covenant on Economic, Social and Cultural Rights

4. The Committee takes note of the information provided by the State party that the provisions of the International Covenant on Economic, Social and Cultural Rights have been invoked in over 1,700 cases before courts since 2011. Nevertheless, the Committee is concerned about the lack of detailed information on and examples of such cases and about the lack of information on specialized training for judges, prosecutors and lawyers on the justiciability of the provisions of the Covenant (art. 2 (1)).

* Adopted by the Committee at its seventy-fifth session (12 February–1 March 2024).

¹ E/C.12/ROU/6.

² See E/C.12/2024/SR.3 and E/C.12/2024/SR.5.

³ E/C.12/ROU/RQ/6.



5. **The Committee recommends that the State party:**

(a) **Provide specialized training on the scope and justiciability of the Covenant, including the Committee's general comments, to members of the judiciary, lawyers and public officials, and raise awareness about economic, social and cultural rights among the general public, in particular the rights holders;**

(b) **Take into consideration its general comment No. 9 (1998) on the domestic application of the Covenant.**

National human rights institution

6. The Committee notes the information on the different mandates and activities of the Romanian Institute for Human Rights, the Ombudsman and the National Council for Combating Discrimination. The Committee remains concerned that the mandate of the Romanian Institute for Human Rights does not explicitly include protection of economic, social and cultural rights and is limited to research and raising awareness in relation to human rights (art. 2 (1)).

7. **The Committee recommends that the State party adopt legislative measures, in particular in relation to Law No. 9/1991 on the establishment and functioning of the Romanian Institute for Human Rights, to bring the Institute into full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), including by further strengthening its independence and by providing it with adequate financial and human resources to effectively and independently carry out its mandate, including the promotion and protection of economic, social and cultural rights.**

Climate change

8. The Committee notes the information on the policy framework on climate change mitigation and the reduction in greenhouse gas emissions and recognizes the adoption of the first National Strategy on Environmental and Climate Change Education. Nevertheless, the Committee is concerned about reports that the State party is still heavily dependent on fossil fuels, in particular oil and gas, and about the lack of a climate change adaptation plan (arts. 2 (1) and 12).

9. **The Committee recommends that the State party strengthen its efforts to promote alternative and renewable energies and to reduce greenhouse gas emissions to achieve its nationally determined contributions under the Paris Agreement. It also recommends that the State party develop and adopt a national climate change adaptation plan to address the adverse impacts of climate change on economic, social and cultural rights. It refers the State party to its statement on climate change and the Covenant.⁴**

Maximum available resources

10. While noting the information provided by the State party on the slight increase in the budget in some areas and the information on its taxation system, the Committee is concerned about:

(a) The insufficient level of budget allocated for the realization of economic, social and cultural rights, in particular in the light of the decentralization approach and the high inequality among the counties;

(b) The non-progressive and low level of personal and corporate income taxes, in the light of the prevalence of income and wealth inequalities in the State party, and the lack of information on the redistributive effect of taxes and transfers to narrow those inequalities (art. 2 (1)).

⁴ [E/C.12/2018/1](#).

11. **The Committee recommends that the State party:**

(a) **Increase the level of budget allocations to employment services, social protection services, social housing, health care, education and other areas relating to the rights covered under the Covenant while paying attention to disadvantaged and marginalized individuals and regions with high poverty levels;**

(b) **Review its taxation system to ensure an efficient, progressive and socially just fiscal policy, including by reassessing the tax rates levied on corporate profits and on personal income and increasing the redistributive effects of taxation with a view to ensuring the realization of economic, social and cultural rights.**

Corruption

12. The Committee notes the adoption of the National Anti-Corruption Strategy (2021–2025). Nevertheless, the Committee is concerned about:

(a) The lack of information on measures to prevent corruption in the private sector and illicit financial flows, which adversely affect the realization of economic, social and cultural rights;

(b) Reports of the persistence of corruption, in particular in the public health sector, reports of shortcomings in the investigations and prosecutions of corruption cases and the lack of information on the sentences imposed on those found to be involved in corruption (art. 2 (1)).

13. **The Committee recommends that the State party strengthen its efforts to combat corruption, in particular in the public health and private sectors, including by addressing illicit financial flows, ensuring prompt, effective and thorough investigations and prosecutions in relation to corruption allegations and by ensuring the effective protection of victims of corruption, whistle-blowers and their lawyers, and witnesses.**

International cooperation

14. The Committee takes note of the information provided by the delegation on supporting initiatives in various counties on issues related to gender equality and empowering women in public life and in education, as well as the State party's contribution to the Green Climate Fund. Nevertheless, the Committee regrets that the State party has not reached the internationally agreed target of allotting 0.7 per cent of gross national income for official development assistance (art. 2).

