



MINISTERUL MUNCII
FAMILIEI, TINERETULUI ȘI SOLIDARITĂȚII SOCIALE

Bucharest, 10 August 2026

Mr Michael O'Flaherty
Commissioner for Human Rights
Council of Europe

Dear Commissioner O'Flaherty,

Thank you for your letter of 10 July 2026, following your visit to Romania from 26 to 29 May 2026, and for the constructive observations concerning the protection of the rights of older persons in residential care. We appreciate the recognition of the progress achieved by Romania in reforming social services, including the strengthening of the regulatory framework for licensing and quality standards for long-term care. We also take due note of the concerns and recommendations set out in your letter.

Romania remains fully committed to ensuring that social assistance and long-term care services are centred on the rights, dignity, autonomy and individual needs of beneficiaries. In this context, we would like to provide the following information regarding the reforms undertaken, the measures adopted following the situation in Bihor County, and the actions currently being implemented to strengthen inspection, monitoring and the protection of beneficiaries.

Ministry of Labour, Family, Youth and Social Solidarity (MoLFYSS) continues to implement the provisions of Social Assistance Law no. 292/2011, as amended and supplemented by Law no. 100/2024. The continuation of the reform in the field of social assistance, and implicitly of social services, will bring major strategic benefits for the sustainability and efficiency of the social assistance system.

The main amendments and additions aim to:

- regulate the financing of social assistance based on the principle of “funding follows the beneficiary” and define the “personal budget of the social assistance beneficiary”;
- share responsibilities between different levels of public administration, including between county and local levels, in compliance with the principles of decentralisation;
- introduce measures to ensure expenditure for prevention services, leading, in the long term, to a reduction in expenditure on special protection measures (regulation of the minimum social assistance package, prioritisation of the development of community-based services, etc.);
- improve the accreditation process for social service providers by (MoLFYSS), certifying their capacity to establish, manage and provide social services, as well as the licensing of social services based on minimum quality standards - the minimum requirements



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concerning the effectiveness and efficiency of activities carried out in relation to beneficiaries' needs, the objectives undertaken and the expected results;

- strengthen the verification and control role with regard to social service providers, involve third parties, as volunteers, acting as beneficiaries/legal representatives/legal supporters of the social service, with the aim of objectively assessing the quality of social services from the beneficiary's perspective; increase inter-institutional cooperation between institutions responsible for assessment, monitoring and control, with a view to preventing situations involving serious violations of human rights.

The amendments to the Framework Law on Social Assistance no. 292/2011 also provide for:

- the regulation of the minimum social assistance package and the provision of financing from the state budget, progressively, starting in 2027 (Government Emergency Ordinance no. 70/December 2025). The package consists of activities carried out by the SPAS, through the community assistance service or a day centre, with the aim of preventing or limiting situations of difficulty and combating poverty and social exclusion among children, families and persons who do not have the resources necessary to secure a minimum standard of living and to ensure access to certain fundamental rights (housing, education, healthcare, and services aimed at increasing the employment opportunities of jobseekers);
- the revision of the order of priorities for determining the amounts allocated from the state budget for the financing of social services by including, after social services for children separated from their parents who require special protection and services for persons with disabilities, the minimum social assistance package provided by SPAS and social services for homeless persons;
- the regulation of the single register of beneficiaries (correlated with the obligation of social service providers to register social service contracts within 24 hours), and its interoperability with the Single Electronic Register of Social Services, with other registers within the Integrated Social Assistance Information System and, where applicable, with other national registers;

Furthermore, a series of amendments and additions have been made to Section 5 concerning long-term care, providing greater clarity and diversity regarding the services that may be provided in an integrated manner with care services, although the existing legislative framework already allowed for the development of a broad range of social services. Thus, personal care services may be organised and provided in an integrated manner with other services, such as: healthcare services; rehabilitation and adaptation of the living environment, including minor improvements, repairs and similar works; adapted social housing for dependent persons; other recovery/rehabilitation services, such as physiotherapy, physical therapy, medical gymnastics, occupational therapy, psychotherapy, psychopedagogy, speech therapy, podiatry and similar services. Personal care services may be accompanied by social, legal and information counselling services, while local public administration authorities shall include housing adapted for dependent persons in their own social housing stock.



