

ECRI REPORT ON PMK ? LG ?

(sixth monitoring cycle)



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TABLE OF CONTENTS

FOREWORD	4
SUMMARY	5
FINDINGS AND RECOMMENDATIONS	7
<i>I. EFFECTIVE EQUALITY AND ACCESS TO RIGHTS.....</i>	<i>7</i>
A. EQUALITY BODIES.....	7
B. INCLUSIVE EDUCATION	8
C. IRREGULARLY PRESENT MIGRANTS	11
D. LGBTI EQUALITY.....	12
<i>II. HATE SPEECH AND HATE-MOTIVATED VIOLENCE</i>	<i>14</i>
A. HATE SPEECH	14
B. HATE-MOTIVATED VIOLENCE	19
<i>III. INTEGRATION AND INCLUSION</i>	<i>21</i>
A. ROMA.....	21
B. MIGRANTS	26
C. PEOPLE DISPLACED AS A RESULT OF RUSSIA’S WAR OF AGGRESSION AGAINST UKRAINE	29
<i>IV. TOPICS SPECIFIC TO ROMANIA.....</i>	<i>30</i>
A. EQUALITY DATA.....	30
B. RACISM WITHIN LAW ENFORCEMENT AGENCIES	30
INTERIM FOLLOW-UP RECOMMENDATIONS.....	33
LIST OF RECOMMENDATIONS	34
BIBLIOGRAPHY	37
APPENDIX: GOVERNMENT’S VIEWPOINT	43

FOREWORD

The European Commission against Racism and Intolerance (ECRI), established by the Council of Europe, is an independent human rights monitoring body specialised in questions relating to the fight against racism, discrimination (on grounds of “race”, ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance. It is composed of independent and impartial members appointed on the basis of their moral authority and recognised expertise in dealing with racism, xenophobia, antisemitism and intolerance.

In the framework of its statutory activities, ECRI conducts country monitoring work, which analyses the situation in each of the member States of the Council of Europe regarding racism and intolerance and draws up suggestions and proposals for dealing with the problems identified.

ECRI's country monitoring deals with all member States on an equal footing. The work takes place in 5-year cycles. The reports of the first round were completed at the end of 1998, those of the second round at the end of 2002, those of the third round at the end of 2007, those of the fourth round in the beginning of 2014, and those of the fifth round at the end of 2019. Work on the sixth round reports started at the end of 2018.

The working methods for the preparation of the reports involve documentary analyses, a visit to the country concerned, and then a confidential dialogue with the national authorities.

ECRI's reports are not the result of inquiries or testimonial evidence. They are analyses based on information gathered from a wide variety of sources. Documentary studies are based on a large number of national and international written sources. The in situ visit provides the opportunity to meet with the parties directly concerned (both governmental and non-governmental) with a view to gathering detailed information. The process of confidential dialogue with the national authorities allows the latter to provide, if they consider it necessary, comments on the draft report, with a view to correcting any possible factual errors which the report might contain. At the end of the dialogue, the national authorities may request, if they so wish, that their viewpoints be appended to the final ECRI report.

The sixth round country reports focus on three topics common to all member States: (1) Effective equality and access to rights, (2) Hate speech and hate-motivated violence, and (3) Integration and inclusion, as well as a number of topics specific to each one of them.

In the framework of the sixth cycle, priority implementation is requested again for two specific recommendations chosen from those made in the report. A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report.

The following report was drawn up by ECRI under its own responsibility. Unless otherwise indicated, it covers the situation up to 19 March 2025; as a rule, developments since that date are neither covered in the following analysis nor taken into account in the conclusions and proposals therein.

SUMMARY

Since the adoption of ECRI's fifth report on Romania, progress has been made and good practices have been developed in a number of fields.

The functions and powers of the National Council for Combating Discrimination are mostly in line with ECRI's General Policy Recommendation No. 2 on equality bodies to combat racism and intolerance at national level.

In the area of inclusive education, three mandatory subjects - "Civic Education", "Social Education" and "History of the Jews and the Holocaust" - were introduced. A procedure for handling cases of school violence, including bullying and cyberbullying, was established and schools were required to adopt plans to prevent and reduce violence.

A number of legislative developments were noted in the area of combating hate speech, including the adoption of a specific criminal law on measures to prevent and combat antigypsyism. The authorities have taken a more coordinated approach to countering hate speech and hate crime, including through the adoption of two strategies to prevent and combat antisemitism, xenophobia, radicalisation and hate speech.

Bias motivation was introduced in the hate crime recording of the General Inspectorate of the Romanian Police, which also set up a Bureau for the Investigation of Hate Crimes. A methodology for investigating hate crime was adopted by the General Prosecutor's Office. Efforts have also been made to increase the knowledge of legal professionals on hate speech and hate-motivated violence.

The authorities have continued their efforts to improve the inclusion of Roma through the implementation of specific strategies for the inclusion of Romanian citizens belonging to the Roma minority. Steps have been taken towards the regularisation of informal settlements and a new legislation was adopted to prohibit school segregation at all levels, including on the basis of ethnicity.

The number of hours of introductory Romanian language courses for migrants has increased. The authorities also joined the Council of Europe's "European Passport for Refugee Qualifications" project.

The authorities, with the support of the host communities, national and international civil society organisations, the private sector and

international organisations, have extended an exceptionally warm welcome to people displaced as a result of Russia's war of aggression against Ukraine.

ECRI welcomes these positive developments in Romania. However, despite the progress achieved, some issues give rise to concern.

Despite an increase in its budget, the financial and human resources of the National Council for Combating Discrimination are still insufficient for it to carry out all of its functions.

Aspects related to sexual orientation, gender identity and sex characteristics are not included in school curricula. Stereotyping and discriminatory language and visuals, particularly against the Roma and Hungarian communities, are still said to be present in school textbooks. Bullying is reportedly a widespread and serious problem in Romanian schools.

It was indicated to ECRI that intolerance and discrimination against LGBTI people persist in the country. Same-sex couples still do not enjoy any kind of legal recognition. The legal framework does not clearly define the conditions and procedure for legal gender recognition and there are no specific guidelines on the provision of gender-affirming health care.

Hate speech in political discourse, in the media and online, particularly on social media platforms and in the comments sections of online media, as well as during sport competitions, is a matter of growing concern. Immediate and public condemnation of hate speech and hate-motivated violence is rare. Hate crime cases continue to be underreported and the application of criminal law provisions in investigating these cases remains insufficient.

The situation of Roma reportedly remains difficult in all areas of life. Many informal settlements are located in proximity to highly polluted areas and numerous Roma pupils continue to learn in segregated educational settings and receive lower quality education. Roma are said to continue to be discriminated against in terms of access to employment, working conditions, career development and access to and the provision of health care services.

There clearly appears to be a lack of sufficient information provided to migrants on the scope of their rights and procedures applicable to them. Sufficient knowledge of the Romanian language remains the main obstacle to the enjoyment of

equal rights in practice, especially in the education and employment sectors.

Instances of racial profiling and excessive use of force, including lethal force, by law enforcement officials, affecting Roma in particular, continued to be reported.

In this report, ECRI requests that the authorities take action in a number of areas and makes a series of recommendations, including the following.

The authorities should take further action to strengthen the National Council for Combating Discrimination to: i) allow its competences, independence and effectiveness to fully align with ECRI's General Policy Recommendation No. 2 on equality bodies to combat racism and intolerance at national level; ii) ensure that it receives the necessary financial and human resources to carry out its mandate effectively.

The authorities should put in place a national system of monitoring racist and anti-LGBTI incidents in schools and gather gender-disaggregated data on such incidents, including on reasons for bullying behaviour.*

As regards LGBTI equality, the authorities should develop the relevant legal framework by explicitly regulating the conditions and procedure concerning legal gender recognition and establish clear guidelines on the provision of gender-affirming health care, in accordance with ECRI's General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons and other relevant Council of Europe standards.*

The authorities should make further efforts to ensure that all hate crimes are effectively investigated and prosecuted, by consistently taking into account any possible hate elements from the outset of the investigation and in any subsequent criminal proceedings.

With respect to Roma inclusion, the authorities should take further action to improve housing conditions for Roma by: i) taking resolute measures to ensure decent and safe housing conditions for Roma living in informal settlements, especially those in risk areas, while seeking long-term housing solutions for them, in close consultation with the Roma communities concerned; ii) ensuring that the eligibility criteria and scoring systems for the allocation of social housing are not discriminatory.

The authorities should adopt a comprehensive national strategy or action plan for the integration and inclusion of migrants and involve relevant civil society organisations and other stakeholders in its development, implementation, and evaluation. Inter-institutional cooperation should be strengthened, and sufficient financial resources should be allocated for its implementation. In developing such a document, the authorities may draw inspiration from the Council of Europe's Model Framework for an Intercultural Integration Strategy at the National Level.

Determined action should be taken to counter racism within law enforcement agencies, in particular by: i) introducing a clear zero-tolerance policy for racist police abuse, including racist verbal abuse, racial profiling and discriminatory police action involving the use of force; ii) developing suitable, specific and mandatory training sessions for law enforcement officials, both during initial training and as part of ongoing professional development, on preventing and combating racism, notably prejudices and stereotypes against Roma; iii) ensuring greater police accountability by developing adequate internal reporting procedures, including through the adoption of protective measures for "whistle-blowers", and by ensuring that all cases involving allegations of racist police abuse are the subject of effective investigations.

* The recommendations in this paragraph will be subject to a process of interim follow-up by ECRI no later than two years after the publication of this report.

FINDINGS AND RECOMMENDATIONS

I. EFFECTIVE EQUALITY AND ACCESS TO RIGHTS

A. Equality bodies¹

1. The National Council for Combating Discrimination (NCCD)² and the People's Advocate (Ombudsperson)³ are the two institutions having equality body functions in Romania. Regarding the legal framework governing these institutions, ECRI refers to its previous reports.⁴
2. The NCCD is the central body for safeguarding equality and non-discrimination, with two territorial offices in Buzău and Târgu Mureş. The NCCD's Steering Board consists of 11 members, following a change in legislation which increased the number of members by two.⁵
3. ECRI recalls that the NCCD's functions and powers are mostly in line with its General Policy Recommendation (GPR) No. 2 on equality bodies to combat racism and intolerance at national level.⁶ It notes, however, that the NCCD can still not provide legal representation to victims of discrimination, nor can it bring cases in its own name before relevant institutions and courts, as per § 14 of its GPR No. 2.
4. ECRI notes that the NCCD received 904 complaints in 2019, 1 039 in 2020, 1 048 in 2021, 988 in 2022 and 1 000 in 2023. The NCCD found violations of the prohibition of discrimination in 192 cases in 2019, 177 in 2020, 153 in 2021, 128 in 2022 and 97 in 2023. In 2023, 41% of the decisions pointing to discrimination concerned the protected grounds of sexual orientation, language, religion or belief, citizenship, ethnicity and "race". In addition, it conducted 40 investigations in 2019, 29 in 2020, 46 in 2021, 42 in 2022 and 24 in 2023. The proportion of NCCD's decisions upheld by courts on appeal was of about 82% in 2019, 80% in 2020 and 2021, 75% in 2022 and 74% in 2023.⁷
5. ECRI welcomes the fact that the NCCD's annual reports are discussed by Parliament. While the NCCD's annual reports have admittedly always been approved in practice, ECRI remains concerned that these reports should be subject to parliamentary approval;⁸ in ECRI's view, this may undermine the independence and effectiveness of the institution.
6. ECRI positively notes that the NCCD's budget has been gradually increased in recent years (from 7 686 million RON in 2019 to 10 531 million RON in 2023).⁹ However, ECRI considers that its financial and human resources are still insufficient to carry out all its functions, as confirmed by representatives of the institution during the 2024 visit to Romania. This state of affairs has adverse effects on some of the equality body's activities, such as conducting investigations and

¹ The term "national specialised bodies" was updated to "equality bodies" in the revised version of GPR No. 2 which was published on 27 February 2018.

² [Government Ordinance \(GO\) No. 137/2000](#) on the prevention and sanctioning of all forms of discrimination, as amended in 2022, and [Government Decision \(GD\) No. 1194/2001](#) on the organisation and functioning of the [NCCD](#).

³ Articles 58-60 of the [Constitution](#); [Law No. 35/1997](#) on the organization and functioning of the [Ombudsperson](#).

⁴ ECRI (2019): §§ 17-21; ECRI (2014): §§ 54-76; ECRI (2005): §§ 57-73.

⁵ Article 23 § 2 of GO No. 137/2000, as amended in 2022. See, in the context of appointment of NCCD members, Constitutional Court, [Decision No. 41/ 2023](#); European network of legal experts in gender equality and non-discrimination, [Country report Non-discrimination](#), 2023, p.10; Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC), [Fifth Opinion on Romania](#), 2023, § 67.

⁶ See also, in this context, [Council Directive \(EU\) 2024/1499](#) of 7 May 2024.

⁷ NCCD, Activity reports: [2019](#), [2020](#), [2021](#), [2022](#) and [2023](#). The database containing all decisions is available [here](#).

⁸ See Article 22 § 2 of GO No. 137/2000.

⁹ NCCD, *op. cit.*, 2019, p. 58 and *op. cit.*, 2023, p. 87. The above amounts include external grants.

the organisation of awareness-raising campaigns.¹⁰ In addition, the NCCD's objective of establishing 14 additional territorial offices has not yet been achieved due to insufficient funding.¹¹ ECRI was also informed that the NCCD continues to face staff shortages. In 2023, out of 99 approved posts, only 77 were funded and 76 were filled.¹² In this context, ECRI takes note that a protest by the NCCD employees' trade union took place on 18 January 2024.¹³

7. ECRI strongly recommends that the authorities take further action to strengthen the National Council for Combating Discrimination to i) allow its competences, independence and effectiveness to fully align with ECRI's General Policy Recommendation No. 2 on equality bodies to combat racism and intolerance at national level; ii) ensure that it receives the necessary financial and human resources to carry out its mandate effectively.

8. Regarding the Ombudsperson, ECRI recalls that it is a multi-mandated institution with 15 territorial offices. In recent years, it carried out or facilitated various activities, including in the areas of combating online hate speech and ensuring equality for various groups of concern to ECRI. The institution's funding increased from 23 532 million RON in 2019 to 26 934 million RON in 2023.¹⁴ ECRI notes with satisfaction that, as suggested by representatives of the institution during the visit, the Ombudsperson's Office is provided with the necessary financial and human resources to adequately carry out its mandate.

B. Inclusive education¹⁵

9. ECRI is pleased to note that the newly adopted legal framework pertaining to education states that access to and participation in quality education shall be achieved without discrimination and that diversity, equity and inclusion are among the fundamental values of the education system.¹⁶

10. In Romania, human rights education is taught both as a separate subject and integrated into other subjects related to human/social sciences.¹⁷ In primary and lower secondary education, it is mainly accomplished as part of two mandatory subjects: "Civic Education" (3rd and 4th grade) and "Social Education" (5th to 8th grade) with specific themes for each grade, such as "Critical thinking and the Rights of the Child" (5th grade), "Intercultural Education" (6th grade) and "Education for Democratic Citizenship" (7th grade). According to the authorities, the relevant curricula, adopted in 2014 and 2017 respectively, are based on the Council of Europe's Reference Framework of Competences for Democratic Culture.¹⁸ ECRI welcomes the inclusion of the principle of non-discrimination and respect for diversity in these curricula. During its visit to the Nicolae Bălcescu Theoretical High

¹⁰ See also ECRI (2019): §§ 20-21; ECRI's GPR No. 2, § 28; European network of legal experts in gender equality and non-discrimination (2023), p. 12; ACFC (2023), § 68.

¹¹ See ECRI (2014): § 55; ECRI's GPR No. 2, § 40, b.

¹² NCCD (2023), p. 88.

¹³ See G4Media, [press article](#), 18 January 2024. The trade union *inter alia* complained of insufficient budget, staff shortages and significant salary differences with other institutions of a similar nature (such as the Ombudsperson's Office).

¹⁴ Ombudsperson, Annual reports: [2019](#), [2020](#), [2021](#), [2022](#) and [2023](#).

¹⁵ This section deals with education policies that aim to combat exclusion and marginalisation through an inclusive education devised for all, and to create an inclusive society respectful of diversity in accordance with sections II and III of ECRI's GPR No. 10 on combating racism and racial discrimination in and through school education. It relates to education for all children and young people. Specific measures for the education of migrants and Roma children are dealt with under the heading of integration and inclusion.

¹⁶ Articles 2, 3, 9 and 11 of [Law No. 198/2023](#) on pre-university education and Articles 3, 4 and 35 of [Law No. 199/2023](#) on higher education. GO 137/2000 also contains a specific section on non-discrimination in the field of education (Article 11).

¹⁷ See also IEA International Civic and Citizenship Education Study 2022 - [International Report](#), p. 46.

¹⁸ Ministry of National Education: [Order No. 5003/2014](#) and its [Appendix](#); [Order No. 3393/2017](#) and its [Appendix No. 2](#).

School in Cluj-Napoca, the ECRI delegation was pleased to note the interactive way in which these subjects were taught.¹⁹

11. ECRI notes with satisfaction that, following the 2017 reform of school curricula for lower secondary education, the topics entitled “Roma: from slavery to emancipation” and “Holocaust in Romania: Jews and Roma” have been included in the History curriculum (8th grade). It also welcomes the introduction, in 2023, of the “History of the Jews and the Holocaust” as a mandatory subject in upper secondary and professional education.²⁰ ECRI also notes that the “History, slavery and deportation of Roma” will be introduced as from 2025 as a separate optional subject in lower and upper secondary education.²¹ In the light of the Strategy for the inclusion of Romanian citizens belonging to the Roma minority (2022-2027), according to which “the society’s lack of knowledge, at all levels and in all age groups, of the historical facts that have led to generational trauma, human tragedies and social stigma” of Roma,²² ECRI is of the view that this subject should be mandatory.
12. According to the authorities, human rights-related topics are also taught in various optional subjects developed at national, local or school level.²³ Furthermore, the promotion of human rights has been integrated into the school’s extracurricular activities through the “School Differently” national programme, one of whose priorities for the 2023/2024 school year was the prevention of discrimination,²⁴ which ECRI considers to be a **good practice**.
13. Regrettably, the authorities informed ECRI that human rights education is not included in the curriculum of technical and vocational education and training.²⁵ ECRI strongly encourages the authorities to take action to ensure that human rights education is also included in technical and vocational education and training.
14. ECRI notes with concern that aspects related to sexual orientation, gender identity and sex characteristics are still not included in school curricula and that there are no guidelines or mandatory teacher training on these matters.²⁶ While, according to information received during the visit to Romania, some topics could be covered in subjects such as “Health Education, Social Education, Philosophy or Psychology”, some teachers are often said to be reluctant to deal with these topics.²⁷
15. In this context, ECRI is pleased to note that, in 2020, the Constitutional Court, acting on a referral from the President of Romania, declared a law passed by the Parliament aimed at prohibiting education regarding the so-called “gender identity theory” as unconstitutional.²⁸ In this connection, ECRI notes that, at the time of the visit, a legislative proposal aimed at banning the dissemination of information on sexual orientation and gender identity among children was still pending in

¹⁹ See also ECRI (2001): § 27.

²⁰ ECRI (2014): § 157; Article 88 (3) of Law No. 198/2023; Ministry of Education, [Order No. 5344/2023](#). Although the textbooks were not made available until after the start of the school year, the authorities provided a guide and other resources for teachers in the meantime. See also Final Implementation Report (2024), pp. 59-60.

²¹ ECRI (2014): § 195; Article 88 (5) of Law No. 198/2023.

²² [Strategy](#) for 2022-2027, p. 21.

²³ Relevant optional subjects developed at national level include *Education for Society* (primary education), *Character first!* (primary and lower secondary education), *Ready for Life. Education for Life and Community and Civic Culture* (lower secondary education), *Human Rights and Intercultural Education* (upper secondary education).

²⁴ Ministry of Education, [Order No. 6479/ 2023](#) and [Press release](#), 6 October 2023.