15. **The Committee recommends that the State party strengthen its efforts to increase its international official development assistance to meet the target of 0.7 per cent of its gross national income. It also recommends that the State party continue to strengthen its activities in the area of international cooperation.**

Non-discrimination

16. The Committee takes note of the measures taken to combat discrimination and hate speech, including the adoption of the National Strategy for Preventing and Combating Antisemitism, Xenophobia, Radicalization and Hate Speech. However, the Committee is concerned about the prevalence of discrimination, hate speech and stereotypes directed towards members of marginalized and disadvantaged groups and about information on the low level of reporting cases of discrimination. The Committee is also concerned about discrimination based on gender identity and sexual orientation and the lack of legal recognition of the gender identity of transgender persons (arts. 2 (2)).

17. **The Committee recommends that the State party:**

(a) **Continue its efforts to prevent and combat discrimination, in particular against Roma, persons with disabilities, refugees, asylum-seekers and lesbian, gay, bisexual, transgender and intersex persons, including by developing and implementing strategies with an intersectional approach;**

(b) **Conduct awareness-raising campaigns targeting members of marginalized and disadvantaged groups on the channels and mechanisms available for reporting cases of discrimination;**

(c) **Develop and adopt an efficient procedure for legal gender recognition, irrespective of whether or not the person has undergone gender reassignment surgery, to facilitate the equal enjoyment of the rights covered under the Covenant by transgender persons, in particular with respect to access to work, education and health services;**

(d) **Take into account the Committee's general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.**

Discrimination against Roma

18. While noting the adoption and implementation of the National Strategy on the Inclusion of Romanian Citizens Belonging to the Roma Minority for the period 2022–2027, the Committee is concerned about reports that Roma continue to experience social exclusion, poverty and widespread discrimination and about the lack of disaggregated data on the situation of Roma in the State party (art. 2 (2)).

19. **The Committee recommends that the State party:**

(a) **Strengthen its efforts to address the socioeconomic disparities and discrimination faced by Roma, in particular women and children, in accessing health care, education, adequate housing, employment and public services;**

(b) **Ensure the effective implementation of the National Strategy on the Inclusion of Romanian Citizens belonging to the Roma Minority for the period 2022–2027 and other policies, while conducting regular monitoring and evaluation of their implementation and allocating sufficient resources;**

(c) **Ensure the collection of disaggregated data on Roma living in the State party and on their access to employment, social security, housing, education and health care.**

Migrants, refugees, asylum-seekers and stateless persons

20. The Committee notes the information on the amendments to the legislative framework to allow asylum-seekers to obtain work permits after three months from the date of submitting their asylum application. Nevertheless, the Committee is concerned about:

(a) **Insufficient financial aid provided to asylum-seekers to cover their basic needs;**

(b) **Children born to stateless parents or to parents who are unable to pass on their citizenship being faced with statelessness in accordance with the provisions of Law No. 21/1991 on Citizenship (art. 2 (2)).**

21. **The Committee recommends that the State party:**

(a) **Strengthen its efforts to protect refugees and asylum-seekers and guarantee their enjoyment of the rights covered by the Covenant, in particular by ensuring the provision of adequate housing, health care, education and sufficient financial support;**

(b) **Amend Law No. 21/1991, on citizenship, to enable children born on its territory to acquire nationality to avoid statelessness among children born to stateless parents or to parents who are unable to pass on their citizenship.**

Equality between men and women

22. The Committee takes note of the State party's efforts to address gender inequality, including the adoption of the National Strategy on the Promotion of Equal Opportunities and Treatment between Women and Men and the Prevention and Combating of Domestic Violence for the period 2022–2027. The Committee welcomes the incorporation of directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life

balance for parents and carers in order to recognize the rights and rules enshrined therein. However, the Committee is concerned about:

- (a) The underrepresentation of women in decision-making positions, including in the Parliament, at the county level and in the private sector;
- (b) The prevalence of stereotypes about the roles of men and women in society, leading to women bearing a disproportionate burden of unpaid domestic and care work, as well as the persistence of the gender employment gap and the concentration of women in traditionally female-dominated professions, in particular in rural areas (arts. 3, 6 and 10).