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Other regulations adopted during this period concerned:

- the revision of the criteria for classifying levels of dependency and of the socio-medical assessment form for older persons, using functionality assessment criteria based on the World Health Organization's disability assessment programme - WHODAS (Government Decision no. 1311/2024 amending Government Decision no. 886/2000 approving the National Assessment Grid for the Needs of Older Persons);
- the approval of the model contract concluded between the informal caregiver of a dependent older person and the public social assistance service, thereby ensuring the clear regulation of the legal relationship and responsibilities of the parties (Order of the Minister of Labour and Social Solidarity no. 955/2023, revised by Order no. 2490/2023);
- the establishment of minimum quality standards for case management in social services for older persons, strengthening the monitoring and coordination component of interventions at community level (MoLFYSS Order no. 2489/2023);
- the approval of the framework model for the social services development plan (Order no. 1040/6296/2024);
- the approval of the Framework Methodology for assessing community needs with a view to organising social services for older persons (MoLFYSS Order no. 1923/2024);
- the approval of the framework model for social service contracts, the information notices submitted by social service providers to the public social assistance service, the procedure for determining the necessary budget, as well as indicators for monitoring social services provided as a social assistance measure (Ministry of Labour, Family, Youth and Social Solidarity Order no. 1126/2025);
- the approval of the selection procedure based on the verification of the eligibility of non-governmental organisations for the purpose of carrying out monitoring visits concerning compliance with the rights of beneficiaries of residential social services, as well as the framework model for the cooperation protocol concluded between MoLFYSS and these non-governmental organisations (MoLFYSS Order no. 2237/2025);
- the approval of the application form for the provision of social services as a social assistance measure (Government Decision no. 1011/2025);
- the updating of the food allowance for public and private social assistance units intended for adults, adults with disabilities and older persons (Government Decision no. 6/2026);
- the revision of the nomenclature of social services and the framework regulation on the organisation and operation of social services (Government Decision no. 268 of 23 April 2026).

The implementation calendar included in the transitional provisions of Law no. 100/2024 is continuously correlated with the steps required for the development of secondary legislation, based on the results of the studies carried out and the recommendations proposed by the World Bank under the Reimbursable Advisory Services Agreement supporting the operationalisation of



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social protection reforms under the National Recovery and Resilience Plan (P178551), including systematic consultation with civil society.

At present, quality and cost standards for social services are being developed, based on the new Nomenclature of Social Services approved by Government Decision no. 268/2026, as well as quality and cost standards for the public social assistance service, as part of the package of regulatory acts required for the implementation of the “funding follows the beneficiary” mechanism and to facilitate the implementation of the obligation of local public administration authorities to employ/contract social workers.

All these regulations contribute to the implementation of the prevention principle and to the creation of a continuum of social services for older persons by expanding home care, supporting informal caregivers and developing day and rehabilitation centres.

Regarding the risk of circumventing the social service licensing procedure:

Over time, the identification of “disguised social services”, the identification of unlicensed social services and the verification of the manner in which beneficiaries are admitted to such services, etc., have represented a permanent concern within the control activities of the Social Inspection. The methodology used for this purpose is developed by National Agency for Payments and Social Inspection, and the reports are published on the institution’s website.

Given the difficulty of detecting disguised social services, and with a view to improving the tools and solutions used for their identification, this issue was included in the consultancy project carried out with the World Bank.

According to the analysis included in Deliverable 3.6/5.11. Report with technical recommendations for the development of a quality management system in the social services sector in Romania, World Bank, February 2026, international practice shows that efforts generally focus on strengthening the regulatory framework, encouraging formalisation and improving public access to regulated care services.

The recommendations proposed by the World Bank are primarily aimed at improving the methodology used by the Social Inspection.