²⁵ See, in this context, Council of Europe, [Guidance Document for Vocational Education and Training](#), 2024.

²⁶ ECRI (2019): § 97; See also ECRI’s GPR No. 17, rec. no. 45; IGLYO, LGBTIQ Inclusive Education [Report](#) 2022, pp. 130-131.

²⁷ See also, Centre for Legal Resources (CLR), [Non-discrimination in education](#), 2020, pp. 97-107.

²⁸ Constitutional Court, [Decision No. 907/2020](#). Civil society organisations, among others, [petitioned](#) the President not to enact the law or to submit the referral. Several educational institutions and many teachers [supported](#) the referral.

Parliament.²⁹ ECRI refers to the case law of the European Court of Human Rights (ECtHR) on this matter³⁰ and trusts that every effort will be made to prevent the adoption of such legislation.

16. The authorities informed ECRI that human rights are included in the initial training of pre-school and primary school teachers. Lower and upper secondary school teachers dealing with the subjects of Civic Education, Social Education and History also benefit from specific human rights-related training. Furthermore, human rights are addressed in a number of in-service teacher trainings.³¹ It nevertheless emerged during the visit to Romania that in-service teacher training on human rights is not mandatory and that the initial training for lower and upper secondary teachers do not generally include human rights. In this context, ECRI recalls that human rights should be an integral part of teachers' initial and in-service training and be provided in a systemic and sustainable manner.
17. Despite its previous recommendations on this matter,³² ECRI is concerned by reports according to which stereotyping and discriminatory language and visuals, particularly against the Roma and Hungarian communities, are still present in school textbooks.³³ Certainly, some textbooks are no longer in use. Moreover, ECRI welcomes that the process of quality assessment of draft textbooks for approval in pre-university education includes non-discriminatory criteria.³⁴ However, it is crucial for the authorities to build the capacity of the experts selected by the National Assessment and Examination Centre and to provide guidance on this issue. Furthermore, ECRI also considers it essential that teaching materials should be free of any stereotyping and discriminatory content and reviewed to reflect the diversity of Romanian society. In particular, history teaching should provide a narrative that fosters a culture promoting equality and diversity. In this regard, the authorities should seriously consider taking steps towards Romania's membership in the Council of Europe's Observatory on History Teaching in Europe.
18. ECRI recommends that the authorities strengthen human rights education in schools, notably by ensuring that: i) human rights education includes the prevention of racism and intolerance and, in particular, the history of Roma at all levels of education, as well as age-appropriate awareness on matters related to sexual orientation, gender identity and sex characteristics in the school environment; ii) any references reinforcing prejudice, stereotyping or other discriminatory content are removed from school textbooks; iii) mandatory initial and in-service teacher training is provided on human rights, respect for diversity and responses to prejudice and discrimination.
19. Information gathered during the ECRI visit to Romania indicates that bullying is a widespread and serious problem in schools. Research shows that 25% of pupils reported having been bullied at least a few times a month.³⁵ According to various sources, as well as accounts heard by the ECRI delegation during the visit, Roma³⁶

²⁹ [PL-x No. 243/2022](#), legislative proposal to amend Law No. 272/2004 on the protection and promotion of children's rights.

³⁰ *Bayev and others v. Russia*, nos. [67667/09](#) and 2 others, 20 June 2017.

³¹ In recent years, the training provided by the Teacher Training Centres has focused on issues such as, preventing and combating bullying and cyberbullying, children's rights, democratic citizenship and interculturality.

³² ECRI (2005): § 84; ECRI (2014): § 196.

³³ See, *inter alia*, Council of Europe, [Representation of Roma in European Curricula and Textbooks](#), 2020, p. 19; CLR (2020), pp. 62-64; David C., [Teaching of Roma History is distorted and racist](#), 2021; Bálványos Institute et al., [Anti-Hungarian attitudes in Romania](#), 2021, pp. 114, 121-123. See also, in this connection, CLR, [The \(non-\) discriminatory perspective of the "Critical Thinking and Children's Rights" textbooks](#), 2023.

³⁴ Ministry of National Education, [Order No. 3103/2019](#) and its [Appendix No. 1](#).

³⁵ OECD, [Programme for International Student Assessment](#), 2022, p.59; Broken Chalk, [World Education Report 2023](#), pp. 198-199.

³⁶ ECRI (2014): § 118; See, *inter alia*, CLR, [Proposals for intervention](#), 2021; NCCD, [Decision No. 824/2021](#).

and LGBTI³⁷ pupils remain among those identified as being most vulnerable to discrimination and bullying in schools, including by some teachers.

20. Against this background, ECRI welcomes the authorities' efforts to prevent and combat bullying in schools.³⁸ Recent initiatives include the adoption of a procedure for handling cases of violence, including bullying and cyberbullying, and the obligation for schools to adopt plans for the prevention and reduction of violence, the implementation of which is coordinated by a dedicated commission that has been established in all schools.³⁹ Furthermore, ECRI considers as **good practice** the awareness-raising campaign in schools carried out by the authorities entitled "You are not alone. Together we stop violence in schools" and the activities carried out under the projects "Profs Against Discrimination" and "Schools without bullying."⁴⁰
21. However, ECRI observes that there is no national system in place to monitor bullying incidents at school, nor a compilation of data on such incidents that would include specific reasons for bullying behaviour.⁴¹ Lack of such data may significantly impede the authorities' capacity to address the root causes of bullying, in particular racist and anti-LGBTI bullying, and to adopt effective measures to address it. The collection and analysis of such data should therefore contribute to the development of more targeted responses to bullying in schools, including further bullying prevention campaigns and trainings for teachers and other professionals working with children in schools.
22. ECRI recommends, as a matter of priority, that the authorities put in place a national system of monitoring racist and anti-LGBTI incidents in schools and that they gather gender-disaggregated data on such incidents, including on reasons for bullying behaviour.

C. Irregularly present migrants

23. In its GPR No. 16 on safeguarding irregularly present migrants from discrimination, ECRI calls for the creation of effective measures ("firewalls") to ensure the fundamental human rights of irregularly present migrants in fields such as education, health care, housing, social security and assistance, labour protection and justice. Such firewalls should separate the activities of immigration control and enforcement from the provision of services, so that migrants who are irregularly present in the country do not refrain from accessing basic rights due to fear of deportation (see in particular §§ 3, 4, 11 and 12 of GPR No. 16).
24. According to available data, the number of cases of irregular stay documented by the authorities is as follows: 3 155 in 2019, 3 584 in 2020, 4 684 in 2021, 5 217 in 2022 and 5 129 in 2023. In 2023, 1 166 return decisions for irregular stay were issued.⁴² ECRI notes that, at the time of the visit to Romania in May 2024, there was no official government policy for this group, other than the part of the National Strategy on Immigration (2021-2024) on "preventing and effectively combating irregular migration, irregular migration related to terrorism, smuggling of migrants

³⁷ ECRI (2019): § 97; See, *inter alia*, EU FRA, [EU LGBTIQ Survey III: Country data-Romania](#), 2024 (69% of respondents suffered bullying, ridicule, teasing, insults or threats during their time in school); Marin R., [Queer in Romania](#), 2024, pp. 18-19.

³⁸ Ministry of Education and Research, [Order No. 4343/2020](#) on a methodology for preventing and combating bullying.

³⁹ Article 65 of Law No. 198/2023; Ministry of Education, [Order No. 6235/2023](#).

⁴⁰ Ministry of Education, [Press release](#), 11 November 2022; NCCD and Institute for Public Policies, [Profs Against Discrimination](#), 2020-2021 (in particular, the trainings and [Practical guide for teachers](#)); Save the Children Romania, [www.scolifarabullying.ro](#).

⁴¹ According to Order No. 6235/2023, schools must register all cases of violence in a special register. These data are only communicated to the County and Bucharest School Inspectorates upon request. Official interlocutors informed ECRI that schools are required to report *ex officio* only serious cases of violence (i.e., those that may constitute criminal offences) to the County and Bucharest School Inspectorates.

⁴² General Inspectorate for Immigration, [Activity Review for 2023](#), 2024, pp. 10-11. See also Eurostat, [Third country nationals found to be illegally present](#), last update 4 November 2024: in 2019, 3 030 non-EU citizens were found to be irregularly present in Romania, while in 2020, 3 475 cases were recorded; in 2021, 10 780; in 2022, 18 465 and in 2023, 21 390.

and labour exploitation of foreign workers.”⁴³ It also emerged from the visit that irregularly present migrants have access to emergency health care and education for their children.⁴⁴ However, it also appeared that there were no proper “firewalls” protecting them from being reported to the immigration authorities when exercising their basic rights. In this context, ECRI strongly encourages the authorities to align their legislation with its GPR No. 16.

D. LGBTI equality⁴⁵

25. There is still no official data on the LGBTI population in Romania⁴⁶ and no official research has been carried out to look into their situation. ECRI encourages the authorities to carry out or commission research and to collect relevant and disaggregated data regarding LGBTI people, in accordance with international data collection standards and with due regard to its GPR No. 17 on preventing and combating intolerance and discrimination against LGBTI persons.
26. The information gathered by ECRI reveals that LGBTI people are still confronted with prejudice and discrimination in their everyday life. According to the 2023 Eurobarometer, between 37% and 41% of the respondents stated that discrimination based on sexual orientation, gender identity and sex characteristics is widespread (compared to 33% to 45% of respondents in 2019).⁴⁷ At the same time, according to a survey conducted in 2023, only 11% of LGBTI persons believed that the government effectively addressed prejudice and intolerance against LGBTI people (compared to 12% of respondents in 2019).⁴⁸
27. According to the 2024 Rainbow Map and Index for Europe, Romania ranked 39th out of 49 countries scored, with an overall score of 18.86%.⁴⁹ Despite ECRI's recommendation in its previous report (§ 100), the authorities have not adopted an action plan on LGBTI equality. ECRI also regrets to note that the authorities have not taken any initiative aimed at improving the general attitudes towards LGBTI people among the society.⁵⁰ At the same time, it noted inspiring initiatives from civil society organisations in this area.⁵¹
28. ECRI strongly recommends that the authorities adopt, implement and closely monitor the implementation of a national strategy and/or action plan aimed at achieving equality and addressing intolerance and discrimination based on sexual orientation, gender identity and sex characteristics, in close consultation with relevant civil society organisations, in the light of its General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons. If necessary, Council of Europe support should be sought.
29. Regrettably, same-sex couples still do not enjoy any kind of legal recognition, whether in the form of civil partnerships or same-sex marriages. In 2023, the ECtHR found that the Romanian authorities had failed to provide any form of legal recognition and protection to same-sex couples.⁵² Furthermore, same-sex

⁴³ [National Strategy on Immigration](#) (2021-2024), Specific objective A.3.

⁴⁴ See also Article 97 of the [GEO No. 194/2002](#) on the regime of foreigners (guarantees pending return).

⁴⁵ For terminology, see ECRI's [Glossary](#).

⁴⁶ ECRI (2019): § 88. See also Article 8 of [Law No. 190/2018](#) on the processing of personal data for scientific or historical research purposes, statistical purposes or archiving in the public interest.

⁴⁷ European Commission, Special Eurobarometer, Discrimination in the European Union, [2023](#) and [2019](#).

⁴⁸ See EU FRA (2024); EU FRA, [EU LGBTI Survey II: Country data – Romania](#), 2020.

⁴⁹ ILGA Europe, [Rainbow Europe Map](#), 2024.

⁵⁰ See, in this regard, MozaiQ, [The opinion barometer on the LGBT+ community from Romania](#), 2023, pp. 28-29.

⁵¹ See, *inter alia*, the [#ComeOutWithMe](#) and [#IubimLaFel](#) awareness-raising campaigns carried out by Accept Association and MozaiQ respectively. In recent years, Pride Marches have also been held in Bucharest, Cluj, Iași, Timișoara, Brașov and Oradea.

⁵² *Buhuceanu and Others v. Romania*, nos. [20081/19](#) and 20 others, 23 May 2023. See also the [execution](#) process.

marriages contracted abroad are not recognised in the country. ECRI also notes that a foreign same-sex spouse of a Romanian national still cannot obtain a residence permit in Romania, despite the rulings of the Constitutional Court and the Court of Justice of the European Union on this matter.⁵³ ECRI underlines that the absence of legal recognition for same-sex couples exposes them to social and financial vulnerability.

30. ECRI recommends that the authorities promptly work towards the adoption of a legal framework that provides same-sex couples with the possibility of having their relationship legally recognised and protected in order to address the practical problems related to the social reality in which they live, in line with ECRI's General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons and other relevant Council of Europe standards.
31. In relation to the situation of transgender persons, ECRI notes that the anti-discrimination legislation still does not explicitly prohibit discrimination based on gender identity.⁵⁴ Transgender persons reportedly face discrimination in employment and access to services.⁵⁵ On a positive note, ECRI welcomes the recommendation of the Central Electoral Bureau in 2024 to use the guidelines for interaction with transgender persons in the electoral context prepared by the Accept Association and supported by the Ombudsperson.⁵⁶
32. ECRI recalls that the existing legal provisions do not clearly define the conditions and procedure for legal gender recognition, as had also been pointed out by the ECtHR.⁵⁷ During its visit, the ECRI delegation was pleased to learn about the activities of a working group, facilitated by the Ombudsperson, which aims, *inter alia*, to address this issue. While courts no longer require surgical intervention and sterilisation to obtain legal gender recognition, which ECRI welcomes, a gender dysphoria diagnosis is generally required. In this connection, the authorities informed ECRI that the implementation process of the World Health Organisation ICD-11 has been initiated, which will lead to the de-medicalisation of legal gender recognition. At the same time, ECRI is concerned that the legislation does not allow for the recognition and registration on the birth certificate of a change of first name and gender marker lawfully acquired in another country.⁵⁸
33. As concerns gender-affirming health care, ECRI notes that there are no specific guidelines for its provision and that there is insufficient awareness among health care professionals.⁵⁹
34. ECRI recommends, as a matter of priority, that the authorities develop the relevant legal framework by explicitly regulating the conditions and procedure concerning legal gender recognition and establish clear guidelines on the provision of gender-affirming health care, in accordance with ECRI's General Policy Recommendation

⁵³ Court of Justice of the European Union, [C-673/16](#), 5 June 2018; Constitutional Court, [Decision No. 534/2018](#). In this regard, the authorities informed the ECRI delegation during the visit that a draft law for supplementing GEO No. 194/2002, aimed at complying with the judgments, was pending before the Chamber of Deputies. See also, ECtHR, *Taddeucci and McCall v. Italy*, no. [51362/09](#), 30 June 2016.

⁵⁴ ECRI (2019): § 16. The authorities indicated that although gender identity is not explicitly mentioned, Article 2 § 1 of GO No. 137/2000 provides for an open-ended list of grounds and that the courts have accepted this ground in their case law.

⁵⁵ See, *inter alia*, MozaiQ, [Trans on the labour market in Romania](#), 2021; NCCD, [Decision No. 690/2019](#).

⁵⁶ Central Electoral Bureau, [Notification No. 1786C/BEC 2024](#), 24 May 2024.

⁵⁷ *X and Y v. Romania*, nos. [2145/16 and 20607/16](#), 19 January 2021; *Csata v. Romania*, no. [65128/19](#), 18 April 2023. See also the [execution](#) process as well as the UN Committee on Economic, Social and Cultural Rights, [Concluding observations](#), 2024, p. 4.

⁵⁸ Court of Justice of the European Union, [C-4/23](#), 4 October 2024.

⁵⁹ See also MozaiQ, [Equality Index](#), 2023, pp. 14, 19; Accept Association et al., [Joint Submission to the UPR](#), 2023, pp. 8-9.

35. As concerns intersex persons, ECRI understands that their situation is largely unknown, which renders the assessment of the situation difficult. It notes that sex characteristics are still not set down in any legislation as a specific ground on which discrimination is prohibited. Furthermore, no legislation or official guidance exists to prohibit medically unnecessary surgery and therapies on intersex children.⁶¹ In this context, ECRI invites the authorities to raise awareness of the existence of intersex persons and identify their specific situation and needs across the country with a view to adopting appropriate legislative and other measures.

II. HATE SPEECH AND HATE-MOTIVATED VIOLENCE

A. Hate speech⁶²

Data and public discourse

36. According to the information provided by the authorities, between 2022 and the second half of 2024, the General Inspectorate of the Romanian Police registered 64 cases under Article 369 of the Criminal Code (incitement to violence, hatred or discrimination), of which 17 cases concerned online content;⁶³ 64 cases under Articles 4-6 of the Government Emergency Ordinance (GEO) No. 31/2002 on the prohibition of fascist, legionary, racist or xenophobic organisations and symbols and the promotion of the cult of persons guilty of committing crimes of genocide against humanity and war crimes, of which 14 cases concerned online content; 21 cases under Articles 3-5 of the Law No. 157/2018 on measures to prevent and combat antisemitism, of which seven cases concerned online content; and seven cases under Articles 3-5 of the Law no. 2/2021 on measures to prevent and combat antigypsyism, of which four cases concerned online content.
37. From 2019 to 2023, three indictments were issued under Article 369 of the Criminal Code (out of 286 cases closed)⁶⁴ and six under the GEO No. 31/2002 (out of 105 cases closed). Data from the ReJust jurisprudence portal show that, between 2019 and 2024, four cases related to Article 369 of the Criminal Code (on grounds of relevance to ECRI) were brought to court, resulting in convictions in three cases. Four cases resulted in court sentences on the basis of GEO No. 31/2002.
38. Furthermore, as regards hate speech that was not considered to attain the level of severity required for criminal liability, between 2019 and 2023, the NCCD issued 90 decisions sanctioning hate speech as misdemeanours under Articles 2 § 1 and 15 of GO No. 137/2000.⁶⁵ Between 2019 and 2024, the National Audiovisual Council issued sanctions, mostly warnings and fines, in 57 cases under Article 47 of its Decision No. 220/2011 on the Audiovisual Content Regulation Code.
39. It emerged from the findings during the visit to Romania that there is an increase in hate speech, which appears to predominantly target Roma, LGBTI people, Jewish people and identity, ethnic Hungarians and migrants. More specifically,

⁶⁰ See ECRI's GPR No. 17, recommendations 24-31; ECtHR, *op. cit.*, 2021 and 2023; Council of Europe's Committee of Ministers, Recommendation [CM/Rec\(2010\)5](#), §§ 20-22; Parliamentary Assembly of the Council of Europe, [Resolution 2048 \(2015\)](#), §§ 6. 2 and 6.3; Council of Europe's Commissioner for Human Rights, [Human rights and gender identity and expression](#), 2024.

⁶¹ In this respect, see ECRI's GPR No. 17, recommendations 32-34 and 35; Parliamentary Assembly of the Council of Europe, [Resolution 2191 \(2017\)](#); Council of Europe's Commissioner for Human Rights, [Human rights and intersex people](#), 2015.

⁶² See definitions of hate speech and hate crime in [ECRI's Glossary](#).

⁶³ These figures reflect the cases in which a bias motivation on grounds falling within ECRI's mandate was retained, such as, "race" (1), citizenship (12), ethnic origin (39 cases, of which 10 against ethnic Hungarians, 16 against Roma and 10 against Jews), religion (1) and sexual orientation (11).

⁶⁴ These data are not disaggregated by type of bias motivation.

⁶⁵ See, *inter alia*, Decisions Nos. [394/2020](#) (remarks against Roma by a political scientist), [421/2020](#) (remarks against LGBTI people by a deputy mayor), [441/2020](#) (remarks against Roma by a member of the Parliament), [443/2020](#) (anti-Hungarian remarks by the former President of Romania), [43/2022](#) (remarks against Roma by a member of the European Parliament).

hate speech is reportedly present in political speech (including during electoral campaigns), in the media and online, particularly on social media platforms and in the comments sections of online media.