23. The Committee recommends that the State party:

- (a) Continue to promote the increased representation of women at all levels of public administration, in particular in the Parliament and in decision-making positions at the county level, and the appointment of women to management roles in the private sector, including through the development of incentives for private companies;**
- (b) Ensure that unpaid work, such as care work and domestic work, which is disproportionately performed by women, is appropriately recognized and compensated;**
- (c) Adopt all measures necessary to effectively implement directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and take other appropriate measures, including targeted ones, to promote work-life balance with a view to achieving a more balanced sharing of professional and family responsibilities between women and men;**
- (d) Strengthen its efforts to address gender disparities in employment and to increase the participation of women in the labour market, including by addressing factors that discourage women from continuing their careers or taking on full-time positions;**
- (e) Take effective measures to close the gender pay gap, including by addressing vertical and horizontal gender-based segregation in the labour market;**
- (f) Take into consideration and apply the guidance provided in the Committee's general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights.**

Right to work

24. The Committee notes the measures taken by the State party to promote employment and to facilitate the transition from the informal economy to the formal economy. Nevertheless, the Committee is concerned about the high number of young people not in education, employment or training and that the unemployment rate remains high. It is also concerned about the high number of persons working in the informal economy who do not enjoy labour protection (art. 6).

25. The Committee recommends that the State party:

- (a) Strengthen its efforts to reduce unemployment, in particular in rural areas, and to support Roma, persons with disabilities, women, young people and older persons in gaining access to decent employment opportunities, including by facilitating their access to technical and vocational training opportunities, collecting data on their situation and reviewing targeted positive measures to assess their effectiveness and ensure their implementation;**
- (b) Continue its efforts to facilitate the transition of workers from the informal sector to the formal sector of the economy, including by collecting data on their situation and ensuring that they are covered by labour protection;**
- (c) Consider its general comment No. 18 (2005) on the right to work.**

Minimum wage

26. The Committee notes the information on the annual increase in the minimum wage since 2011. Nevertheless, the Committee remains concerned that the minimum wage remains

insufficient to ensure a decent standard of living for workers and their families, in particular in the light of the high proportion of the working population at risk of poverty (art. 7).

27. **The Committee recommends that the State party:**

(a) **Raise the minimum wage and regularly adjust it to the cost of living so as to ensure a decent living for workers and their families;**

(b) **Ensure that the minimum wage applies to all workers in all sectors and in all forms of employment, including atypical forms of employment such as part-time work, temporary work, fixed-term work, casual work, seasonal work and online platform-based work, and also ensure full compliance with the minimum wage;**

(c) **Take into account the Committee's general comment No. 23 (2016) on the right to just and favourable conditions of work.**

Occupational safety and health

28. The Committee takes note of the information on the implementation of the National Strategy on Occupational Safety and Health for the period 2018–2020. However, the Committee is concerned that the level of occupational injuries and fatalities remains high and about the lack of detailed data in relation to occupational safety and the low level of labour inspections carried out (art. 7).

29. **The Committee recommends that the State party:**

(a) **Strengthen its efforts to reduce occupational injuries and fatalities, with a focus on sectors in which accidents are more likely to occur, including by raising awareness among employers and workers about workplace safety and by ensuring that enhanced protection measures are put in place in the workplace;**

(b) **Strengthen the capacity of the Labour Inspectorate to monitor working conditions;**

(c) **Collect disaggregated data relating to occupational safety and health and provide information in the next periodic report.**

Right to social security

30. While noting the information on the various social protection programmes, the Committee is concerned about the insufficient level and limited impact of such programmes on people in vulnerable situations. While noting the information on the Minimum Inclusion Income to replace the existing social assistance schemes, the Committee is concerned that its implementation has been postponed (art. 9).

31. **The Committee recommends that the State party continue its efforts to review its social protection programmes, including by adopting and implementing a clear indexation procedure, extending the coverage of the social security system, implementing the Minimum Inclusion Income in a manner that ensures the adequacy of benefits and allocating sufficient budgetary resources to social assistance programmes.**

Protection of families and children

32. The Committee notes the information on the implementation of the National Strategy for the Protection and Promotion of Children's Rights for the period 2023–2027. However, the Committee is concerned about reports of the widespread use of corporal punishment against children in the home and about the underreporting of sexual abuse of and violence against children and adolescents (art. 10).

33. **The Committee recommends that the State party:**

(a) **Enforce effectively its legislation prohibiting corporal punishment in all settings and conduct awareness-raising activities for parents on positive, non-violent forms of child-rearing and discipline;**

(b) **Strengthen its efforts to prevent and combat sexual abuse and violence against children, including by conducting awareness-raising campaigns on the available reporting mechanisms and ensuring the prompt and effective investigation of all cases of violence against children.**

Poverty

34. The Committee notes the information on the implementation of the National Strategy for Social Inclusion and Poverty Reduction for the period 2022–2027. However, the Committee is concerned about the persistently high poverty rate and socioeconomic inequalities among the population (arts. 9 and 11).