Regarding the supplementation of the special law with explicit provisions concerning Article 348 of the Criminal Code:

As you know, among the measures included in the revision of the package of legislative acts included in Law no. 100/2024 is the provision that failure by social service providers to hold an operating licence for social services, after they have already received an administrative fine for this offence and after the issuance of a decision withdrawing the operating licence due to serious acts leading to violations of beneficiaries’ fundamental rights and endangering their lives, constitutes a criminal offence under Article 348 of Law no. 286/2009 on the Criminal Code, as subsequently amended and supplemented. In such cases, social inspectors are required



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to notify the competent authorities and transmit evidence and information resulting from the inspections carried out, with a view to initiating a criminal investigation.

At the same time, in order to prevent situations of abuse and neglect of older persons that may arise, the obligation of local public administration authorities to use a methodology for assessing community needs for the purpose of organising social services for older persons has been regulated. This methodology must be developed in compliance with the framework methodology regulated at national level (Article 21(1)(b) of Law no. 17/2000).

According to the Framework Methodology for Assessing Community Needs for the Organisation of Social Services for Older Persons, approved by Order of the MoLFYSS no. 1923/2024, working tools have been established for the public social assistance service.

Regarding the development of infrastructure for the care of older persons, the measures are those provided for in the National Strategy on Long-Term Care and Active Ageing 2023-2030, approved by Government Decision no. 1492/2022, as well as in the other legislative acts that were part of the Reform of Long-Term Care Services for Older Persons under the National Recovery and Resilience Plan, Component 13 - Social Reforms, including the amendments to Law no. 17/2000 on social assistance for older persons and Social Assistance Law no. 292/2011, introduced by Law no. 100/2024, namely the priority provision of community-based care (at home and in day centres), in order to prevent the worsening of dependency.

The overall objective of the strategy is to increase the number of older persons who are able to live independently for as long as possible as they age and to improve access to appropriate long-term care services for dependent older persons.

Under Action Direction 2.2: Development of services for persons with declining functional autonomy and low care needs, Measure 2.2.1 provides for the development of a network of community social service centres covering the territory and based on service needs identified at local level: day centres, home care services, community assistance services and protected housing. At present, funding agreements are being implemented for the establishment of day assistance and rehabilitation centres with mobile home care teams, or day assistance and rehabilitation centres within multifunctional centres that include both categories of services: day assistance and rehabilitation centres and home care units. These investments are supported under the NRRP, Component 13 - Social Reforms, I4.

For the development of the community services network for older persons, MoLFYSS is implementing programmes of national interest, which also include an investment component (equipment). In addition, since 2012, MoLFYSS has been implementing the investment and major capital repair programme for day and residential centres.

Regarding the situation in Bihor County, following the inspections carried out in 2025 both by the local authorities/county agencies and by the Control Body of the Minister of Labour at that time at locations in Bihor County, amendments were introduced, with a view to preventing a similar situation in the future, through Government Emergency Ordinance no. 70/2025 amending and supplementing certain legislative acts in the field of social assistance. These



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amendments concern both Social Assistance Law no. 292/2011 and Law no. 17/2000 on social assistance for older persons, republished, and prohibit the provision of social services by individuals and limit their capacity to provide care/accommodation to one older person or, at most, a couple of older persons (Article 37(4) of Law no. 292/2011 and Article 35 of Law no. 17/2000, respectively).

With regard to the action carried out on 30 June 2026 by prosecutors of the Directorate for the Investigation of Organised Crime and Terrorism - Central Structure, together with police officers of the Criminal Investigations Directorate, who executed 27 search warrants at the homes of several individuals, at the premises of legal entities and at a public institution in Bihor County, in a case concerning the offences of establishing an organised criminal group, continued trafficking in persons and continued aiding and abetting trafficking in persons, it was necessary to relocate approximately 409 vulnerable persons to other residential social services where the minimum conditions necessary to protect their health, dignity and physical and psychological integrity could be ensured.

In this context, Government Committee for Emergency Situations Decision no. 12 of 30 June 2026 was approved, establishing the measures necessary to protect vulnerable persons identified in Bihor County.

All persons relocated to social services receive accommodation, care and medical and psychological assistance provided by specialised staff and authorised care personnel, in centres appropriate to their category of vulnerability, taking into account their health status/disability/age.