40. It also clearly appears to ECRI that hate speech against Roma is pervasive. High levels of antigypsyism were registered, particularly during the Covid-19 pandemic, when Roma were often portrayed as a general threat to the whole population and presented as facilitating the spread of the virus. Reports show that such rhetoric, fuelled by politicians⁶⁶ and media⁶⁷, was widespread on social media platforms and accompanied by calls for anti-Roma violence. In general, research indicates that the portrayal of Roma in the media remains predominantly negative and unbalanced, thereby reinforcing stereotypes.⁶⁸
41. It has also been observed that LGBTI people have been the subject of growing stigmatisation and a high level of offensive language, including by politicians and representatives of the Romanian Orthodox Church.⁶⁹ It clearly appeared during the visit that hate speech against LGBTI people, who are reportedly frequently portrayed as posing a threat to the country's "traditional family model and values," usually intensifies around the dates of Pride Marches organised in several cities.
42. Studies and reports also point to a recurrent and persistent antisemitic rhetoric and an increase of antisemitic hate speech incidents following the Hamas terror attack of 7 October 2023 and Israel's subsequent war in Gaza. It involves the dissemination of antisemitic conspiracy theories and the public denial, distortion and trivialisation of the Holocaust. ECRI learned that a significant amount of antisemitic rhetoric also continues to be linked to the display of symbols of the fascist Legionary Movement⁷⁰ and the use of its slogans and songs. Furthermore, cases of historical revisionism, positive portrayals and glorification of former members of the Legionary Movement and of war criminals are said to have increased.⁷¹ Such rhetoric, which is particularly present online,⁷² has reportedly begun to be propagated by far-right politicians (during public debates in the Parliament and in even higher proportions during electoral campaigns) as well as by certain media professionals.
43. It was also reported to ECRI that anti-Hungarian rhetoric continued to be present in the public space. Research shows that it is particularly prevalent in political discourse and in the media and is usually linked to specific events.⁷³ For example, the commemoration of dead soldiers at the cemetery in the Uz Valley⁷⁴ and a draft

⁶⁶ See, *inter alia*, EU FRA, [Coronavirus pandemic in the EU](#), 2020, p. 27; Active Watch, [Romania - Covid-19 crisis and hate speech](#), pp. 18-21. By way of illustration, in 2020, a member of the Parliament published the following statement on Facebook: "*To be clear. The Chinese got the virus from their bats, we will get it from our crows*". Also, in 2020, a member of the European Parliament and former President of Romania, [stated](#) that "*the gypsy clans have returned home and seem to categorically refuse to respect the laws of the country.*"

⁶⁷ See, *inter alia*, the results of the [monitoring](#) of written media carried out by the Department for Interethnic Relations in the context of the Covid-19 pandemic: 58 incidents of anti-Roma rhetoric were identified from 17 March to 15 May 2020; Matache M., Bhabha J., [Anti-Roma racism is spiraling during Covid-19 pandemic](#), 2020.

⁶⁸ Council of Europe, [Portrayal of Roma in TV broadcasting](#), 2023, pp. 19-21.

⁶⁹ See, *inter alia*, ILGA-Europe, Annual reviews: [2022](#), [2023](#), [2024](#). In 2023, for instance, the Romanian Orthodox Church [stated](#) that homosexuality is a sin and that the "[...] LGBTI ideology by which the notions of marriage and family are being attacked, attempting to force and officially attach them to homosexuality is and will always be firmly denounced by the Orthodox Church."

⁷⁰ The Legionary Movement was a fascist organisation that was active between 1927 and 1941.

⁷¹ See, *inter alia*, Elie Wiesel National Institute for Holocaust Studies in Romania, Monitoring reports: [2019-2020](#), [2020-2021](#), [2021-2022](#), [2022-2023](#), [2023-2024](#). See also ECtHR, *Zăcescu and Fălticaneanu v. Romania*, [no. 42917/16](#), 23 April 2024.

⁷² Alongside antisemitic rhetoric on social media networks, such content is hosted by several websites and blogs (e.g., [www.incorectpolitic.com](#)) and appears in the comments sections of online articles.

⁷³ Bálványos Institute, Szekler Institute of Public Policy (2021), pp. 137-205. See also Mikó Imre Association for the Protection of Minority Rights, Annual reports: [2019-2022](#), 2023.

⁷⁴ Balkan Insight, [Hungary, Romania Trade Words Over Transylvanian Cemetery Dispute](#), 7 June 2019.

law on the “statute of autonomy of the Székely land” tabled before the Parliament,⁷⁵ triggered waves of anti-Hungarian rhetoric.

44. A rise in xenophobia and anti-migrant rhetoric was also observed.⁷⁶ According to a 2023 multi-sectoral needs assessment, 28% of households of beneficiaries of temporary protection from Ukraine surveyed stated that they experienced tensions in interpersonal communication with Romanians or through other channels, such as social media and television.⁷⁷ Hate speech incidents against displaced Roma from Ukraine have also been brought to ECRI’s attention.
45. As regards online hate speech in particular, it appeared during the visit that media articles are often met with hateful third-party comments posted on websites of traditional newspapers or online publications, as well as on social platforms, which is said to persist when appropriate content moderation is lacking.⁷⁸
46. Many hate speech incidents reportedly occur during sport competitions. Most of them concern cases of football fans displaying and chanting anti-Roma and anti-Hungarian messages, as well as displaying antisemitic and fascist symbols and messages during football matches.⁷⁹

Responses to hate speech

47. ECRI welcomes the fact that the authorities have taken a more coordinated approach to countering hate speech and hate crime, including through the adoption of two strategies to prevent and combat antisemitism, xenophobia, radicalisation and hate speech for 2021-2023 and 2024-2027 respectively. While the Strategy for 2021-2023⁸⁰ focused mainly on improving data collection and evaluating educational programmes in order to propose improvements, the Strategy for 2024-2027⁸¹ includes more specific action to better tackle hate speech and hate crime, including by evaluating the implementation of the relevant legislation. ECRI notes that the actions carried out in the framework of the Strategy 2021-2023 mainly targeted Roma and Jewish people and identity. In this connection, ECRI invites the authorities to adopt a comprehensive approach by extending the measures envisaged in the Strategy for 2024-2027 to all groups of concern to ECRI who are exposed to hatred and by involving all relevant civil society organisations in its implementation or the monitoring of its implementation.
48. Furthermore, it is noteworthy that the Strategy for the inclusion of Romanian citizens belonging to the Roma minority (2022-2027) and the National Strategy for

⁷⁵ In 2020, for instance, the former President of Romania [referred](#) to the draft law as an attempt of “giving Transylvania to Hungarians.”

⁷⁶ By way of example, in 2020, a wave of [xenophobic rhetoric](#) emerged after a section of the population of Ditrău protested against the employment of Sri Lankan workers by the local bakery, fearing their cultural traditions and community’s safety could be at risk.

⁷⁷ UNHCR, [Romania 2023 – Multi-Sector Needs Assessment](#), 2024, p. 18. See also Coalition for Migrant and Refugee Rights (CMRR), [Public discourse on Ukrainian refugees and its influence on public opinion in Romania](#), 2023a, p. 11.

⁷⁸ See, *inter alia*, Centre for Independent Journalism, [Illiberal discourse in Romania in the exceptional year 2020](#), 2021; Council of Europe, [Study](#) on preventing and combating hate speech in times of crisis, 2023, pp. 17-19; Final implementation report (2024), pp. 25-27: the National Agency for Roma identified 24 out of 54 online media articles that portrayed Roma in a negative context, accompanied by numerous derogatory and hateful third-party comments between 20 August and 15 November 2022.

⁷⁹ See, *inter alia*, press articles reporting [anti-Roma messages](#), [anti-Hungarian chants](#) and [antisemitic messages](#); Mikó Imre Association for the Protection of Minority Rights, *op. cit.*, 2019-2023; Elie Wiesel National Institute for Holocaust Studies in Romania, *op. cit.*, 2022-2023, 2023-2024. See also Strategy for 2024-2027, p. 16.

⁸⁰ [National strategy](#) on preventing and combatting antisemitism, xenophobia, radicalisation and hate speech and its [Action plan](#) (2021-2023), May 2021. An [Inter-ministerial Committee](#) set up in 2022 was responsible for implementing the strategy. According to the [Final implementation report](#) (2024), 78% of the strategy was implemented, with 28 main actions implemented and 8 main actions only partially implemented.

⁸¹ [National strategy](#) on preventing and combatting antisemitism, xenophobia, radicalisation and hate speech and its Action Plan (2024-2027), May 2024. An Inter-ministerial Committee is responsible for implementing the strategy.

public order and safety (2023-2027)⁸² foresee several actions on combating hate speech and hate crime.

49. ECRI is also pleased to note that efforts have been made to raise awareness among the general public about the negative consequences of hate speech and of existing reporting tools. It considers the awareness-raising campaigns entitled *#UnitedAgainstHate*⁸³ and *Reporting antisemitic, discriminatory, xenophobic, radicalised and hate-motivated incidents*,⁸⁴ which were organised online by the authorities, and the information materials on combating hate speech,⁸⁵ which were prepared and disseminated by the NGO Centre for Legal Resources, to be **promising practices**.
50. It nevertheless emerged during the visit to Romania that immediate and public condemnation of hate speech and hate-motivated violence is rare. Noteworthy examples include the reaction of civil society organisations to the rise in hate speech against the Roma community at the beginning of the Covid-19 pandemic and the condemnation by the Chamber of Deputies of the antisemitic rhetoric directed against the Jewish State Theatre and its director and its opposition to attempts to rehabilitate the “Legionary Movement and/or other war criminals”.⁸⁶
51. In the area of education, ECRI welcomes the approval, by the Ministry of Education, of a code of conduct for the prevention and sanctioning of xenophobia, radicalisation and hate speech, which could be adopted and implemented by higher education institutions.⁸⁷
52. As concerns self-regulation in the political sphere and in the media, ECRI regrets that, despite its previous recommendations in its fourth (§ 95) and fifth (§ 45) reports and the Senate’s commitment to amend the rules of conduct for members of Parliament to introduce sanctions for hate speech,⁸⁸ this has not yet been done. Furthermore, in the absence of effective self-regulatory bodies for the media, hate speech reportedly continued to be disseminated by the media.
53. ECRI recommends that public figures, such as high-level officials, politicians, and religious, economic and community leaders, be strongly encouraged to take a prompt, firm and public stance against the expression of racist and LGBTI-phobic hate speech and to react to any such expression with strong counter-hate speech messages and alternative speech, and promote understanding between communities, including by expressing solidarity with those targeted by hate speech. Elected bodies and political parties should adopt appropriate codes of conduct that prohibit the use of hate speech, call on their members and followers to abstain from engaging in, endorsing or disseminating it, and provide for sanctions. In this respect, ECRI refers to its General Policy Recommendation No. 15 on combating hate speech, Recommendation CM/Rec (2022)16 of the Committee of Ministers of the Council of Europe on combating hate speech and the Charter of European political parties for a non-racist and inclusive society as endorsed by the Parliamentary Assembly of the Council of Europe in its Resolution 2443 (2022).

⁸² [National Strategy](#) for public order and safety (2023-2027), November 2023.

⁸³ Department for Interethnic Relations, [#UnitedAgainstHate](#), 2021. It focused on attitudes that incite hate speech and hate crime.

⁸⁴ Department for Interethnic Relations, Romanian Government Campaign: [Reporting antisemitic, discriminatory, xenophobic, radicalised and hate-motivated incidents](#), 2024. This campaign encouraged the reporting of incidents of hate speech to the relevant authorities.

⁸⁵ CLR, [Information materials on combating hate speech](#), 2022. The materials aimed to deconstruct prejudices against groups vulnerable to hate speech, such as Roma, LGBTI people, Jewish people, members of the Hungarian community, and asylum seekers and refugees.

⁸⁶ [Open letter](#) of civil society organisations, 12 May 2020; [Declaration](#) of the Chamber of Deputies, 31 March 2021.

⁸⁷ Ministry of Education, [Order No. 4043/2024](#). See also Strategy for 2024-2027, p. 61.

⁸⁸ [Declaration](#) of the Senate, 1 February 2023; [Code of Conduct](#) of Members of the Parliament, 11 October 2017.

54. As regards responses at legislative level, ECRI welcomes several developments. Following an infringement procedure launched by the Commission of the European Union and two rounds of constitutional review,⁸⁹ Article 369 of the Criminal Code (incitement to violence, hatred and discrimination)⁹⁰ was amended twice to extend the protection to individuals, to make incitement to violence punishable and to include protected grounds. ECRI positively notes that the latest amendment removed the requirement that the protected grounds should be “considered by the perpetrator as causes of inferiority”. While the amendments are mostly in line with its recommendation made in its fifth report (§ 4), ECRI invites the authorities to take steps to ensure that colour, gender identity and sex characteristics are expressly included in the list of grounds.
55. Furthermore, ECRI notes with great interest the adoption, in 2021, of a specific criminal legislation on measures to prevent and combat antigypsyism.⁹¹ In view of the data provided by the authorities and the high level of anti-Roma hate speech, ECRI invites the authorities to take resolute action to implement this legislation effectively and, in this context, encourages the authorities to include this legislation in the future evaluation of the legal framework on countering hate speech and hate crime.⁹²
56. Regarding the media, ECRI positively notes the organisation of several training sessions for public broadcaster journalists on combating hate speech and the authorities’ intention to support such initiatives in the framework of the Strategy for 2024-2027. It also welcomes that, as of 2022, the role of the National Audiovisual Council has been extended to cover incitement to violence and to impose administrative sanctions on users of a video-sharing platform service who generate video material that explicitly incites violence or hatred.⁹³ ECRI trusts that the National Audiovisual Council will make full use of its powers, including its power to initiate *ex officio* investigations.
57. With regard to the duties and responsibilities of media operating online, ECRI recalls that effective procedures should be in place to enable rapid responses to online third-party comments on previously published content that take the form of hate speech. In this regard, reference is made to the case law of the ECtHR.⁹⁴
58. ECRI recommends that the authorities ensure that the legal framework makes provision for restricting or disabling of access to hate speech posted by third parties in the comment sections or collaborative spaces of the platforms of media operating online, and that it subjects such restrictions ultimately to independent judicial review. In this respect, ECRI refers to the Recommendation CM/Rec (2022)16 of the Committee of Ministers of the Council of Europe on combating hate speech.
59. As concerns measures to counter hate speech in sport, ECRI welcomes the special attention given to this topic in the Strategy for 2024-2027 and the setting up of a dedicated working group to contribute to the implementation of the actions

⁸⁹ Commission of the European Union, [Infringement procedure](#) related to the incorrect transposition of the Council Framework Decision 2008/913/JHA of 28 November 2008; Constitutional Court, Decisions Nos. [561/2021](#) and [228/2022](#).

⁹⁰ According to Article 369 of the [Criminal Code](#), incitement of the public, by any means, to violence, hatred or discrimination against a category of persons or against a person on the grounds of belonging to a particular category of persons defined by race, nationality, ethnicity, language, religion, gender, sexual orientation, political opinion or affiliation, property, social origin, age, disability, non-contagious chronic disease or HIV/AIDS infection shall be punishable by imprisonment of six months to three years or a fine.

⁹¹ E.g., Article 3 of [Law No. 2/2021](#) provides that the promotion, in public, in any way, of antigypsyist ideas, concepts or doctrines constitutes a crime and is punishable by imprisonment from three months to three years and the deprivation of certain rights.

⁹² Strategy for 2024-2027, p. 32.

⁹³ Articles 40 and 91² of Law no. 504/2002, as amended in 2022.

⁹⁴ *Delfi AS v. Estonia* [GC], [no. 64569/09](#), 16 June 2015; *Magyar Tartalomszolgáltatók Egyesülete and Index.hu Zrt v. Hungary*, [no. 22947/13](#), 2 February 2016.

foreseen in the strategy.⁹⁵ The working group in question is composed of public officials and representatives of sports organisations.⁹⁶ ECRI strongly encourages the authorities to involve relevant civil society organisations in this work and to take due account of its GPR No. 12 on combating racism and racial discrimination in the field of sport when implementing the measures taken in the light of the strategy.

B. Hate-motivated violence

60. In addition to the data presented in §§ 36-37, between 2022 and the second half of 2024, the General Inspectorate of the Romanian Police registered 69 hate crimes, of which 8 cases concerned online content.⁹⁷ ECRI was informed that the Prosecutor's Office attached to the High Court of Cassation and Justice (General Prosecutor's Office) collects data on all offences for which the aggravating circumstance provided for in Article 77 (h) of the Criminal Code may apply.⁹⁸ However, such data has not been made available to ECRI. As regards the judiciary, between 2019 and 2024, Romanian courts dealt with 517 cases in which an aggravating circumstance provided for in Article 77 (h) was recorded. However, there is no information on the type of decisions taken in these cases.⁹⁹
61. Since January 2022, the General Inspectorate of the Romanian Police can register the hate element (bias motivation) in cases where the aggravating circumstance provided for in Article 77 (h) has been retained, as well as in cases that include the hate element as a constituent part of the criminal offences.¹⁰⁰ While ECRI welcomes this development, it observes that the various data systems available are not integrated. Furthermore, the application of Article 77 (h) and the specific bias motivation retained do not appear to be reflected in the court system. ECRI considers that the lack of integrated data on hate incidents / hate crimes makes it difficult to assess responses to such acts by law enforcement agencies, prosecution services and courts. It therefore invites the authorities to improve data collection, taking due account of its previous recommendation on the matter and relevant Council of Europe instruments,¹⁰¹ and to make the data publicly available.¹⁰²
62. ECRI notes that violent attacks against Roma¹⁰³ and LGBTI people¹⁰⁴ continue to be reported, as well as incidents of vandalism of Jewish graves, synagogues and monuments dedicated to the victims of the Holocaust.¹⁰⁵ Incidents of vandalism of bilingual (Romanian and Hungarian) place-name signs and a few isolated cases of violence against ethnic Hungarians have also been reported.¹⁰⁶
63. As concerns the legal framework, ECRI regrets to note that the application of Article 77 (h) of the Criminal Code is limited by the fact that the protected grounds are "considered by the perpetrator as causes of inferiority". It therefore invites the

⁹⁵ Strategy for 2024-2027, pp. 45-51.

⁹⁶ Romanian Football Federation, [Press release](#), 27 November 2024.

⁹⁷ These figures reflect the cases in which a bias motivation on grounds falling within ECRI's mandate was retained, such as, "race" (5), citizenship (6), ethnic origin (21 cases, mostly against Roma, ethnic Hungarians, Jews), religion (23) and sexual orientation (14).

⁹⁸ According to Article 77 h) of the Criminal Code, the following circumstances constitute aggravating circumstances: committing the offence for reasons related to race, nationality, ethnicity, language, religion, gender, sexual orientation, political opinion or affiliation, property, social origin, age, disability, chronic non-contagious disease or HIV/AIDS infection or for other circumstances of the same kind, considered by the offender as causes of inferiority of a person in relation to others.

⁹⁹ As regards official data reported to OSCE/ODIHR, see [Romania | HCRW](#).

¹⁰⁰ [Final implementation report](#) (2024), pp. 19-20.

¹⁰¹ ECRI (2019): § 49; ECRI GPR No. 15, § 3, c-d; Committee of Ministers, [CM/Rec\(2022\)16](#), § 58 and [CM/Rec\(2024\)4](#), §§ 52-53.

¹⁰² According to the authorities, such data can be provided upon request to any interested person.

¹⁰³ See, *inter alia*, European Roma Rights Centre (ERRC), [Press release](#), 8 February 2024.

¹⁰⁴ See, *inter alia*, ILGA-Europe, Annual reviews (2020, 2022-2024), MozaiQ, [Press release](#), August 2022.

¹⁰⁵ See, *inter alia*, Elie Wiesel National Institute for Holocaust Studies in Romania, *op. cit.*, 2019-2024.

¹⁰⁶ See, *inter alia*, Mikó Imre Association for the Protection of Minority Rights, *op. cit.*, 2020, 2021.

authorities to take steps towards the removal of such a requirement¹⁰⁷ and to ensure that this provision expressly covers the grounds of colour, gender identity and sex characteristics.