35. **The Committee recommends that the State party strengthen its efforts to combat poverty, in particular among members of the most disadvantaged and marginalized groups, including by addressing its root causes, ensuring the effective implementation of its policy framework through the allocation of adequate resources and ensuring coordination with local levels. It also recommends that the State party address inequalities and disparities in poverty levels among rural areas and counties.**

Right to adequate housing

36. The Committee takes note of the information on the implementation of the National Housing Strategy for the period 2022–2050 and the review of the legislative framework on housing and informal settlements. It also notes the information provided by the delegation of the State party on the legislative framework on evictions. Nevertheless, the Committee is concerned about:

(a) The inadequate level of available social housing and reports of the inconsistencies in the implementation of the eligibility criteria that are applied by authorities at the county level;

(b) Reports of the high number of households, in particular those in social housing and Roma households, who are in arrears with their utility bills and of the practice of cutting off utility services for the non-payment of bills;

(c) Substandard living conditions in informal settlements, which include inadequate access to safe drinking water, sanitation facilities, electricity, public transportation and other basic services;

(d) Cases of evictions carried out without the provision of alternative housing for those evicted, rendering many of the evicted persons homeless (art. 11).

37. **The Committee recommends that the State party:**

(a) **Ensure the effective implementation of the National Housing Strategy for the period 2022–2050, including by allocating sufficient resources for its implementation and conducting systematic and regular assessments;**

(b) **Adopt measures to address the large number of households who are in arrears with their utility bills, including by ensuring that the pricing policy on utility services, in particular electricity and gas, are based on human rights principles;**

(c) **Increase the availability of adequate and affordable housing, in particular by expanding the supply of social housing, paying particular attention to members of disadvantaged and marginalized groups, such as Roma, persons with disabilities, older persons and persons living in rural areas, and review the eligibility criteria for social housing and monitor the application thereof among all counties;**

(d) **Ensure that evictions, when unavoidable, are carried out in accordance with due process of law, are preceded by consultation with the persons concerned and consideration of alternatives, are subject to appeal and result in adequate compensation or the provision of adequate alternative housing;**

(e) **Take into account the Committee’s general comment No. 7 (1997) on forced evictions.**

Rights to water and sanitation

38. The Committee notes the efforts of the State party to increase access to clean drinking water and sanitation. However, the Committee remains concerned that the rates of access to sanitation and water in 2022 were about 59 per cent and 74 per cent, respectively, with disparities between urban and rural areas (art. 11).

39. **The Committee recommends that the State party continue its efforts to ensure the realization of the rights to water and sanitation, in particular in rural areas. In this regard it requests the State party to take into account its general comment No. 15 (2002) on the right to water.**

Right to health

40. The Committee takes note of the information on the adoption and implementation of the National Health Strategy and measures implemented to expand the coverage of social health insurance. However, the Committee is concerned about the low life expectancy in the State party and that the infant mortality rate is among the highest in the European Union. It is also concerned about the shortages in medical health-care personnel, high out-of-pocket spending and disparities between urban and rural areas in access to quality health care (art. 12).

41. **The Committee recommends that the State party:**

(a) **Strengthen its efforts to develop the public health-care system, including by allocating sufficient financial resources and recruiting and training additional health-care personnel, to ensure the availability and accessibility of quality health-care services, in particular in rural areas and for members of marginalized and disadvantaged groups;**

(b) **Intensify its efforts to reduce maternal and infant mortality rates by improving the standard of care provided to women throughout pregnancy and during childbirth in primary health-care facilities.**

Sexual and reproductive health

42. While noting the information on the legislative framework on abortion, the Committee is concerned about reports of the limited availability of abortion services, which is exacerbated by conscientious objection by health-care personnel without adequate referral services, leading pregnant women to undergo unsafe abortions (art. 12).

43. **The Committee recommends that the State party guarantee access to abortion services and appropriate referral services and ensure that the exercise of conscientious objection by health-care personnel does not pose an obstacle to women's access to safe abortion. The Committee refers the State party to its general comment No. 22 (2016) on the right to sexual and reproductive health.**

Mental health

44. The Committee takes note of the information provided by the delegation of the State party on measures to improve mental health-care services, including the development of a national action plan on mental health to respond to shortcomings and gaps in the legislative framework. The Committee is concerned about reports of shortcomings in the availability and accessibility of mental health services in the State party (art. 12).