Through Government Decision no. 528/2026, the Government of Romania allocated financial resources from the Budget Reserve Fund at the Government's disposal, so that the cost standard for all persons taken in would be covered until the end of the year. The measure enables social service providers to ensure the necessary care and support for all beneficiaries without interruption and without additional pressure on local budgets.

The National Agency for Payments and Social Inspection, through its county agencies for payments and social inspection, carries out weekly monitoring of the relocated persons with regard to the manner in which they are cared for and the respect of their rights.

According to the legislation, namely the applicable minimum quality standards, the social services in which the beneficiaries are accommodated ensure that all their rights are respected.

Additional measures concerning social inspection and the protection of relocated persons:

In the context of the actions carried out following the situation in Bihor County, the social inspection activity coordinated by the National Agency for Payments and Social Inspection has focused not only on verifying compliance with licensing requirements and minimum quality standards, but also on assessing how the rights of persons urgently relocated to licensed social services are guaranteed in practice. In this regard, social inspectors have verified whether the services provided comply with the principles laid down in the legislation in force, with



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particular emphasis on respect for human dignity, the autonomy and freedom of decision-making of beneficiaries, as well as ensuring access to services adapted to individual needs.

At the operational level, social inspectors from the National Agency for Payments and Social Inspection and its territorial agencies participated, alongside the other competent authorities, in identifying protection solutions for the persons accommodated in the centres concerned. The relocation process was monitored to ensure that the transfer of beneficiaries was carried out safely, with due regard for the best interests and specific needs of each person, to licensed social services capable of ensuring continuity of care and access to appropriate services.

At the same time, the National Agency for Payments and Social Inspection ordered the intensification of verification activities at national level, with a focus on identifying social services operating without an operating licence or in breach of the legal conditions governing their organisation and operation.

On the other hand, it should be noted that, as part of inspection missions, verifications are not limited to the analysis of documents, but also include direct observation of living conditions, the relationship between staff and beneficiaries, the organisation of care, and respect for the rights of institutionalised persons. Social inspectors also seek to identify any situations that may give rise to neglect, abuse, degrading treatment, unjustified restrictions on freedom of movement or other violations of fundamental rights.

The inspection methodology also involves direct dialogue with beneficiaries, to the extent that their condition allows them to express an opinion, as well as with legal representatives or family members, where appropriate, so that the conclusions of the inspection reflect not only the formal compliance of the social service, but also the actual experience of the persons receiving services. This approach enables the identification of vulnerabilities that cannot be detected exclusively through document analysis and facilitates the adoption of measures aimed at effectively protecting the rights and interests of beneficiaries.

In parallel, the National Agency for Payments and Social Inspection has adopted administrative measures to strengthen social inspection activities, aimed at enhancing methodological coordination, intensifying the monitoring of high-risk social services, as well as strengthening inter-institutional cooperation with the competent authorities in the fields of social assistance, healthcare and criminal investigation.

With regard to the specific circumstances of the case in Bihor County, these are currently subject to investigations conducted by the competent judicial authorities. Consequently, the executive authorities refrain from making any assessment that could interfere with the independence of the investigation, while expressing their full readiness to provide the institutional support necessary to clarify all matters falling within the competence of the judicial authorities.

Ensuring the right to social assistance for citizens in every locality - the first course of action for implementing the objectives undertaken by Romania under the National Strategy on Social Inclusion and Poverty Reduction for the period 2021-2027, and on the basis of which the



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amendments to Social Assistance Law No. 292/2011 were initiated - represents a priority for the Ministry of Labour, Family, Youth and Social Solidarity.

We trust that the information provided above demonstrates the measures undertaken by the Romanian authorities to strengthen the protection of persons receiving social services, reinforce the effectiveness of social inspection, and ensure that the rights and dignity of beneficiaries remain at the centre of the social assistance system.

The Ministry of Labour, Family, Youth and Social Solidarity remains available for continued dialogue and cooperation with the Commissioner for Human Rights and the Council of Europe on these matters.

Yours sincerely,

Dragoș-Nicolae PÎSLARU

Interim Minister of Labour, Family, Youth and Social Solidarity