64. During the visit, all interlocutors met by the ECRI delegation underlined that hate crime cases (including hate speech of a criminal nature) continue to be underreported.¹⁰⁸ ECRI notes that potential victims still lack trust in the willingness or capacity of the relevant authorities to investigate such cases effectively. In this context, the authorities informed ECRI of increased cooperation with civil society organisations representing the Roma and LGBTI communities, which is a positive development.¹⁰⁹ ECRI encourages the authorities to pursue their efforts to implement measures aimed at building trust and improving the relationship between the police and groups of concern to ECRI.
65. ECRI also notes that one of the measures foreseen in the Strategy for 2024-2027 is the development of an online tool aimed at facilitating the reporting of hate crimes. It strongly encourages the authorities to prioritise the implementation of such measure.¹¹⁰
66. ECRI takes positive note of the efforts made to increase the knowledge of criminal justice and other relevant actors on hate speech and hate-motivated violence.¹¹¹ However, it clearly appeared during the visit to Romania that police officers, prosecutors and judges continue to experience problems in identifying and dealing with hate crimes. The information gathered during the visit suggest that there is an insufficient use of criminal law provisions and that hate elements/bias motivations are not consistently unmasked, acknowledged and addressed throughout the criminal justice process. In this regard, ECRI also refers to the judgment of the ECtHR in the case of *Association Accept and others v. Romania*.¹¹² ECRI therefore invites the authorities to further improve knowledge and expertise among law enforcement officials, prosecutors and other criminal justice actors in understanding and recognising hate crime dynamics.¹¹³
67. Against this background, ECRI considers the establishment of a Bureau for the Investigation of Hate Crimes¹¹⁴ within the Criminal Investigation Directorate of the General Inspectorate of the Romanian Police in 2021 to be a **promising practice**.
68. ECRI also welcomes the appointment of a specialised police officer on hate crimes within the Criminal Investigation Directorate in each county and trusts that similar measures will be taken in prosecution services.
69. ECRI is pleased to note that a methodology for investigating hate crime by the General Prosecutor's Office was adopted in 2020.¹¹⁵ ECRI also takes positive note that a guide for recording, investigating and prosecuting hate crimes for prosecutors and police officers investigating hate crimes was prepared in 2024.

¹⁰⁷ See also Ionescu I., Hate crime. Legal and policy framework Romania, [Project](#) "Protecting victims of crime", 2022, p. 7.

¹⁰⁸ See also, EU FRA (2024): 7% of LGBTI people reported hate-motivated violence to the police; Strategy 2024-2027, p. 9.

¹⁰⁹ For example, the General Prosecutor's Office participated as a partner in a [project](#) with the Accept Association. ECRI also notes the authorities' intention to carry out two studies on the experiences of Roma with regard to victimisation and hate crime and on expectations regarding the relationship between Roma and the police.

¹¹⁰ Strategy for 2024-2027, pp. 51-52.

¹¹¹ Various capacity-building programmes (trainings and study visits) were implemented in cooperation with international organisations, the NCCD and civil society. Police officers, prosecutors and judges participated in these programmes.

¹¹² *Association Accept and others v. Romania*, no. [19237/16](#), 1 June 2021. See also the [execution](#) process.

¹¹³ See also [CM/Rec\(2024\)4](#), §§ 37; 41; 43; Committee of Ministers, Decision [CM/Del/Dec\(2021\)1419/H46-27](#), December 2021.

¹¹⁴ The Bureau consists of six police officers. Its role is to coordinate and monitor the police response to hate crime at central level and to investigate hate crime referred from local level. It also carries out cyber patrolling activities.

¹¹⁵ General Prosecutor's Office, Order No. 184/2020. It assists prosecutors in their own investigations and in supervising investigations conducted by police officers.

70. However, it has been brought to ECRI's attention that all too often investigations into hate crimes are not prompt, the investigative activities are carried out at unreasonably long intervals, and hate crime is not sanctioned in court and, where it is, sanctions are not sufficiently dissuasive to prevent re-offending.¹¹⁶ For example, only seven cases were sanctioned under Article 369 of the Criminal Code and the GEO No. 31/2002.¹¹⁷ In this context, ECRI recalls that hate crime is a serious crime that interferes with the safety of individual victims, affects their communities and is detrimental to the society as a whole. It therefore requires the imposition and the implementation of appropriate criminal responses.

71. ECRI recommends that the authorities make further efforts to ensure that all hate crimes are effectively investigated and prosecuted, by consistently taking into account any possible hate elements from the outset of the investigation and in any subsequent criminal proceedings.

72. ECRI notes positively that the Strategy for 2024-2027 provides for the development of programmes for hate crime victims¹¹⁸ and trusts that such victims will have access to suitable support services, in line with §§ 11-16 of the Recommendation CM/Rec(2024)4 of the Committee of Ministers of the Council of Europe.

III. INTEGRATION AND INCLUSION

A. Roma

73. During the 2021 census, 569 477 inhabitants (2.98 % of the general resident population) declared themselves as Roma.¹¹⁹ However, estimates indicate that the actual number of Roma may be much higher, between 1.5 and 2 million people.¹²⁰ Surveys and reports clearly indicate that Roma remain one of the most marginalised groups in Romania, facing persistent discrimination in everyday life,¹²¹ which is often attributed to deep-rooted antigypsyism in the country. Roma are also reportedly at a significantly higher risk of poverty and social exclusion than the rest of the population.¹²²

74. Romania has continued its efforts to improve the inclusion of Roma through the implementation of specific strategies for the inclusion of Romanian citizens belonging to the Roma minority. In this context, ECRI notes that the Strategy for 2015-2020 was only partially implemented.¹²³ The lack or low quality of data and insufficient coordination between the various structures involved were considered by the authorities as being among the main challenges during implementation. Furthermore, given the crucial role of municipalities in ensuring Roma inclusion, ECRI regrets that only 10% of the municipalities adopted local action plans within the framework of the Strategy 2015-2020.¹²⁴

¹¹⁶ See also Anti-Discrimination Coalition of Romania, [Communication](#) in the case *M.C. and A.C. v. Romania*, November 2021.

¹¹⁷ See Decisions Nos. 17/2021 and 326/2022 (Bucharest Court of Appeal), 174/2022 (Târgu Mureş Court of Appeal), 944/2021 and 2039/2024 (Bucharest District Courts), 101/2022 (Cornetu District Court), 281/2020 (Târgu-Cărbuneşti District Court). See also Superior Council of Magistracy, Judicial inspection, [Joint thematic control](#), May 2021.

¹¹⁸ Strategy for 2024-2027, p. 53.

¹¹⁹ National Institute of Statistics, Census 2021, [Final results](#). In 2011, the number of self-identified Roma was 621 573.

¹²⁰ Strategy for 2022-2027, p. 25.

¹²¹ Eurobarometer, *op. cit.*, 2023 and 2019: In 2023, 65% of respondents in Romania indicated that discrimination of Roma in the country is widespread (compared to 61% in 2019).

¹²² EU FRA, [Roma in 10 European countries](#), 2022, p. 25: In 2021, 78% of Roma in Romania were at risk of poverty (compared to 70% in 2016) and 53% lived in severe material deprivation (compared to 70% in 2016). The corresponding numbers among the general population amounted to 23% and 15% respectively.

¹²³ World Bank, [First National Monitoring Report](#), April 2022, p. 10. See also Strategy for 2022-2027, p. 13.

¹²⁴ World Bank (2022), p. 19.

75. The Strategy for 2022-2027¹²⁵ was adopted in April 2022, following an extensive consultation process with civil society organisations and other stakeholders, which ECRI welcomes. It sets out lines of action in six different areas, including housing, education, employment and health, gives prominence to countering discrimination against Roma, and acknowledges antigypsyism as one of the key obstacles to the inclusion of Roma in society.
76. However, ECRI observes that the Strategy lacks concrete baseline and success indicators to measure progress.¹²⁶ In addition, there is no estimated budget for the implementation of most actions.¹²⁷ Although the Strategy requires the local and county authorities to draw up action plans, it also appears that the real needs of their immediate environments are not properly identified.¹²⁸
77. ECRI recommends that the authorities ensure the effective implementation of the Strategy for the inclusion of Romanian citizens belonging to the Roma minority (2022-2027) by: i) adopting concrete baseline and success indicators for the implementation of each and every measure and allocate suitable budgetary resources for proper implementation; ii) strengthen local interventions by providing local authorities with adequate support; iii) commission a comprehensive and independent evaluation of the implementation phase. If necessary, the Strategy should be revised.
78. It clearly emerged during the ECRI visit to Romania that the Strategy lacks concrete measures to strengthen the capacity of civil society organisations working for the inclusion of Roma. In this context, the measures aimed at supporting the development of an enabling environment for Roma civil society organisations foreseen in the Strategy for the Social Inclusion of Roma in Harghita County¹²⁹ should be considered, in ECRI's view, as a **promising practice**.
79. ECRI's attention was also drawn to specific vulnerabilities experienced by Roma women and girls, Hungarian-speaking Roma, Roma youth and Roma LGBTI persons, who are particularly prone to experience intersectional discrimination on the basis of several protected characteristics.¹³⁰ In this regard, the ECRI delegation was informed by the authorities that they plan to set up a dedicated working group on intersectionality. ECRI takes positive note of such a plan and trusts that the authorities will effectively apply an intersectional approach in the implementation of the Strategy for 2022-2027.
80. In the area of housing, as acknowledged in the Strategy for 2022-2027, the situation of Roma remains a matter of concern, notably due to overcrowded and poor housing conditions, shortage of social housing, forced evictions from social housing due to an inability to pay for utilities, demolitions of informal housing and *de facto* residential segregation.¹³¹ According to the results of a survey conducted in 2021, 70% of Roma lived in housing deprivation, 87% lived in overcrowded households and 40% did not have access to running water in their dwellings.¹³² Furthermore, reports indicate that Roma communities without access to running

¹²⁵ It includes a monitoring and evaluation mechanism, coordinated at central level by the Interministerial Committee for the Implementation, Monitoring and Evaluation of the Strategy.

¹²⁶ The results of the evaluation of the Strategy for 2015-2020 have not been taken into account in the definition of success indicators.

¹²⁷ See also European Commission, [Roma Civil Monitor](#), 2022, p. 32; European Commission, [Assessment report of the Member States' national Roma strategic frameworks](#), and [Staff Working Document](#), 2023.

¹²⁸ See also Strategy for 2022-2027, p. 25.

¹²⁹ [Strategy](#) for the Social Inclusion of Roma in Harghita County (2023-2027), pp. 128-129 (measures are aimed at supporting both the creation and the functioning of Roma civil society organisations through a dedicated budget).

¹³⁰ See also Gheorghe C. et al., [Challenging intersectionality: Roma women's voices and experiences](#), 2021; Bálványos Institute et al., [Joint Submission to the UPR](#), 2023, pp. 10-11; Intersect et al., [Roma and LGBTI+ Roma in Romania](#), 2021, pp. 24-36.

¹³¹ Strategy for 2022-2027, pp. 14-15, 26-27.

¹³² EU FRA (2022), pp. 52, 54-55.

water were disproportionately affected by the Covid-19 pandemic.¹³³

81. Research also shows that many informal settlements are located in proximity to highly polluted areas, such as landfills, wastewater treatment plants and chemical factories.¹³⁴ During its visit to Romania, the ECRI delegation visited two of the four Roma communities in the informal settlement of Pata Rât, namely the Coastei and Rampa communities.¹³⁵ The delegation observed for itself that Roma families lived there in appalling conditions and in close proximity to the landfill. Such conditions have serious consequences on the health, well-being and social inclusion of the inhabitants.¹³⁶ At the same time, the delegation learned about the activities carried out in the framework of the “Pata-Cluj” and “Pata 2.0” projects, which resulted, *inter alia*, in the relocation of around 300 persons from Pata Rât to Cluj-Napoca and its surroundings, in areas inhabited by the majority population.¹³⁷ It was also able to see their positive impact *in situ* by visiting one of the relocation projects in Apahida. ECRI invites the authorities to redouble their efforts to support the desegregation process in Pata Rât.
82. ECRI notes with satisfaction that the authorities have taken steps towards the regularisation of informal settlements, as recommended in its fifth report (§ 78). In 2019, the Law on Spatial Planning and Urbanism was amended to include the definition of informal settlements, the responsibilities of central, county and local authorities in identifying informal settlements and carrying out subsequent actions, as well as related consultation procedures.¹³⁸ According to the first mapping of informal settlements carried out in 2022, 71 965 people, 76% of whom are Roma, live in 393 informal settlements, including in various risk areas (for instance, polluted areas or areas prone to flooding or landslides).¹³⁹ Against this background, the Strategy for 2022-2027 provides for the identification and implementation of solutions for the relocation of people living in risk areas or at risk of eviction. Yet, no concrete results have been reported following the mapping exercise.¹⁴⁰
83. As concerns access to social housing, in many cases, the eligibility criteria and scoring systems, developed and adopted by local authorities, although apparently neutral, reportedly continue to affect negatively Roma¹⁴¹ and could, in ECRI’s view, amount to indirect discrimination.¹⁴² It therefore welcomes that, as from 2023, the principle of non-discrimination and the fact that applicants belong to a group considered to be vulnerable have to be taken into account in the allocation of social housing.¹⁴³ ECRI also notes positively that 1 042 social housing units for Roma were built and 1 353 were rehabilitated in the framework of the Strategy for 2015-2020.¹⁴⁴ At the same time, ECRI remains concerned that the eviction of Roma from

¹³³ Human European Consultancy, [Implications of COVID-19 pandemic on Roma and Travellers communities](#), 2020, p. 5.

¹³⁴ See, *inter alia*, Rostaş I., Nodis C., [Antigypsyism in Romania: Lessons \(not\) learned](#), 2022, pp. 45-49; Desire Foundation, [ENHOJUST Final Report](#), 2022, pp. 13-21.

¹³⁵ Around 1 500 people live in the four communities of Pata Rât, a segregated settlement on the outskirts of Cluj-Napoca.

¹³⁶ See also Desire Foundation, [ENHOJUST – for an antiracist environmental and housing justice](#), 2022, pp. 47-50.

¹³⁷ The projects [Pata-Cluj](#) (2014-2017) and [Pata 2.0](#) (2020-2024) were carried out by the Association for Inter-community Development of the Cluj Metropolitan Area with financial support from EEA and Norway Grants. See also Adorjányi J., Antal I., Tonk G., [Preparation of Two Participatory Social Housing Interventions in a Marginalised Roma Community in Romania](#), 2023.

¹³⁸ [Law No. 350/2001](#), as amended by [Law No. 151/2019](#), and the related methodological norms contained in [Order No. 3494/2020](#).

¹³⁹ Ministry of Development, Public Works and Administration, [Report on informal settlements in Romania](#), 2022. According to the report, there have been difficulties in data collection and the numbers are considered to be underestimated.

¹⁴⁰ In this context, the authorities informed ECRI that action is foreseen in the framework of several EU-funded programmes, such as the 2021-2027 Social Inclusion and Dignity Programme and the National Recovery and Resilience Plan.

¹⁴¹ CLR, [Identification of discriminatory criteria in the allocation of social housing](#), 2021. For example, applicants with a lower level of education, no or low income and who are unmarried receive a lower (or no) score.

¹⁴² See in this context, *inter alia*, NCCD, Decisions Nos. [266/2022](#), [644/2022](#) and [298/2023](#).

¹⁴³ Article 21 of [GD No. 1275/2000](#), as amended in November 2023.

¹⁴⁴ World Bank (2022), pp. 63-64.

social housing for inability to pay the utilities contributes to the increase in the number of people living in informal settlements.¹⁴⁵

84. ECRI strongly recommends that the authorities take further action to improve housing conditions for Roma by: i) taking resolute measures to ensure decent and safe housing conditions for Roma living in informal settlements, especially those in risk areas, while seeking long-term housing solutions for them, in close consultation with the Roma communities concerned; ii) ensuring that the eligibility criteria and scoring systems for the allocation of social housing are not discriminatory.
85. As regards education, the Strategy for 2022-2027 indicates that there are significant discrepancies between Roma children and pupils belonging to the majority population in terms of school attendance, academic performance, drop-out rates, as well as differential treatment in terms of quality of teaching and segregation.
86. According to the results reported as part of the implementation of the Strategy for 2015-2020, the preschool level recorded a slight increase in attendance, while the primary and lower secondary levels showed a significant downward trend.¹⁴⁶ Data from 2021 indicate that only 27% of Roma children attended pre-school (compared to 79% of the general population) and only 22% of Roma aged 20-24 completed upper secondary education (compared to 83% of the general population).¹⁴⁷ The Covid-19 pandemic and the introduction of distance-learning measures had also a disproportionately negative impact on Roma children's access to education due to lack of internet and/or computer access.¹⁴⁸
87. Against this background, ECRI positively notes that the authorities have continued to implement a series of measures, such as the provision of social vouchers to support preschool attendance, free transportation, hot meals and school supplies as well as various scholarships (social and merit scholarships). While ECRI welcomes the specific allocation of places for Roma youth in upper secondary and higher education, it regrettably notes that this is not sufficiently accompanied by support measures, as some cannot afford to continue their studies due to lack of financial resources.¹⁴⁹
88. Additionally, ECRI notes that 29 718 Roma children (representing 23.61% of the total number of children) are beneficiaries of the National Programme for Reducing of School Drop-out (2021-2026),¹⁵⁰ which is implemented in 1 409 lower secondary schools. In this context, ECRI considers that the "School After School" and "Second Chance" programmes,¹⁵¹ which aim to provide additional support to, *inter alia*, children at risk of dropping out and to reintegrate those who have dropped out to be a **good practice**.
89. Furthermore, ECRI notes that 456 school mediators are employed in the education system to support children in their education and to maintain a direct link between

¹⁴⁵ See also J. Adorjáni, I. Antal, G. Tonk (2023), p. 2.

¹⁴⁶ World Bank (2022), p. 26. Data were reported by 32 counties.

¹⁴⁷ EU FRA (2022), pp. 37-38.

¹⁴⁸ See also Human European Consultancy (2020), pp. 8-10.

¹⁴⁹ Strategy for 2022-2027, p. 28; Ministry of Education, Reports on the state of pre-university education in Romania [2022-2023](#)(2023), and [2023-2024](#) (2024): for the 2022/2023 school year, 2 575 out of a total of 6 382 dedicated places in upper secondary education were filled, and 3 177 out of 6 151 for the 2023/2024 school year. The authorities informed ECRI that the "First Student in the Family" programme was launched in 2024 to support the participation of young people from disadvantaged groups in higher education.

¹⁵⁰ Ministry of Education (2023), p. 106; GD [No. 1309/2021](#). Note is taken of the implementation by the Ministry of Education of other projects, such as "Relevant Curriculum. Open Education for All" and "Romanian Secondary Education Project," and programmes, such as the EU-funded "Programme Education and Employment".

¹⁵¹ In the 2022/2023 school year, 10 960 Roma pupils participated in the [School After School](#) Programme and 1 111 in the [Second Chance](#) Programme.

schools and Roma communities. In this connection, it welcomes the intention of the authorities to monitor and evaluate the impact of their work.¹⁵²

90. At the same time, the ECRI delegation learned from civil society and other actors during the 2024 visit to Romania that, despite its previous recommendations,¹⁵³ many Roma pupils reportedly continued to learn in segregated educational settings and received lower quality education.¹⁵⁴ According to research conducted in 11 counties, 66.4% of schools with at least 3% Roma pupils are segregated by classroom and 27.5% by building.¹⁵⁵ In the 2022/2023 school year, there were 621 schools where Roma pupils made up at least 15% of the total, which, according to the authorities, was due to the ethnic composition of the population in the respective areas and not a consequence of segregation. ECRI nevertheless notes that, over the last few years, the NCCD continued to issue sanctions in cases of school segregation.¹⁵⁶
91. While ECRI remains concerned, it welcomes a series of developments. In 2023, a new legislation was adopted to prohibit school segregation at all levels, including on the basis of ethnicity, to ensure random distribution of pupils in study groups, and to entrust a National Commission on School Desegregation with the implementation of measures to prevent and eliminate any form of segregation in the pre-university education system.¹⁵⁷ In addition, following the adoption of a methodology for monitoring school segregation in 2019,¹⁵⁸ the authorities piloted its implementation in 43 educational establishments at all levels and across the country.¹⁵⁹ The authorities informed ECRI that the main difficulties encountered by schools related to the identification and the collection of the necessary data and information to monitor school segregation.¹⁶⁰ Following ECRI's visit, a new methodology was developed to take due account of these findings and to extend the monitoring to all educational establishments.¹⁶¹ ECRI considers the adoption of this methodology as a positive development and will closely monitor its implementation.
92. ECRI recommends that the authorities further develop and implement a set of measures to facilitate Roma children inclusion, notably by: i) supporting the effective enrolment of Roma children in preschool, primary and secondary education and extending the measures aimed at reducing early school dropout to the primary level; ii) allocating adequate human and financial resources to the implementation of policies on school desegregation of Roma children and to the provision of quality education to Roma children in mainstream settings; iii) implementing extra support measures aimed at mitigating the impact of socio-economic factors on the attendance and performance of Roma pupils at school.
93. As regards employment, available data indicate that only 41% of the employable

¹⁵² Strategy for 2022-2027, pp. 28, 53.