45. **The Committee recommends that the State party strengthen its efforts to develop the mental health-care system, including by adopting the national action plan on mental health, reviewing legislation on mental health and increasing the number and quality of mental health facilities and the number of trained medical professionals in this field.**

Right to education

46. The Committee takes note of the information on the adoption in 2023 of the New Pre-University Education Law and the Higher Education Law and other reforms to prohibit

segregation in education and to increase the salaries of teachers. However, the Committee is concerned about:

- (a) The lack of information on measures to assess the impact of decentralization on the right to education in the State party;
- (b) The insufficient level of budget allocation to education, which does not meet the minimum level of 6 per cent of annual gross domestic product in accordance with the Law on National Education, notwithstanding the constant increase in the last three years;
- (c) High dropout rates in primary and secondary schools, in particular among children in the most disadvantaged and marginalized groups, such as Roma and persons in rural areas;
- (d) The persistent inequalities in access to education affecting Roma children, children with disabilities and children living in rural areas and the shortcomings in the quality of school infrastructure (art. 13).

47. **The Committee recommends that the State party:**

- (a) **Carry out a comprehensive assessment of the impact of decentralization on the right to education, in particular for children living in poorer counties, and develop measures to address any adverse impacts thereof;**
- (b) **Strengthen its efforts to improve the quality of education, including by allocating sufficient financial resources to the education sector in accordance with the legislative framework on education, increasing the number of qualified teachers, improving teachers' working conditions and enhancing school infrastructure, in particular in rural areas;**
- (c) **Intensify its efforts to reduce the high dropout rates in primary and secondary schools and to address the root causes thereof, in particular among Roma children and children living in rural areas;**
- (d) **Develop targeted measures to address the problem of access to quality education among Roma children, children living in rural areas and children with disabilities, including by providing inclusive education;**
- (e) **Consider the Committee's general comments No. 13 (1999) on the right to education and No. 25 (2020) on science and economic, social and cultural rights.**

Linguistic and cultural rights

48. While noting the information on the provision of education in the languages of national minorities according to the legislative framework, the Committee is concerned about the limited availability of education in the languages of national minorities in practice, due to the inadequate budget allocation (art. 15).

49. **The Committee recommends that the State party intensify its efforts to ensure the availability of education in national minority languages, including by allocating sufficient budget thereto.**

D. Other recommendations

50. **The Committee encourages the State party to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.**

51. **The Committee recommends that the State party consider acceding to the core human rights instruments to which it is not yet a party, namely the International Convention for the Protection of All Persons from Enforced Disappearance, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the Convention on the Rights of the Child and the Optional Protocol to the Convention on the Rights of Persons with Disabilities.**

52. The Committee also recommends that the State party take fully into account its obligations under the Covenant and ensure the full enjoyment of the rights enshrined therein in the implementation of the 2030 Agenda for Sustainable Development at the national level, including in the recovery from the coronavirus disease (COVID-19) pandemic. Achievement of the Sustainable Development Goals would be significantly facilitated by the State party establishing independent mechanisms to monitor progress and treating beneficiaries of public programmes as rights holders who can claim entitlements. Moreover, the Committee recommends that the State party support the global commitment of the decade of action to achieve the Sustainable Development Goals. Implementing the Goals on the basis of the principles of participation, accountability and non-discrimination would ensure that no one is left behind. In this regard, the Committee draws the State party's attention to its statement on the pledge to leave no one behind.⁵

53. The Committee requests that the State party disseminate the present concluding observations widely at all levels of society, including at the central and county levels, in particular among parliamentarians, public officials and judicial authorities, and that it inform the Committee in its next periodic report about the steps taken to implement them. The Committee emphasizes the crucial role that Parliament plays in implementing the present concluding observations and encourages the State party to ensure its involvement in future reporting and follow-up procedures. The Committee encourages the State party to continue engaging with non-governmental organizations and other members of civil society in the follow-up to the present concluding observations and in the process of consultation at the national level prior to the submission of its next periodic report.

54. In accordance with the procedure on follow-up to concluding observations adopted by the Committee, the State party is requested to provide, within 24 months of the adoption of the present concluding observations (31 March 2026), information on the implementation of the recommendations contained in paragraphs 7 (national human rights institution), 29 (a) (occupational safety and health) and 47 (c) (right to education) above.

55. The Committee requests the State party to submit its seventh periodic report in accordance with article 16 of the Covenant by 31 March 2029, unless otherwise notified as a result of a change in the review cycle. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words. In addition, it invites the State party to update its common core document, as necessary, in accordance with the harmonized guidelines on reporting under the international human rights treaties.⁶

⁵ E/C.12/2019/1.

⁶ HRI/GEN/2/Rev.6, chap. I.