¹⁵³ ECRI (2019): § 75; ECRI (2014): §§ 84, 117; ECRI (2005): § 132.

¹⁵⁴ In this connection, see also European Commission, [Roma Civil Monitor](#), 2019, pp. 23-26 (describing, *inter alia*, the forms of school segregation).

¹⁵⁵ Ivan C., Bănică C., [Report on school segregation in Romania](#), 2022, p. 32. See also EU FRA (2022), p. 40: 51% of children aged 6-15 attend schools where all or most pupils are Roma (compared to 28% in 2016).

¹⁵⁶ Furthermore, ECRI notes that decisions of the NCCD were upheld by national courts (for example, Decision No. 1015/2020 of the High Court of Cassation and Justice).

¹⁵⁷ Articles 23 § 10, 79-81 of Law No. 198/2023. See also Ministry of Education, Orders Nos. [6831/2023](#) and [6832/2023](#).

¹⁵⁸ Ministry of Education and Research, Order No. [5633/2019](#) (repealed in January 2025).

¹⁵⁹ According to the authorities, the module for monitoring school segregation contains 95 indicators.

¹⁶⁰ In this regard, see also C. Ivan, C. Bănică (2022), pp. 20-29, which contains similar findings and highlights the importance of accurately capturing the phenomenon of school segregation.

¹⁶¹ Ministry of Education, Order No. [7701 of 6 December 2024](#) approving the [Methodology](#) for monitoring, evaluating, identifying, preventing and combating school segregation in pre-university education. Annual national reports on school desegregation will be published within this framework.

Roma population (between 20-64 years) have paid work (compared to 71% of the general population) and 59% of young Roma (aged 16-24) are neither in employment nor in education (compared to 15% of the general population). Furthermore, there is a strong employment gap between Roma women and men (23% compared to 59%).¹⁶² In this regard, ECRI is pleased to note that the Strategy for 2022-2027 foresees specific measures to increase the employability of Roma women and youth, especially in rural areas. It also positively notes that the National Agency for Employment has continued to implement the “Programme 145” in communities with large Roma populations.¹⁶³ Nevertheless, many interlocutors during the visit indicated that Roma continue to be discriminated against in terms of access to employment, working conditions and career development.¹⁶⁴ ECRI encourages the authorities to redouble their efforts to combat discrimination against Roma on the labour market, in both public and private sectors.

94. As regards healthcare, the ECRI delegation learned during the visit that Roma often face discrimination in access to and provision of health care services, such as segregation in hospitals, particularly of women in maternity wards.¹⁶⁵ Many interlocutors also referred to the case of a Roma woman who gave birth outside of the hospital on the pavement after being refused medical care.¹⁶⁶ In this connection, ECRI notes that the Ministry of Health condemned the incident and that an investigation was promptly launched.¹⁶⁷ Furthermore, it takes positive note that the Strategy for 2022-2027 provides for the development of anti-discrimination training programmes for healthcare professionals. ECRI therefore strongly encourages the authorities to involve relevant civil society organisations in the design and implementation of such training programmes and to provide such training to all categories of staff working in healthcare facilities, in the curricula of medical and nursing schools as well as in the context of in-service training, to counter discrimination against Roma in the health sector. Reference is made in this regard to General Recommendation No. 37 of the United Nations Committee on the Elimination of Racial Discrimination (CERD) on Racial discrimination in the enjoyment of the right to health.¹⁶⁸
95. At the same time, ECRI positively notes the work of Roma health mediators and community health assistants, who played an important role, particularly during the Covid-19 pandemic.¹⁶⁹ The authorities informed ECRI of their intention to increase the number of health mediators to 1 000 by the end of the implementation of the Strategy for 2022-2027. ECRI trusts that the work of Roma health mediators and community health assistants will continue to be supported and invites the authorities to take further action to improve access of Roma living in informal settlements and risk areas to healthcare services, including preventive healthcare.

B. Migrants

96. As of 31 December 2023, 202 318 migrants were regularly present in Romania (compared to 137 619 in 2019). In 2023, 10 157 persons expressed their wish to apply for international protection (compared to 2 593 in 2019) and 933 persons were granted such protection (compared to 563 in 2019). In the same year, the

¹⁶² EU FRA (2022), pp. 43-45; Nevo Parudimos, [Roma access to decent and sustainable employment](#), 2024 (it also shows that Roma are predominantly engaged in low-skilled, low-paying jobs, often in the informal sector); Strategy for 2022-2027, p. 29.

¹⁶³ Through this programme, 1 399 Roma were employed in 2021, 1 575 in 2022, 1 720 in 2023 and 1 498 in 2024.

¹⁶⁴ See also Nevo Parudimos (2024).

¹⁶⁵ See also Strategy 2022-2027, pp. 19, 30; ERGO Network, [Roma access to adequate healthcare and long-term care](#), 2022.

¹⁶⁶ See also ERRC, [Press release](#), 24 August 2023.

¹⁶⁷ Ministry of Health, [Press release](#), 31 July 2023. See also, Libertatea, [Press article](#), 31 July 2023.

¹⁶⁸ CERD, [General Recommendation No. 37 on Racial discrimination in the enjoyment of the right to health](#), 23 August 2024, Section III.D.5.

¹⁶⁹ In 2024, 465 Roma women were employed as health mediators in 246 municipalities. There were also 1 913 community medical assistants.

Ministry of Internal Affairs issued 123 940 notices for the employment of migrants (compared to 33 629 in 2019).¹⁷⁰ With regard to people displaced as a result of Russia's war of aggression against Ukraine from March 2022 onwards, reference is made to section III.C of the present report.

97. According to the legislation, migrants (including beneficiaries of international protection and stateless persons) enjoy the same rights and freedoms as Romanian citizens, such as access to education, the labour market, housing, healthcare and social welfare. Activities of cultural accommodation, counselling and Romanian language courses are also offered.¹⁷¹ Furthermore, integration programmes are available for beneficiaries of international protection.¹⁷² Migrants are also entitled to family reunification¹⁷³ and naturalisation.¹⁷⁴
98. ECRI welcomes the fact that one of the objectives of the National Strategy on Immigration (2021-2024) was to strengthen the mechanism for the social integration and inclusion of migrants. However, it regrets that few results have been reported on the implementation of specific action plans. A reduction in the budget of the General Inspectorate of Immigration, insufficient human resources¹⁷⁵ and the absence of certain EU-funded projects were among the challenges identified by the authorities. Furthermore, the implementation of inclusion policies for migrants is reportedly hampered by insufficient inter-institutional cooperation, as indicated by many interlocutors during the visit. Regrettably, there is generally no framework for a structured dialogue on such policies between all relevant stakeholders, including civil society organisations.¹⁷⁶ In this context, ECRI welcomes an initiative to enhance the participation of migrants in the design and implementation of migrant inclusion policies in the framework of the "Migrant Voices Heard" project¹⁷⁷ and considers it to be a **promising practice**.
99. ECRI's attention was brought to the fact that many essential services for beneficiaries of international protection are provided by civil society organisations through the EU Asylum, Migration and Integration Fund (AMIF) for 2021-2027.¹⁷⁸ Delays in the allocation of funds have led to long gaps in service provision (from October 2023 to June 2024).¹⁷⁹ In this regard, ECRI stresses that, while the effective use of EU funds is an important element of successful migrant inclusion policies, adequate budgetary allocations should also be made in order to avoid gaps in service provision.
100. ECRI recommends that the authorities adopt a comprehensive national strategy or action plan for the integration and inclusion of migrants and involve relevant civil society organisations and other stakeholders in its development, implementation, and evaluation. Inter-institutional cooperation should be strengthened, and sufficient financial resources should be allocated for its implementation. In developing such a document, the authorities may draw inspiration from the Council of Europe's Model Framework for an Intercultural Integration Strategy at the National Level.

¹⁷⁰ General Inspectorate for Immigration (2024) and [Activity Review for 2019](#), 2020.

¹⁷¹ Article 18 of the Constitution, Articles 3, 79, 80¹ of the GEO No. 194/2002; Article 20 of Law [No. 122/2006](#) on asylum; GO [No. 44/2004](#) on the integration of foreigners.

¹⁷² In 2023, 1 500 persons participated in such programmes. See, however, ECRI (2019): §§ 83-84, 86.

¹⁷³ Article 71 of Law No. 122/2006 and Article 46 of GEO No. 194/2002.

¹⁷⁴ Law [No. 21/1991](#) on Romanian citizenship.

¹⁷⁵ During the visit, the ECRI delegation was also informed by many interlocutors that the public officials' capacity to provide integration-related services to migrants is insufficient and should be improved.

¹⁷⁶ See also CMRR, [Permanent structured dialogue on immigration](#), 2023b.

¹⁷⁷ PATRIR, Project "[Migrant Voices Heard](#)," 2023. As part of this project, the [Cluj International Citizens Council](#) was established.

¹⁷⁸ See also [www.romaniaeacasa.ro](#); AIDA, [Country report: Romania](#), 2023a, pp. 167-169.

¹⁷⁹ See also AIDA (2023a), p. 189 as concerns rental fees and/or the utility costs for beneficiaries of international protection.

101. It emerged during the visit that there was a lack of sufficient information provided to migrants on the scope of their rights and procedures¹⁸⁰ applicable to them. For example, ECRI was informed that there was no clear referral mechanism for migrants other than beneficiaries of international protection who may need specialised services. While ECRI takes positive note of the online information campaigns carried out by the General Inspectorate of Immigration, it invites the authorities to step up their efforts by ensuring that relevant information is made available to migrants in relevant languages and through different channels.
102. According to all interlocutors met during the visit, sufficient knowledge of the Romanian language remains the main obstacle to the enjoyment of equal rights in practice, especially in the education and employment sectors. Introductory Romanian language courses continue to be offered to children and adult migrants at levels A1, A2 and B1 for a minimum of 216 hours during one school year.¹⁸¹ ECRI welcomes the increase in the number of hours from four to six per week as of 2022. However, it considers that the level of proficiency to be achieved is still insufficient to ensure the full integration and inclusion of migrants. Furthermore, according to civil society interlocutors with whom the ECRI delegation spoke during the visit, various other barriers persist, including insufficient support for migrant children, the lack of specific training for teachers that teach Romanian as a foreign language and the lack of educational materials.¹⁸²
103. ECRI recommends that the authorities take further measures to enable migrant children and adults to achieve a sufficient level of language proficiency in Romanian for successful integration and inclusion into the education system and the labour market. In particular, the authorities should: i) raise the level of language proficiency to be achieved, taking into account international guidelines; ii) provide adequate training for teachers and ensure the availability of educational materials; iii) set up a monitoring and evaluation system with a view to making any necessary adjustments and adaptations.
104. In the area of school education, in September 2023, 2 820 migrant children were enrolled as audients¹⁸³ and 1 266 as pupils. ECRI's attention was brought to the difficulties faced by children who are beneficiaries of international protection, such as the lack of effective mechanism to assess previous studies in the country of origin in the absence of supporting documents, the refusal of schools to enrol them in the public system, and various challenges related to the status of audient.¹⁸⁴ ECRI therefore encourages the authorities to set up a dedicated working group tasked with providing guidance on courses of action in these areas, in close consultation with educational professionals and relevant civil society actors.
105. As regards employment, ECRI notes a substantial increase in the number of migrant workers in the country and is concerned about allegations of discrimination and labour exploitation.¹⁸⁵ It therefore invites the authorities to ensure labour inspection services pay increased attention to such cases and take measures aimed at facilitating victims' access to justice.

¹⁸⁰ Several civil society interlocutors informed the ECRI delegation that various procedures with the General Inspectorate of Immigration had become more difficult due to digitalisation and insufficient human resources.

¹⁸¹ Ministry of Education, Orders Nos. [6127/2022](#) (regarding children) and [6129/2022](#) (regarding adults). Beneficiaries of international protection can attend these courses free of charge, while other migrants (except minors) have to pay for them. For adults, the courses can be organised either by the School Inspectorates or by the National Employment Agency. As of September 2023, 714 migrant children completed the introductory Romanian language course.

¹⁸² See also CMRR, [The right to education of foreign minors](#), 2023c.

¹⁸³ Upon their arrival, children are enrolled in school as audients during which time they attend the Romanian language course.

¹⁸⁴ See also CMRR (2023c); Terre des Hommes, [Access to education for migrant children and youth](#), 2020, pp. 6-7 (for example, audients do not have access to free educational materials and are not assisted by support teachers).

¹⁸⁵ See also CMRR, [Monitoring the situation of third-country workers](#), 2023d; Foundation for Civil Society Development, [An exploratory study on labour immigration in Romania](#), 2024, pp. 26-27, 54, 56.

106. Furthermore, it emerged during the visit that challenges in obtaining recognition of foreign qualifications and diplomas are a barrier to accessing employment and vocational training for beneficiaries of international protection who cannot present complete documentation. In this context, ECRI is pleased to note that, in 2022, the authorities joined the Council of Europe's "European Passport for Refugee Qualifications" project.¹⁸⁶

C. People displaced as a result of Russia's war of aggression against Ukraine

107. Between 24 February 2022 and 31 October 2024, a total of 10 434 330 displaced people as a result of Russia's war of aggression against Ukraine entered Romania, of whom 4 505 applied for asylum, 191 were granted a form of international protection, and 176 575 received temporary protection. Of the total number of beneficiaries of temporary protection, 28.61% are children.¹⁸⁷ According to the authorities, around 80 000 displaced people were in the country at the time of ECRI's visit in May 2024.
108. ECRI praises the solidarity displayed in Romania towards people displaced from Ukraine as a result of the war and commends the response of the authorities at different levels, supported by host communities, national and international civil society organisations, the private sector and international organisations, in providing protection and support to them.
109. Romania's response to the large influx of displaced people took place in two phases: an initial emergency phase to meet immediate needs,¹⁸⁸ and a subsequent integration phase dedicated to medium- and long-term measures. In this connection, ECRI welcomes the adoption, in June 2022, of the National Action Plan for the protection and integration of displaced persons from Ukraine, beneficiaries of temporary protection in Romania.¹⁸⁹ A number of one-stop-shops, hotlines and websites have been set up to facilitate access to comprehensive information on rights and services in all relevant areas, such as "dopomoha.ro,"¹⁹⁰ which ECRI considers to be **good practice**.
110. As regards housing and material assistance, in May 2023, Romania moved from the reimbursement of costs for hosts to direct financial assistance to beneficiaries of temporary protection, with payments linked to conditions of employment and/or enrolment in education.¹⁹¹ ECRI was informed that delays in disbursing funds under the new programme have made accommodation one of the main challenges.¹⁹² As regards education, among the various support measures implemented, ECRI positively notes the establishment of Educational Hubs, which gave children access to various educational activities and provided a structured learning environment for children participating in the Ukrainian online school.¹⁹³
111. Despite a favourable legal framework for access to the labour market, which ECRI welcomes, several challenges reportedly remain in practice, such as the language

¹⁸⁶ See [European Qualifications Passport for Refugees](#).

¹⁸⁷ Government, [Report on the integration of Ukrainian refugees in Romania](#), October 2024. See also, UNHCR [data](#).

¹⁸⁸ See GEO [No. 15/2022](#), as amended (in particular by GEO [No. 20/2022](#)); GD [No. 367/2022](#) on temporary protection, as amended.

¹⁸⁹ See GEO [No. 100/2022](#). It covers a three-year period and includes measures in the fields of education, employment, healthcare and housing. See also, Government, [Romania's response to the Ukrainian refugee crisis](#), 2023.

¹⁹⁰ See www.dopomoha.ro available in Romanian, Ukrainian, English and Russian. See also, www.protectieucraina.gov.ro; AIDA, [Temporary protection Romania](#), 2023b, pp. 9-10;

¹⁹¹ GD Nos. [315/2022](#) and [336/2022](#) established the framework of the so-called "Programme 50/20", which was considered generous by many of ECRI's interlocutors. See also, GD No. [368/2023](#) and GEO No. [96/2024](#).

¹⁹² See also UNHCR, [Update – Romania](#), 2024a, p. 4; CMRR, [Ukrainian refugee housing support program](#), 2024, p. 11.

¹⁹³ See, *inter alia*, Ministry of Education, [Alături de Ucraina](#). By October 2024, 1 861 children were enrolled in education as audients and 1 461 as pupils. In September 2024, there were 59 Educational Hubs officially registered, with 9 535 children attending. For details about other challenges, see, *inter alia*, UNHCR (2024a), p. 7.

barrier and insufficient childcare options.¹⁹⁴ As regards healthcare, all displaced people were granted free access to the public system,¹⁹⁵ which ECRI considers to be a **good practice**. In another welcome development, in 2024, beneficiaries of temporary protection were also granted access to social benefits under the same conditions as nationals (GEO No. 96/2024).

112. Lastly, ECRI is concerned that displaced Ukrainian Roma have often faced discrimination and prejudice at various stages of their efforts to secure protection and support.¹⁹⁶ It therefore invites the authorities to ensure that all people displaced from Ukraine as a result of Russia's war of aggression benefit from the same level of protection and support, irrespective of their national or ethnic origin or other personal characteristics or status.¹⁹⁷

IV. TOPICS SPECIFIC TO ROMANIA

A. Equality data

113. During its visit to Romania, the ECRI delegation was informed by all its interlocutors that a major difficulty in assessing the extent of discrimination on grounds relevant to ECRI and the impact of anti-discrimination measures is the lack of or insufficient relevant and available official data.¹⁹⁸ Against this background, ECRI positively notes that some equality data was collected in the context of the 2021 census.¹⁹⁹ Furthermore, another challenge brought to the attention of ECRI's delegation by several official interlocutors was the lack of coordination between the relevant services and institutions when equality data is available.
114. ECRI considers that the lack of reliable equality data prevents the authorities from obtaining a general overview of the situation of groups of concern to ECRI, making it difficult to design targeted policy measures to prevent and combat discrimination and assess impact of those measures.²⁰⁰ It therefore invites the authorities to step up their efforts to collect comprehensive, appropriately disaggregated (including gender-disaggregated) and reliable equality data, in a coordinated manner and make such data publicly available, while respecting the principles of informed consent, voluntary self-identification and confidentiality. The collected data should only be used for the promotion of equality and to assess the effectiveness of anti-discrimination measures.

B. Racism within law enforcement agencies

115. ECRI deplors that, despite its previous recommendations,²⁰¹ little progress has been made to effectively prevent or counter misconduct by law enforcement officials affecting Roma in particular. Instances of racial profiling and excessive use of force, including lethal force, continued to be reported, as indicated by many civil society interlocutors met during the visit.²⁰² The Covid-19 pandemic triggered an alarming increase in such cases.²⁰³ In particular, ECRI's attention was brought to a police operation carried out in the Spring of 2020 in Bolintin Vale during which

¹⁹⁴ See, *inter alia*, UNHCR, [Protection brief](#), 2024b, p. 5. As of October 2024, 6 255 displaced people were formally employed.

¹⁹⁵ Article 1 of GEO No. 15/2022. Some obstacles remain in practice, such as the availability or lack of general practitioners.

¹⁹⁶ See, *inter alia*, ERRC, [Temporary protection: the ongoing struggle of Romani refugees from Ukraine](#), 2024, pp. 48-57; Aresel, [Equal aid, unequal outcomes: Ukrainian Roma Refugees in Romania](#), 2023; Oxfam, [Further into the margins](#), 2023.

¹⁹⁷ See also [Statement](#) on the consequences of the aggression of the Russian Federation against Ukraine adopted by ECRI, 2022.

¹⁹⁸ See also, *inter alia*, National Roma Contact Point, [Report](#) on the implementation of the Strategy for 2022-2027, 2023, p. 45.

¹⁹⁹ See, in this connection, ACFC (2023), p. 10.

²⁰⁰ See also, *inter alia*, World Bank (2022), pp. 8, 12.

²⁰¹ ECRI (1998): § 20; ECRI (2001): § 47; ECRI (2005): §§ 106-108; ECRI (2014) § 189; ECRI (2019): § 60.

²⁰² See also, *inter alia*, ERRC: [Press release](#), 17 August 2023; [Press release](#), 21 June 2022; [Press release](#), 14 October 2020.

²⁰³ See, *inter alia*, ERRC: [Roma rights in the time of Covid](#), 2020, pp. 35-39, [Brutal and bigoted: Policing Roma in the EU](#), 2022, pp. 62-63.

law enforcement officials allegedly inflicted baton blows and used racist language against a group of Roma for alleged violations of Covid-19 protection measures.²⁰⁴

116. In this context, ECRI recalls the findings of the ECtHR according to which there was evidence showing that “Roma communities are often confronted with institutionalised racism” and “are prone to excessive use of force by the law enforcement authorities”.²⁰⁵ It is therefore essential to create a culture within law enforcement agencies where racist abuse is regarded as having no place and racism is actively prevented and combated under any circumstances.²⁰⁶
117. Regrettably, the execution of the judgments of the ECtHR in the group of cases *Soare and others v. Romania* and *Lingurar v. Romania*, concerning, *inter alia*, the failure to conduct effective investigations and court proceedings into violent incidents against Roma by law enforcement officials, including into potential racist motives, is still pending before the Committee of Ministers of the Council of Europe.²⁰⁷ According to civil society interlocutors met during the visit, such investigations continue to be inadequate, racial bias is not duly investigated and the effectiveness of judicial review of such investigations continues to raise questions, with only a minority of cases leading to appropriate sanctions, thereby potentially fostering a culture of impunity among law enforcement officials.²⁰⁸
118. ECRI notes that investigations into allegations of ill-treatment by law enforcement officials are carried out by specialised prosecutors and are subject to monitoring and reporting procedures by the General Prosecutor’s Office in order to ensure their effectiveness.²⁰⁹ In this regard, ECRI refers to the findings, comments and recommendations made by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) in relation to the effectiveness of such investigations.²¹⁰ It supports the recommendation to enhance the independence, thoroughness and promptness of investigations by ensuring that prosecutors have recourse to their own investigators. In ECRI’s view, such investigators and specialised prosecutors should also receive guidance and be trained in unmasking racial bias when investigating or prosecuting ill-treatment and other abuse by law enforcement officials and in identifying any patterns of racist behaviour or attitude within law enforcement agencies.²¹¹
119. ECRI also underlines the importance of suitable police training aimed at preventing racist and other forms of police abuse. While welcoming the inter-institutional partnership between the National Agency for Roma and the Ministry of Internal Affairs to organise a series of optional trainings, it considers that further sustained efforts are needed to eradicate any form of racism within law enforcement agencies.
120. ECRI recommends that the authorities take determined action to counter racism within law enforcement agencies, in particular by: i) introducing a clear zero-tolerance policy for racist police abuse, including racist verbal abuse, racial

²⁰⁴ A video footage is available [here](#).

²⁰⁵ *Lingurar v. Romania*, [no. 48474/14](#), 2019, § 80. According to the Court, the police raid on a Roma community amounted to discriminatory ethnic profiling.

²⁰⁶ See also [Statement](#) on racist police abuse, including racial profiling, and systemic racism adopted by ECRI, 2020. In this context, ECRI also notes that the Council of Europe’s Committee of Ministers [requested](#) the authorities to undertake without delay an objective and impartial review of the activities and operations of law enforcement agencies.

²⁰⁷ CoE Department for the Execution of Judgments, the supervision of the group of cases [Soare and others v. Romania](#) and [Lingurar v. Romania](#) is followed under enhanced procedure.

²⁰⁸ See also UN Committee against Torture, [Concluding observations](#), 2023, § 15; ERRC, [Press release](#), 1 March 2023. At the same time, ECRI was informed that a review of case files pertaining to police abuse in 2023 was carried at the level of the General Prosecutor’s Office and that it emerged from the case files under review that no practice of racial profiling came to light.

²⁰⁹ CoE Department for the Execution of Judgments, *Lingurar v. Romania*, Notes, 2021.

²¹⁰ CPT, [Report](#) to the Romanian Government, 2022, pp. 17-19. See also ECtHR, *Pârvu v. Romania*, [no. 13326/18](#), 2022, § 112.

²¹¹ See also CoE Department for the Execution of Judgments, *Lingurar v. Romania*, Notes, 2021.

profiling and discriminatory police action involving the use of force; ii) developing suitable, specific and mandatory training sessions for law enforcement officials, both during initial training and as part of ongoing professional development, on preventing and combating racism, notably prejudices and stereotypes against Roma; iii) ensuring greater police accountability by developing adequate internal reporting procedures, including through the adoption of protective measures for “whistle-blowers”, and by ensuring that all cases involving allegations of racist police abuse are the subject of effective investigations.

INTERIM FOLLOW-UP RECOMMENDATIONS

The two specific recommendations for which ECRI requests priority implementation from the authorities of Romania are the following:

- (§ 22) ECRI recommends that the authorities put in place a national system of monitoring racist and anti-LGBTI incidents in schools and that they gather gender-disaggregated data on such incidents, including on reasons for bullying behaviour.
- (§ 34) ECRI recommends that the authorities develop the relevant legal framework by explicitly regulating the conditions and procedure concerning legal gender recognition and establish clear guidelines on the provision of gender-affirming health care, in accordance with ECRI's General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons and other relevant Council of Europe standards.

A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report.

LIST OF RECOMMENDATIONS

The position of the recommendations in the text of the report is shown in parentheses.

1. (§ 7) ECRI strongly recommends that the authorities take further action to strengthen the National Council for Combating Discrimination to i) allow its competences, independence and effectiveness to fully align with ECRI's General Policy Recommendation No. 2 on equality bodies to combat racism and intolerance at national level; ii) ensure that it receives the necessary financial and human resources to carry out its mandate effectively.
2. (§ 18) ECRI recommends that the authorities strengthen human rights education in schools, notably by ensuring that: i) human rights education includes the prevention of racism and intolerance and, in particular, the history of Roma at all levels of education, as well as age-appropriate awareness on matters related to sexual orientation, gender identity and sex characteristics in the school environment; ii) any references reinforcing prejudice, stereotyping or other discriminatory content are removed from school textbooks; iii) mandatory initial and in-service teacher training is provided on human rights, respect for diversity and responses to prejudice and discrimination.
3. (§ 22) ECRI recommends, as a matter of priority, that the authorities put in place a national system of monitoring racist and anti-LGBTI incidents in schools and that they gather gender disaggregated data on such incidents, including on reasons for bullying behaviour.
4. (§ 28) ECRI strongly recommends that the authorities adopt, implement and closely monitor the implementation of a national strategy and/or action plan aimed at achieving equality and addressing intolerance and discrimination based on sexual orientation, gender identity and sex characteristics, in close consultation with relevant civil society organisations, in the light of its General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons. If necessary, Council of Europe support should be sought.
5. (§ 30) ECRI recommends that the authorities promptly work towards the adoption of a legal framework that provides same-sex couples with the possibility of having their relationship legally recognised and protected in order to address the practical problems related to the social reality in which they live, in line with ECRI's General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons and other relevant Council of Europe standards.
6. (§ 34) ECRI recommends, as a matter of priority, that the authorities develop the relevant legal framework by explicitly regulating the conditions and procedure concerning legal gender recognition and establish clear guidelines on the provision of gender-affirming health care, in accordance with ECRI's General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons and other relevant Council of Europe standards.
7. (§ 53) ECRI recommends that public figures, such as high-level officials, politicians, and religious, economic and community leaders, be strongly encouraged to take a prompt, firm and public stance against the expression of racist and LGBTI-phobic hate speech and to react to any such expression with strong counter-hate speech messages and alternative speech, and promote understanding between communities, including by expressing solidarity with those targeted by hate speech. Elected bodies and political parties should adopt appropriate codes of conduct that prohibit the use of hate speech, call on their members and followers to abstain from engaging in, endorsing or disseminating it, and provide for sanctions. In this respect, ECRI refers to its General Policy

Recommendation No. 15 on combating hate speech, Recommendation CM/Rec (2022)16 of the Committee of Ministers of the Council of Europe on combating hate speech and the Charter of European political parties for a non-racist and inclusive society as endorsed by the Parliamentary Assembly of the Council of Europe in its Resolution 2443 (2022).

8. (§ 58) ECRI recommends that the authorities ensure that the legal framework makes provision for restricting or disabling of access to hate speech posted by third parties in the comment sections or collaborative spaces of the platforms of media operating online, and that it subjects such restrictions ultimately to independent judicial review. In this respect, ECRI refers to the Recommendation CM/Rec (2022)16 of the Committee of Ministers of the Council of Europe on combating hate speech.
9. (§ 71) ECRI recommends that the authorities make further efforts to ensure that all hate crimes are effectively investigated and prosecuted, by consistently taking into account any possible hate elements from the outset of the investigation and in any subsequent criminal proceedings.
10. (§ 77) ECRI recommends that the authorities ensure the effective implementation of the Strategy for the inclusion of Romanian citizens belonging to the Roma minority (2022-2027) by: i) adopting concrete baseline and success indicators for the implementation of each and every measure and allocate suitable budgetary resources for proper implementation; ii) strengthen local interventions by providing local authorities with adequate support; iii) commission a comprehensive and independent evaluation of the implementation phase. If necessary, the Strategy should be revised.
11. (§ 84) ECRI strongly recommends that the authorities take further action to improve housing conditions for Roma by: i) taking resolute measures to ensure decent and safe housing conditions for Roma living in informal settlements, especially those in risk areas, while seeking long-term housing solutions for them, in close consultation with the Roma communities concerned; ii) ensuring that the eligibility criteria and scoring systems for the allocation of social housing are not discriminatory.
12. (§ 92) ECRI recommends that the authorities further develop and implement a set of measures to facilitate Roma children inclusion, notably by: i) supporting the effective enrolment of Roma children in preschool, primary and secondary education and extending the measures aimed at reducing early school dropout to the primary level; ii) allocating adequate human and financial resources to the implementation of policies on school desegregation of Roma children and to the provision of quality education to Roma children in mainstream settings; iii) implementing extra support measures aimed at mitigating the impact of socio-economic factors on the attendance and performance of Roma pupils at school.
13. (§ 100) ECRI recommends that the authorities adopt a comprehensive national strategy or action plan for the integration and inclusion of migrants and involve relevant civil society organisations and other stakeholders in its development, implementation, and evaluation. Inter-institutional cooperation should be strengthened, and sufficient financial resources should be allocated for its implementation. In developing such a document, the authorities may draw inspiration from the Council of Europe's Model Framework for an Intercultural Integration Strategy at the National Level.
14. (§ 103) ECRI recommends that the authorities take further measures to enable migrant children and adults to achieve a sufficient level of language proficiency in Romanian for successful integration and inclusion into the education system and the labour market. In particular, the authorities should: i) raise the level of language proficiency to be achieved, taking into account international guidelines; ii) provide adequate training for teachers and ensure the availability of educational materials;

iii) set up a monitoring and evaluation system with a view to making any necessary adjustments and adaptations.

15. (§ 120) ECRI recommends that the authorities take determined action to counter racism within law enforcement agencies, in particular by: i) introducing a clear zero-tolerance policy for racist police abuse, including racist verbal abuse, racial profiling and discriminatory police action involving the use of force; ii) developing suitable, specific and mandatory training sessions for law enforcement officials, both during initial training and as part of ongoing professional development, on preventing and combating racism, notably prejudices and stereotypes against Roma; iii) ensuring greater police accountability by developing adequate internal reporting procedures, including through the adoption of protective measures for “whistle-blowers”, and by ensuring that all cases involving allegations of racist police abuse are the subject of effective investigations.

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APPENDIX: GOVERNMENT'S VIEWPOINT

The following appendix does not form part of ECRI's analysis and proposals concerning the situation in Romania.

ECRI, in accordance with its country-by-country procedure, engaged into confidential dialogue with the authorities of Romania on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version (which, in line with ECRI's standard practice and unless otherwise indicated, could only take into account developments up until 19 March 2025, date of the examination of the first draft).

The authorities also requested that the following viewpoint be reproduced as an appendix to the report.

**Romanian authorities' observations on the
European Commission against Racism and Intolerance's (ECRI)
Report on Romania, sixth monitoring cycle**

Paragraph 11

We would like to highlight that the Romanian curriculum for the lower secondary education and upper secondary education include elements aiming to counter "*the society's lack of knowledge of the historical facts that have led to intergenerational trauma, human tragedies and social stigmatisation*" of the Roma. For example, topics specific to the history of the Roma in Romania (e.g., "*Roma: from slavery to emancipation*" and "*Holocaust in Romania: Jews and Roma*") are included in the 8th grade history curriculum (a compulsory subject) as part of the 2017 secondary education curriculum reform. In addition, the deportation, repression and extermination of Roma in the context of the Holocaust in Romania are also approached in the compulsory subject "*The History of the Jews. The Holocaust*", studied in the 11th high school grade.

The optional discipline "*History, Slavery and Deportation of the Roma*" will be introduced as of the 2025-2026 school year for both lower secondary and high school pupils, as provided for in the Law on Pre-university education. The new course aims to provide a comprehensive educational framework for understanding Roma history in Romania, such as the period of slavery, the process of emancipation, the historical persecutions, and reflections on contemporary realities. This new optional discipline will provide pupils the opportunity to deepen their knowledge of the history of the Roma in Romania. The curriculum is currently being developed with the support of educational experts, researchers, and representative Roma organizations to ensure a balanced, evidence-based approach that meets the current educational needs.

In addition, Roma pupils studying in Romani language, as well as Roma pupils enrolled in educational establishments with teaching in Romanian and who have requested to be provided with the study of Romani language, history and traditions, study the discipline the *History and Traditions of the Roma Minority*. Pupils can also participate in a national competition on this topic (National Contest on Roma history and traditions), which is organized on an annual basis.

Paragraph 17

We would like to draw the attention that the reports according to which stereotyping and discriminatory language and visuals, particularly against the Roma and Hungarian communities, are still present in school textbooks are not relevant because they either refer to textbooks that are no longer in use or they are not substantiated from a scientific point of view.

Thus, the textbook mentioned in Bálványos Institute and the Szekler Institute of Public Policy, *Anti-Hungarian attitudes in Romania*, 2021, pp. 114, 121-123, is no longer in use.

The online article *Teaching of Roma History is distorted and racist*, 2021, is not based on a scientific approach.

In addition, following the revision of the lower secondary curriculum, the new syllabi for the subjects studied in the 8th grade were applied from the school year 2020-2021, and subsequently new textbooks were approved and used as of September 2020. It should be noted that the revised history syllabus for the 8th grade includes topics specific to the history of the Roma in Romania, as mentioned in our comment on paragraph 11.

The document *The (non-) discriminatory perspective of the "Critical Thinking and Children's Rights" textbooks*, 2023, also analyses textbooks that are no longer in use. As stated in the document itself, the examples selected for illustrative purposes are "taken from [textbooks published by] CD Press, Aramis, Corvin, and Ascendia, which, although no longer in use, are representative of the 2017-2018, 2018-2019, 2019-2020, 2020-2021, and 2021-2022 school years. *Textbooks from SIGMA, Ars Libri, and Litera publishers have also been modified starting with the 2022-2023 school year.*" (see p. 3). Even though the

report is critical of the textbooks still in use, it should be noted that the same report also highlights the progress made with the textbooks approved in 2022-2023 compared to those of 2017 (which are no longer in use) (see p. 3 – general visual improvements, p. 5 – improvements in terms of gender equality, p. 11 – improvements in relation to disability issues, p. 12).

We would like to point out that, as part of the textbook evaluation process, the evaluators (which are selected experts) are trained on issues related to discrimination prior to the actual textbook evaluation process, based on the content compliance criteria set out in Sheet A (Annex 1 to the Order of the Minister of National Education No. 3.103/28.01. 2019 on the methodology for evaluating the quality of textbook projects for pre-university education). Thus, the relevant criteria of conformity are *Criterion 2*, which provide that the textbook project must be ethical, moral and non-discriminatory: it must respect the principles of non-discrimination on the grounds of race, nationality, ethnicity, language, religion, social class, beliefs, gender, sexual orientation, age, disability, chronic non-contagious disease, HIV infection or belonging to a disadvantaged group, and *Criterion 3*, which provide that *the draft textbook must not contain information that undermines national identity and values, racist or xenophobic elements, or elements that promote nationalist-extremist ideology*.

It should also be noted that textbooks in pre-university education are approved for a period of 4 years, after which a new textbook approval process is carried out. Thus, the 8th grade history textbooks will be renewed this year.

In addition, following the approval of the new framework curriculum for upper secondary education, new syllabi will be developed for all subjects studied in upper secondary education, and new textbooks will be produced.

Romania has a number of experts which have benefitted of training in respect of promoting equality and diversity in history teaching and many of them are involved in designing the new syllabi for history discipline.

Paragraph 22

To manage incidents of violence of verbal, physical, sexual, social, emotional, cultural nature, bullying, cyber violence, as well as any other activities or behaviors that may endanger the health or integrity of children, pupils and educational staff in pre-university education establishments, in 2023 the *Procedure for managing cases of violence against pre-pre-school children/pupils and educational staff, as well as other related situations in the school environment and suspected violence against children outside the school environment* was adopted (approved by Ministerial Order no. 6235/2023 - <https://legislatie.just.ro/Public/DetaliiDocumentAfis/275117>).

The procedure regulates the working methods, applicable rules, and responsibilities of persons involved in the inter-institutional and multidisciplinary management of:

- cases of mild and severe violence between pre-preschoolers/preschoolers/students committed in the school environment,
- cases of violence against educational staff committed by students in the school environment,
- suspicions of violence against children outside the school environment,
- cases of suspected psychoactive substance use among students,
- cases of suspected possession or unauthorized use of dangerous objects,
- suspicions of students committing a criminal offense within the school environment.

Students, parents, or teaching staff, as well as any school personnel member, can report cases of violence verbally or in writing, confidentially.

School personnel analyze or contribute to the analysis of the violence case, as appropriate, in collaboration with authorized institutions. All school staff establish and apply support measures for both victims and perpetrators, as well as sanctions for the perpetrators.

Alongside case management, school personnel complete the *Violence Case Management Form*, which is registered by the *Commission for the Prevention and Elimination of Violence (CPEV)*, operating at all schools.

The CPEV coordinates the development, revision, and implementation of the *Prevention and Reduction of Violence Plan* in the school environment at the pre-university education establishment and analyzes school factors that contributed to the acts of violence. If necessary, it revises the *Prevention and Reduction of Violence Plan*. Additionally, the CPEV prepares a report on the incidence and prevention of violence, which is included in the general report on the state and quality of education in the respective pre-university education establishment for the current school year.

Also, Romania has a National Plan for combating school violence¹, approved in 2024, which includes essential measures for creating a safe and inclusive educational environment. The planned actions focus on developing institutional capacity to increase safety in pre-university educational institutions and adjacent areas, improving the skills of school staff to prevent and combat violence, with a view to maintaining a safe environment conducive to learning and academic success, preventing violence, promoting well-being and cohesion in the school community, reducing cases of violence in schools and managing them in order to support victims, rehabilitate perpetrators of violence and restore a safe environment in schools.

Paragraphs 54 and 63:

I. With regard to the removal of the phrase "*considered by the perpetrator to be causes of a person's inferiority in relation to others*" from the content of the general aggravating circumstance provided for in Article 77(h) of the Criminal Code, similar to the offense of incitement to violence, hatred, or discrimination (Article 369 of the Criminal Code), the following clarifications are necessary:

1. Article 77(h) of the Criminal Code ensures the correct and complete transposition of Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law.

The provision equivalent to Article 77(h) of the Criminal Code in Framework Decision 2008/913/JHA is Article 4 (Racist or xenophobic motivation), which requires Member States to take the necessary measures to ensure that racist and xenophobic motivation is considered an aggravating circumstance or, where appropriate, to ensure that courts can take this motivation into account when determining penalties.

In this context, we note that Article 4 of Framework Decision 2008/913/JHA was not considered to have been transposed incorrectly by the European Commission, although infringement proceedings were brought against Romania concerning the manner of transposition of other provisions of that Framework Decision.

Moreover, based on the interpretation of the aforementioned European legislative act [Article 1(1)(a) (1)(a), as well as those set out in recital (10)], racist and xenophobic motivation can be defined by reference to criteria such as race, color, religion, descent, or national or ethnic origin, such as social status or political beliefs.

Examining the content of Article 77(h) of the Criminal Code, it can be seen that the aggravating circumstance in domestic law expressly provides for all these criteria as aggravating circumstances, and for their consideration by the judicial authority, it is sufficient to establish that the act was committed for reasons related to race, nationality, ethnicity, language, religion, gender, sexual orientation, political opinion or affiliation, wealth, social origin, age, disability, chronic non-contagious disease, or HIV/AIDS infection.

Furthermore, the wording chosen by the Romanian legislator is even broader than that required by the European legislator, the Romanian Criminal Code opting for an open-ended rule that allows for

¹ The National Plan for combating school violence <https://legislatie.just.ro/public/DetaliuDocument/287920>.

aggravating circumstances to be taken into account in other situations similar to those expressly listed above, as it is well known that legal rules consisting of precise lists are rarely exhaustive.

2. The retention of the wording "considered by the perpetrator as causes of a person's inferiority in relation to others" in the aggravating circumstance in Article 77(h) h) of the Criminal Code, after this wording had been removed from the criminalization provision in Article 369 of the Criminal Code, is not the result of a lack of consistency on the part of the legislator, nor is it intended to make the aggravating circumstance conditional on whether or not the perpetrator acted in consideration of the alleged inferiority of the victim.

At the time of the adoption of Law No. 258/2023 amending Article 369 of Law No. 286/2009 on the Criminal Code, the two texts of the law had different normative content.

The criminalization provision in Article 369 of the Criminal Code established that "inciting the public, by any means, to violence, hatred, or discrimination against a category of persons or against a person on the grounds that they belong to a certain category of persons defined on the basis of race, nationality, ethnicity, language, religion, gender, sexual orientation, opinion or political affiliation, wealth, social origin, age, disability, chronic non-contagious disease, or HIV/AIDS infection, considered by the perpetrator to be causes of a person's inferiority in relation to others, shall be punished by imprisonment from 6 months to 3 years or by a fine."

In contrast, Article 77(h) of the Criminal Code provided then, as it does now, that it is an aggravating circumstance "to commit the offense for reasons related to race, nationality, ethnicity, language, religion, gender, sexual orientation, opinion or political affiliation, wealth, social origin, age, disability, chronic non-contagious disease or HIV/AIDS infection, or for other circumstances of the same kind, considered by the perpetrator to be causes of a person's inferiority in relation to others."

As can be seen, in the first situation, the condition of being considered by the perpetrator as causes of a person's inferiority in relation to others was attached to the grounds for discrimination expressly indicated by law (race, nationality, ethnicity, etc.). However, such a condition was eliminated by Law No. 258/2023, mentioned above.

Instead, in the case of Article 77(h) of the Criminal Code, the condition in question does not refer to the grounds for discrimination expressly indicated by the legislator (race, nationality, ethnicity etc.), but is attached to grounds for discrimination analogous to those expressly listed by the legislator and serves to make the rule predictable by establishing criteria by which those "other circumstances of the same kind" can be determined.

3. Moreover, an analysis of judicial practice in this area has led to the same conclusion, namely that in order to retain the aggravating circumstance provided for in Article 77(h) of the Criminal Code, it is not necessary for the grounds expressly indicated by the legislator to be accompanied by the perpetrator's assessment of the victim's inferiority.

"At the same time, from the body of evidence, in particular from the video attached to the case file and from the statement of witness ##### during the criminal investigation, it appears that the defendant's dissatisfaction with the victim, which led to the assault, is not limited to the injured party's membership of the ##### family, whom the defendant accuses of using several plots of land in the Sâncraiu area, but is also causally linked to the ethnic origin and financial status of the family and the injured party #####. The commission of the assault for the reasons set out above triggers the application of Article 77(h) of the Criminal Code and leads to the retention of this aggravating circumstance, with the consequences regulated by Article 78 of the Criminal Code, regarding the amount of the actual penalty that may be imposed.

- Decision No. 140/2025 of 10.04.2025 pronounced by the Huedin Court (<https://www.rejust.ro/juris/865d6gg65>)

"In law, the act of the defendant ##### consisting in the fact that on 27.11.2020, around 16:16, while on Grădinarilor Street in #####, threw a hoe and struck the injured person ##### with it, causing injuries that required 1-2 days of medical care to heal, his motive

being his explicitly expressed aversion to the Roma ethnicity of the injured person, meets the constituent elements of the crime of assault or other violence, an act provided for and punishable under Article 193(2) of the Criminal Code, with the application of Article 77(h) of the Criminal Code with the application of Article 5 of the Criminal Code."

- Decision No. 19/2025 of 12.02.2025 handed down by the Adjud Court (<https://www.rejust.ro/juris/g84782578>)

"From the evidence presented, the court found that S.C. ##### S.R.L. is engaged in "other recreational and entertainment activities" and has a place of business in #####, loc. #####, #####, where it operates a terrace and a swimming pool. The defendant has been the administrator since 15.04.2013. Operating license no. 71/06.06.2013 shows that the working hours approved by the Municipality of ##### were Monday-Friday (between #####) and Saturday-Sunday (between #####). On July 25, 2021, during operating hours, the injured party #####, accompanied by his minor children and witnesses ##### and #####, wanted to enter the swimming pool premises. At the entrance to the courtyard, the injured party and the persons accompanying her were stopped by the defendant's wife, who refused to issue them entrance tickets and allow them access on the grounds that the maximum capacity of the swimming pool had been reached. Seeing that the injured party refused to leave, the defendant approached him and asked him to leave the premises, but he refused, at which point the defendant addressed him with the expression "damn gypsy," after which he pointed to the sign on the fence stating that the company reserves the right to select its customers.

In law, the act of the defendant ##### consisting in the fact that on July 25, 2021, while on the premises of S.C. ##### S.R.L. located in #####, #####, in his capacity as administrator of the aforementioned company, in the exercise of his duties, used offensive language towards the injured party #####, which constitutes the elements of the offense of abusive behavior, as provided for in Article 296(1) of the Criminal Code, with the application of Article 77(h) of the Criminal Code."

- Decision No. 696/2024 of 29.10.2024 handed down by the Alba Iulia Court of Appeal (<https://www.rejust.ro/juris/98g529g97>)

"The aggravating circumstance provided for in Article 77(h) h) of the Criminal Code was duly taken into account, as evidenced by the defendant's verbal attitude (committing the offense for reasons related to race, nationality, ethnicity, language, religion, gender, [...] or other similar circumstances, considered by the perpetrator to be causes of a person's inferiority in relation to others).

Thus, the defendant C____ C_____:

On January 23, 2020, around 5 p.m., threatened to kill and burn down the home of B____ B____, from the municipality of A____, county of V____, while he was at the home of his son, I____ R____ I____, located opposite the defendant's home, saying to him: "Hey, gypsies, you're back again? I'll kill you, I'll burn your house down!"

On May 20, 2020, around 3:30 p.m., he threatened to kill and burn down the house of B____ B____, while he was at his son's house, I____ R____ I____, located across from the defendant's house, calling him: "Gypsy, you bastard!"

On May 20, 2020, around 4:00 p.m., he drove his personal car to the home of B____ B____ on _____, got out of the car, began threatening him and his wife, A____ A____, and threw a stone into the yard of the house, hitting the wall of the house and damaging the insulation of the wall, saying to them: "Gypsies, I'll kill you!" "

-Decision No. 1093/2021 of November 18, 2021, handed down by the Galați Court of Appeal (<https://lege5.ro>)

4. Furthermore, the phrase "or for other circumstances of the same kind, considered by the perpetrator to be causes of a person's inferiority in relation to others" should not necessarily be interpreted literally,

in the sense that in the perpetrator's mind a certain quality makes the victim inferior to another person, even if at first glance this might be considered to be the case.

It is hard to believe that the legislator's intention was to establish such a condition for the simple reason that it would have made the rule almost impossible to apply. Not only would it have required the judge to become a veritable "reader" of the perpetrator's conscience, but it would also have involved the production of evidence that would be almost impossible to obtain (*probatio diabolica*).

Consequently, the meaning of a legal provision cannot be derived exclusively from a literal interpretation of its terms, but rather from the rationale behind the enactment of the rule, through a logical interpretation of it, so that the result expresses the legislator's intention as faithfully as possible.

Thus, an examination of the content of Article 77(h) of the Criminal Code clearly shows that the rationale behind the provision was the existence of grounds for discrimination in the commission of the offense, with the legislature considering that this circumstance renders the act more socially dangerous and indicates that the offender is particularly dangerous.

As is well known—and as is also apparent from the consistent case law of the Constitutional Court ("discrimination is based on the notion of exclusion from a privilege (...), and the specific constitutional remedy, in the event of discrimination being found unconstitutional, is the granting of or access to the privilege") or the European Court of Human Rights ("discrimination means treating differently, without objective and reasonable justification, persons in relevantly similar situations") – the essence of discrimination is not necessarily the alleged inferiority of one person in relation to others, but the existence of unequal treatment between two persons, regardless of whether one is considered inferior, superior, or simply different in relation to the other.

Applying the above considerations of principle to the aggravating circumstance provided for in Article 77(h) of the Criminal Code, it follows that, from a criminal law perspective, the phrase "or for other circumstances of the same kind, considered by the perpetrator as causes of a person's inferiority in relation to others" refers to any situation that expresses prejudice against certain categories of persons and that leads the perpetrator to consider that the latter "deserve" to be victims of a crime (discrimination).

In other words, it is not necessary for the judge to "delve" into the perpetrator's inner thoughts in order to establish that they committed the act out of a belief that the victim was inferior to them for various reasons, but it is sufficient to establish – from the specific circumstances of the case that the perpetrator committed the crime because of their prejudice against certain characteristics of the victim and that, in the absence of these characteristics, they would most likely not have committed the crime.

5. In summary, in light of the above, three conclusions can be drawn:

(i) the phrase "considered by the perpetrator to be causes of a person's inferiority in relation to others" is not applicable if the offense was committed for the reasons expressly indicated by the legislator, namely those related to race, nationality, ethnicity, language, religion, gender, sexual orientation, opinion or political affiliation, wealth, social origin, age, disability, chronic non-contagious disease or HIV/AIDS infection ;

(ii) the phrase "considered by the perpetrator as causes of a person's inferiority in relation to others" is attached only to grounds of discrimination analogous ("or for other circumstances of the same kind") to those expressly listed by the legislator and serves to make the rule predictable, excluding its application to cases that are irrelevant from the perspective of the act;

(iii) the phrase "or for other circumstances of the same kind, considered by the perpetrator as causes of a person's inferiority in relation to others" must be viewed as a whole, designating any discriminatory situations and expressing a certain hostility/intolerance of the perpetrator towards the victim in relation to certain characteristics closely linked to the latter's person.

II. With regard to the inclusion in the list of protected criteria—both in the case of Article 77(h) of the Criminal Code and in the case of Article 369 of the Criminal Code—and the criteria related to gender identity, sexual characteristics, and color, certain clarifications are also necessary:

As previously mentioned, a detailed list of discrimination criteria would clearly contribute to a higher level of clarity and predictability of the legal system, but such an approach inevitably comes with certain drawbacks, including the impossibility of formulating an exhaustive list. Thus, it is possible that certain scenarios may be omitted by the legislator at the time of drafting the rule, just as it is possible that the legal provision thus configured may remain frozen in the scenarios envisaged at the time of its enactment and may not allow for the accommodation of any changing circumstances generated by the passage of time.

Therefore, in order to avoid the rigidity of the rule, the Romanian legislator opted for an open-ended regulation, capable of allowing the inclusion of criteria such as gender identity, sexual characteristics, color, or even others of the same nature.

Consequently, the inclusion of these criteria in Article 77(h) of the Criminal Code is not necessary.

Instead, they could be taken into account in relation to the criminalization provision in Article 369 of the Criminal Code in the event of future legislative intervention in this regard.

Paragraph 60 – please find attached a separate document with statistic data on the aggravating circumstance provided for in Article 77(h) of the Criminal Code collected for the period 2019-2023, with the observation that these data were made available to ECRI in the context of its country visit.

Paragraph 64 - footnote no.109:

We specify that the mentioned activities (two studies on the attitudes and experiences of Roma individuals regarding victimization and crimes with a discriminatory motive, as well as their expectations concerning the relationship between the community and the police) were carried out during 2024 as part of the Norwegian-funded project *“Integrated action for combating crimes with a discriminatory motive, especially those targeting Roma communities, and ensuring a high standard of police service – PDP3.”* The activity was conducted by the **Research Institute for Quality of Life** of the **Romanian Academy**, a partner of the **General Inspectorate of the Romanian Police** in this project, which published the two studies with the following titles:

- ***Beyond Prejudices and Behaviours – The Social Inclusion of Roma;***
- ***Differences and Asymmetric Inclusion – Discrimination of Roma.***

As part of the same project, other activities addressing the Roma community were also carried out.

- **Anti-victimization and Human Rights Campaign within the Roma Community**

The *Civic Union of Roma Youth in Romania* (UCTRR), a partner of the General Inspectorate of the Romanian Police (IGPR) in the PDP3 project, organized meetings in each county to inform both Roma and non-Roma communities about the activities carried out under the project. Over **10,000 flyers** were distributed within Roma and non-Roma communities, especially to those interested in the services provided by UCTRR. As part of the project, **2,145 individuals** (Roma and non-Roma) received counselling (1,415 Roma women, 110 non-Roma women, 510 Roma men, and 110 non-Roma men). More than **25,000 people** were informed via social media and community meetings about the project’s activities. A total of **48 requests** were sent to population registry services to assess the need for issuing identity documents, resulting in **1,041 identity documents** being obtained for those in need of such services.

- **Communication Campaign to Combat Discrimination**

This campaign included the production of a video clip, an audio spot, a poster, a press release, and several social media posts — all centred around the theme of combating discrimination. These clips and messages were shared on the Romanian Police’s social media pages and were also picked up by public information websites.

- **Workshop on Enhancing Police Officers’ Public Communication Skills**

Between **November 13–16, 2023**, a workshop on public communication was organized for spokespersons and press officers from within the Romanian Police. The goal was to positively influence public trust in the Romanian Police, particularly among Roma individuals.

- **Promoting the Police Profession Among Minority Communities**

Twelve **information sessions** were organized for young Roma, aimed at promoting the police profession. A total of **240 beneficiaries** (young Roma) participated in these events, where they received visibility materials as well as informational and educational resources.

We also specify that, following the analysis of the preliminary recommendations formulated by ECRI representatives, to be implemented by Romania, the Professional Training Directorate of the Romanian Police, as a specialized unit that ensures the uniform application of the regulations in force regarding the management of professional training activities in the Romanian Police, officially contacted the structures within the Ministry of Interior involved in the monitoring process, in order to communicate the up-to-date institutional measures undertaken for the purpose of training police officers in human rights and related issues.

In 2025, the Professional Training Directorate continued the process of coordinating the training of the personnel of the Romanian Police institution to address and resolve institutional missions and professional situations according to the regulatory framework and legal procedures in force.

Along the lines of initial professional training, in the non-university tertiary cycle, it was established that educational institutions subordinated to the Romanian Police should introduce into the schedule of students' complementary information also topics that target the ECRI's areas of competence.

We also emphasize the fact that, within the continuous training system organized by the Romanian Police units, without dismissal from the workplace, on the job, the dispositive framework approved at the level of its management established that police officers must study the following mandatory topics:

1. The Code of Ethics and Deontology of the Police Officer;
2. Respect for human rights in the work of police officers;
3. Preventing and combating gender-based violence,
4. Preventing and combating crimes involving children, victims of violence and abuse;
5. Hate crimes;
6. Prohibition of torture and ill-treatment;
7. Preventing and combating anti-Semitism, xenophobia, radicalization and hate speech, especially against Roma communities and increasing the quality of the police service;
8. Jurisprudence of judicial institutions and the European Court of Human Rights (regarding respect for the right to life, prohibition of torture, right to liberty and security, right to respect for private and family life and prohibition of discrimination);
9. Communication techniques and strategies for de-escalating conflicts in police work.

Hate speech and hate-motivated violence

Through the Mixed Working Group for Roma (GLM), coordinated at the county level by the Prefect's Institution, effective interinstitutional collaboration is ensured among local authorities, deconcentrated public institutions, and representative Roma organizations, with the aim of identifying and addressing the specific problems of vulnerable communities. These are characterized by a climate of cooperation and interethnic dialogue, while local authorities are committed to promoting democratic values, mutual respect and social cohesion.

Hate Speech

From the perspective of efforts carried out at the local level, an intensification of the prevention of hate speech is observed, through the implementation of diverse activities in schools, round tables, campaigns,

and GLM meetings, many anchored in national projects (e.g., “Without Discrimination”) and procedural monitoring tasks of the County Roma Offices (BJR), coordinated by prefectures.

In some counties, Police Inspectorates and Gendarmerie Inspectorates explicitly integrate hate speech prevention, while in Cluj, a dedicated unit was established within the County Police Inspectorate — the Office for Investigating Hate-Motivated Crimes — alongside weekly school campaigns. This represents good practice in professionalizing the institutional response.

The Ministry of Internal Affairs structures are annually involved in preventive and awareness-raising campaigns regarding the dangers associated with hate speech or hate crimes, such as: “Adolescence without Delinquency!”, “Without Discrimination” (national project), “Online Safety,” “Vigilance Makes the Difference,” “Set Your Child’s Safety.”

In Constanța county, more than 100 caravans were organized to raise awareness on non-discrimination, equal opportunities, and respect for disadvantaged persons, alongside the rehabilitation of 18 dwellings for underprivileged families.

A good practice example is the involvement of the NGO ROMAJust from Constanța county, which designed and implemented the project “Stop Hate”, aimed at encouraging respect and promoting cultural diversity through activities highlighting the cultural heritage of Roma communities. At the end of August 2024, a five-day multicultural camp was held in Costinești with 50 participants (students and education instructors), complemented by the “Stop Hate Speech” campaign. This campaign included three national-level seminars with key stakeholders in combating discrimination, hate speech, and hate crime, a research study on the contribution of Roma culture to Romanian society, and a nationally broadcast audio spot produced by participating students.

Another relevant example is the large-scale campaign conducted in the localities of Aninoasa, Geoagiu, Orăștie, and Deva, initiated by the Prefect’s Institution – Hunedoara County, through the County Roma Office, in partnership with General Directorate of Social Assistance and Child Protection (DGASPC) Hunedoara, the County School Inspectorate, the National Agency Against Trafficking in Persons, the National Anti-Drug Agency, as well as local and national Police and Social Assistance services. The activities explicitly targeted the combating of hate speech, school dropout prevention, integration into mainstream education, prevention of drug use and trafficking, and prevention of human trafficking.

In Deva municipality, educational and cultural workshops (“Creative Workshop,” “Winter Workshop”), events celebrating Roma culture (“Smiles and Traditions – Roma Day with Children”), and the marking of International Roma Day were organized. These included activities to promote diversity and combat discrimination, as well as partnerships with UNICEF, ICCV, the Museum of Dacian and Roman Civilization, and other local actors. Future objectives include promoting diversity, preventing and combating ethnic discrimination, campaigns on labor market access, improving housing conditions, and preventing family violence. At the same time, DGASPC Hunedoara consistently promoted the principle of non-discrimination through awareness campaigns (International Down Syndrome Day, National Adoption Day) in collaboration with the County Police Inspectorate – School Safety Service, focusing on the prevention of sexual abuse, combating discrimination, preventing juvenile delinquency, and promoting equal opportunities.

Hate-Motivated Violence

According to legal responsibilities, the Prefect does not conduct criminal investigations but coordinates the activity of deconcentrated public services in the prevention and combating of violence, convenes interinstitutional working groups, requests reports, and ensures that the issue is integrated into public order plans.

As periodic prevention and awareness campaigns are organized in schools and communities, often with the support of structures of the Ministry of Internal Affairs (MAI), the National Council for Combating Discrimination (CNCD), and NGOs, in most counties there have been no recent cases of discrimination, anti-Semitism or hate-motivated violence reported.

Operational intervention is primarily preventive (patrolling, school activities, mapping vulnerable areas), while interinstitutional cooperation is achieved through Mixed Working Groups or community teams, as well as through the specialized intervention of MAI structures.

In Argeş County, rapid intervention mechanisms are functional through the Prefect's partnership with DGASPC Argeş and the Probation Service, aimed at managing potential incidents.

County Police Inspectorates periodically organize awareness campaigns in schools, while County Gendarmerie Inspectorates organize training sessions on identifying, determining, and sanctioning offenses under Law No. 4/2008, as well as the correct recognition of racist, xenophobic, or antisemitic actions through the use of symbols and codes among football supporters with aggressive behavior.

In Iaşi County, isolated cases of ethnic bullying with violence have occurred in certain schools but are monitored by relevant stakeholders and eradicated. Special emphasis is also placed on preventing discrimination, with relevant campaigns initiated by the County Center for Educational Resources and Assistance (CJRAE), County School Inspectorates (ISJ), and the County Police Inspectorate (IPJ). In all schools, there are committees dedicated to the prevention of violence, school segregation, and ethnic discrimination.

In May 2025, Mehedinţi County organized the “Crime Prevention Week” event, dedicated to child safety, the prevention of domestic violence, and crimes against property. On this occasion, Mehedinţi police officers carried out 25 preventive activities with a total of 1,382 beneficiaries. These activities included discussions with citizens, including members of the Roma minority, and with local authorities, regarding the anti-victim training of citizens to overcome victim status.

INTEGRATION AND INCLUSION

Roma

Authorities implementing the Government of Romania's Strategy for the Inclusion of Romanian Citizens Belonging to the Roma Minority for the period 2022–2027 (SNIR) at the county level are: the Prefect's Institution, through the County Roma Offices (BJR — structures subordinated to the Prefect and benefiting from technical and methodological assistance from the National Agency for Roma), and deconcentrated and decentralized institutions of public administration.

County Roma Offices consist of at least three experts/officials from the executive and/or management staff, at least one of whom belongs to the Roma minority, is familiar with the social and cultural particularities of county-level Roma communities, and has knowledge of the Romani language.

The Strategy has been implemented in all counties. Certain counties demonstrate strong local governance, with Mixed Working Groups meeting monthly, county plans issued with indicators, annual reports prepared by County Roma Offices, networks of school/health mediators and local experts established in administrative-territorial units with significant Roma populations, and integrated actions carried out in education, health, housing, and employment.

According to the strategic document, county progress reports prepared by BJR highlight that the main activities in Roma communities are vaccination campaigns, health education campaigns for disease prevention, as well as other activities conducted by Public Health Directorates in accordance with national health programs managed by the Ministry of Health.

At the county level, anti-segregation campaigns, special scholarships, thematic camps, and mentoring programs have also been carried out, measurable progress being noted: increased numbers of programs and scholarships, expansion of the “School after School” campaign, strengthening of mediator networks, and local civic initiatives.

In administrative-territorial units with significant Roma populations, the Prefect's Institution, through the County Roma Office, conducts specific actions in partnership with local authorities and deconcentrated institutions: facilitating the issuance of identity documents; support for Roma children's school enrollment; health mediation in collaboration with Public Health Department (DSP) Argeş; support for local initiatives regarding socio-economic inclusion; organization of the Romani Language

Olympiad, the Roma History Contest, and the “Ștefan Fuli” Roma Literary Creation Contest at the national level.

On the occasion of International Roma Day and Romani Language Day, awareness-raising efforts focused particularly on the consequences of spreading anti-Roma messages online, which generate racial hatred.

In Cluj County, concrete results have been achieved: the increase in the number of school and health mediators, housing allocated to 108 families, and the purchase of nine dwellings from the local budget for individuals/families living in the disadvantaged area of Pata Rât, along with school enrollment campaigns. Administrative-territorial units allocated resources for utilities (drinking water, sewerage), road network expansion, access to European funds for land and housing registration, and citizen counseling on sewerage service connections.

In Bacău County, numerous educational campaigns have been carried out (over 100 activities, with thousands of participants). Campaigns in pre-university schools organized by NGOs in collaboration with police and gendarmerie structures aim to reduce anti-Roma attitudes and increase awareness. These actions are notable because they target not only students but also the broader community, including through the significant involvement of school and health mediators and local Roma experts, who play a crucial role in communication between institutions and communities and achieve tangible results in supporting education, health, and social inclusion.

From the perspective of the right to education, public authorities undertake various activities to reduce school absenteeism among Roma students, such as monthly monitoring of absences, early detection of absenteeism, school-family-community collaboration, contacting parents, counseling for students and families (especially in cases of stigmatization), differentiated approaches in teaching and learning, creation of school mediator posts, and increasing Roma children's enrollment in formal education through special places allocated, motivation-building activities, extracurricular clubs and workshops promoting inclusion and cultural diversity with community partners, financial support via scholarships, and school meal programs (e.g., “Hot Meal”).

Training Courses on Discrimination

The Prefect may order, through deconcentrated public services, the organization of training courses for civil servants, police officers and teachers, with the support of the National Council for Combating Discrimination (CNCD), the National Agency for Roma (ANR), and NGOs. These courses must include modules on hate speech and hate-motivated crimes.

In 2024, the staff of the Prefect's Institution participated in professional training sessions organized in partnership with: the CNCD, the National Agency for Roma, and the Association “Center for Social Inclusion Resources.” Topics addressed included multiple discrimination, intervention in cases of segregation and the promotion of intercultural dialogue.

Furthermore, admission opportunities were promoted for the “Alexandru Ioan Cuza” Police Academy in Bucharest, the “Vasile Lascăr” Police School in Câmpina, and the “Septimiu Mureșan” Police School in Cluj-Napoca, within profile events (e.g., MAI Jobs, Job Fair).

Institutions such as the County Center for Educational Resources and Assistance and the Iași Teacher Training Center, members of GLM, included in their training offers courses on preventing discrimination and antisemitism, intercultural education, and Holocaust history, which were attended by the majority of teachers.

Local initiatives in Mehedinți County, such as “Learning Together,” provided training focused on multiculturalism, anti-discrimination and school dropout reduction.

Status of implementation of the Romanian Government's Strategy for the inclusion of Romanian citizens belonging to the Roma minority for the period 2022-2027 (SNIR)

The Prefect's Institution monitors the application at the county level of the measures stipulated in the Strategy for the Inclusion of Romanian Citizens Belonging to the Roma Minority 2022–2027, requesting progress indicators from involved institutions and reporting to the Government on implementation status.

The strategic document is robust (clear objectives on inclusive education, housing, employment, health, culture, and combating discrimination), and the recommended local mechanism — Prefect coordination, operational BJR, quarterly-monitored GLMs and updated county plans — functions effectively in many counties (e.g., Cluj, Prahova, Vâlcea), which issue annual reports and sectoral indicators.

At the county level, the Strategy is implemented through the County Action Plan, updated in 2025. This document includes performance indicators in employment, education, health, and housing. Main areas of action are: facilitating access to identity documents, support for education (school enrollment, dedicated places in high schools/universities, scholarships, “School after School” programs), health mediation and access to medical services, and socio-economic inclusion (job creation, support from DGASPC and AJOFM).

Awareness campaigns regarding special places for Roma students in high school, vocational, dual, and university education were organized in all communities with significant Roma populations. These included community visits, school and local authority meetings, presentations of enrollment procedures, distribution of informative materials, assistance in obtaining proof of Roma affiliation, and direct support in completing applications.

Combating Antisemitism

With regard to aspects related to the National Strategy for Preventing and Combating Anti-Semitism, Xenophobia, Radicalization, and Hate Speech 2024-2027 (hereinafter referred to as the 2024-2027 Strategy), we note with satisfaction the positive assessment of the new strategic framework, both in terms of the new areas of intervention proposed and the increased specificity of the measures. However, we note that, in certain cases, the report does not accurately reflect the measures provided for in the 2024-2027 Strategy, as follows:

Paragraph 56 "the authorities' intention to support initiatives" such as the organization of training courses for journalists": We recall that the Strategy clearly stipulates the responsibility of the authorities for creating and organizing these training modules (through the Department for Interethnic Relations, a structure under the Prime Minister, and in coordination with the General Secretariat of the Government - Action No. A.3.6), which shows that the authorities' concern goes beyond the stage of intention.

The Prefect's Institution monitors the 2024-2027 Strategy's implementation at the county level and may stimulate educational activities in schools regarding Holocaust history, in partnership with the Ministry of Education and the “Elie Wiesel” Institute.

Territorial reports show very few incidents, generally indicating the absence of recent antisemitic cases. These reports highlight educational interventions (commemorations, partnerships with museums/libraries/NGOs), public messages on special occasions, and integration of Holocaust-related topics in school activities. The national strategy is referenced in local planning, and the educational framework includes pilot modules and teacher training on Holocaust history. Explicit interconnection with SNIR is ensured, combating both anti-Roma racism and antisemitism within the same policy framework. Regarding antisemitism-related issues, Prefect institutions maintain contact with presidents of local Jewish communities, fostering traditional cooperation among ethnic groups.

Prefect Institutions support educational and cultural projects dedicated to Holocaust remembrance (e.g., “Holocaust Memory Week” in Argeş, cultural events in Cluj). On International Holocaust Remembrance Day and other relevant dates, GLM meetings included commemorative speeches.

In Caraş-Severin County, the Jewish community is small, with sporadic cultural activities at the Reşiţa synagogue in partnership with the Democratic Forum of Germans. Approximately 17 ethnic groups coexist peacefully in the county, with active dialogue fostering tolerance and preserving each group's ethnic, religious and cultural identity.

In Mehedinți County, antisemitism prevention through education involved: introducing Holocaust, antisemitism and human rights modules in 40 pilot high schools (in collaboration with the “Elie Wiesel” Institute), training 600 history teachers on Holocaust education and recognition of contemporary antisemitism, extracurricular educational projects (museum visits, film screenings, workshops) in partnership with Jewish organizations and NGOs, and Holocaust Remembrance Day (27 January) marked in over 800 schools.

Paragraphs 85 and 86

Even if discrepancies between Roma children and children belonging to the majority population persist, positive trends in the participation of Roma children in education at all levels of general education should be noted.

Thus, in the 2024-2025 school year, 117,587 children and pupils belonging to the Roma minority were enrolled in general education (based on the data recorded in the Romanian Integrated Education Information System), which equates to approximately a 33% increase compared to the 2022-2023 school year². The implementation of the education measures provided for in the Strategy for the Inclusion of Romanian Citizens Belonging to the Roma Minority, including the work of school mediators, whose number has been expanded³, has led to a rise in the enrolment of Roma children and pupils, as well as to a greater acceptance of ethnic identity by their families, in the case of Roma children already participating in education. These positive developments pave the way for targeted interventions aimed at supporting Roma children and young people in accessing quality education and achieving successful learning outcomes. The impact of these efforts is expected to become evident in the years ahead.

Paragraph 87

Concerning paragraph 87, it should be noted that the number of dedicated places filled in by Roma pupils/students is not an accurate indicator on the participation of Roma pupils and students in upper secondary education and higher education, respectively.

Besides the dedicated places, which is a measure of positive discrimination for Roma ethnics, Roma pupils and students enrol in upper secondary education and higher education, respectively, the same as the majority pupils and students.

For example, in the school year 2022-2023 the number of Roma pupils enrolled in upper secondary education (high school, VET and dual education) was of 5.555, of which 2.575 were admitted on distinct places (from the total of 6.382 distinct allocated places). In the following school year 7.094 Roma pupils enrolled in upper secondary education, of which 3.177 were admitted on distinct places (from the total of 6.151 distinct allocated places).

In addition to the support measures mentioned in paragraph 87, pupils from socio-economically disadvantaged backgrounds or from vulnerable groups or with special medical conditions are entitled to the social scholarship, which aims to support the participation in educational activities and to prevent school dropout.

Allowances (scholarships) for underage mothers, re-enrolled in school, have also been set up, to help them participate in education, prevent drop out and school failure. The scholarship is granted based on class attendance.

The pupils enrolled in TVET are granted the technological scholarship. It should be noted that Roma pupils' participation in dual education has increased significantly, ensures access to the technological

² In the school year 2022-2023, in the Romanian Integrated Education Information System (SIIR), there were 88,595 children and pupils belonging to the Roma minority as follows: pre-school (0-3 years old group age): 22; pre-school (3-6 years old group age): 12,415; primary education: 39,049; gymnasium (lower secondary education): 28,070; high school (upper secondary education): 4,796; TVET: 4,073; post-secondary education (tertiary non-university education): 170.

In addition, 1,111 Roma persons were participating in Second Chance Programmes. These data have been reported to ECRI following the list of questions sent by the Commission in December 2023.

³ In 2022, at the beginning of the implementation of the Strategy for the 2022-2027 period, there were 418 school mediators employed. By the end of the 2024-2025 school year, their number had reached 557 (an increase of 33%).

scholarship granted by the state, as well as to the scholarships granted by the partner economic operator. In addition, pupils can be employed part time by the partner economic operator that provides the practical training.

"Students may also benefit from other types of scholarships, based on contracts concluded with economic operators or with other legal or natural persons, or granted by the local or county public authority. These scholarships may be combined with those funded from the state budget.

In addition to the measures implemented through the National Program for Reducing School Dropout (NPRSD)—which currently supports nearly 34.000 Roma pupils in combating school dropout, improving academic outcomes, and increasing transition rates to high school—preventing early school leaving and enhancing access to and participation in education and vocational training for disadvantaged groups, such as the Roma community, is also a priority supported by the Education and Employment Program (PEE), financed through European structural and investment funds. Thus, the PEE funds support measures in this regard for children from Roma communities. For example, through the competitive call for projects Integrated Measures for the Roma Community, launched in November 2024, with a total financial allocation of over €24 million, projects are funded that target Roma pupils with low socioeconomic status, the parents and legal representatives of these children, community mentors and, last but not least, teachers and support and management staff in the educational institutions where these children are enrolled.

The measures funded provide support to overcome obstacles to school attendance, organize individualized support programs, to ensure equal opportunities for children at risk of dropping out of school, with tailored measures for Roma girls, mentoring programs for teachers and children at risk of dropping out of school, information and awareness-raising programs on participation in education, counselling and parenting education for parents, etc.

These projects complement the calls already funded through the National Recovery and Resilience Plan and NPRSD dedicated to schools at high or moderate risk of school dropout, which carry out remedial learning activities, provide hot meals and school counselling to students identified as being at educational risk as a result of the early warning mechanism in education.

Paragraph 90

We would like to draw attention to the fact that in the *Civil society monitoring report on implementation of the national Roma integration strategy in Romania*, the references used regarding the proportion of segregated Roma students refer to data valid for 2014 and 2016. Furthermore, the cases of segregation reported date back to 2019 or earlier.

With regard to the Report on school segregation in Romania, 2022, we draw attention to the fact that, in the CADO's approach, only 1387 schools from 11 counties were targeted and that only 863 school units with legal personality responded to the request to provide data necessary for monitoring and evaluating school segregation, of which only 805 provided complete data necessary for monitoring school segregation (see pg. 21). Thus, the complete response rate was of 58%. As stated by the authors of the report, the data are not representative at the national level: *We reiterate, first of all, the fact that these data are not representative at the national level, not even at the level of the 11 counties where we ran the school segregation monitoring simulation. Let's remember that only 58% of schools responded fully to the request to provide data, and we found that many schools do not yet have an adequate understanding of how data should be collected and reported accurately. (see pg. 34)*

We would like to remind you that since 2019, the Ministry of Education and Research has taken a series of measures to prevent and combat segregation in schools (the establishment of the *National Commission for Desegregation and Educational Inclusion* and the adoption of the *Methodology for monitoring school segregation in pre-university education* – which has been repealed by the new methodology approved by order of the minister of education No. 7701/2024), but the continued implementation of the planned actions has been delayed/hampered by the COVID-19 pandemic.

During the reference period, with the support of UNICEF, a special module was developed in the Integrated Education Information System (SIIR) in Romania to collect data for the indicators set out in the *Methodology for monitoring school segregation*. The methodology was piloted at national level, which first required nationwide training of school inspectorate staff and school principals on the application of the methodology and reporting of data for the indicators in the special module of the SIIR.

Since 2021, the Ministry of Education and Research has strengthened its cooperation with UNICEF through the implementation of a Technical Support Instrument for school desegregation, through which UNICEF provided technical assistance for the recodification of the legal and public policy framework for school desegregation. The legal framework was finalized through the development and adoption of the *Methodology for monitoring, identifying, evaluating, preventing and combating school segregation in pre-university education*, approved by order of the minister of education No. 7701/2024. Also, with UNICEF support, the first National Report on School Desegregation will be produced in the coming period.

Paragraph 92, point (i) on extending measures to reduce early school leaving at primary level:

In this regard, we would like to point out that the Romanian Government's social inclusion policy has the overall objective of raising the standard of living of the population by promoting public policies **targeting all vulnerable groups** (people with disabilities, women, street children, young people aged 18 leaving state care institutions, older people etc.), **including the Roma population**.

In Romania, **non-discrimination and respect for human dignity are principles underlying the social assistance system and are defined in Article 5 of Social Assistance Law No. 292/2011, as amended and supplemented**. In accordance with national legislation, social assistance benefits and social services are provided to all categories of persons in vulnerable situations who are domiciled or resident in Romania, without discrimination. **They benefit from social protection measures and actions without restrictions or preferences based on race, nationality, ethnic origin, language, religion, social category, opinion, sex or sexual orientation, age, political affiliation, disability, chronic illness or membership of a disadvantaged group.**

All special laws in the field of social assistance take into account these principles. **From the point of view of national legislation governing the granting of social assistance benefits, no different methods of granting the same right are established on the basis of gender, ethnicity, religious affiliation or other similar criteria, as social assistance benefits are intended for all persons who meet the eligibility conditions, the only restriction being the requirement of a domicile/residence or confirmation that the persons live in Romania.**

At the same time, national strategies on social inclusion and poverty reduction define the basic principles that ensure equality, non-discrimination and diversity in access to social assistance benefits and social services, so that differences between members of society are respected.

Therefore, in terms of social assistance benefits, there are no social assistance benefit programmes implemented at national level that specifically target the Roma population. When applying for social assistance benefits, persons in need are not required to declare their ethnicity.

As an EU Member State, Romania has committed itself to implementing the provisions of the European Pillar of Social Rights, which includes among its important objectives *the provision of adequate social protection, the right to a minimum income*, etc. **In this context, social assistance actions/programmes are being implemented at national level with the aim of eradicating poverty in all its forms, ensuring a decent life for poor people and stimulating their participation in the labour market for all vulnerable groups in poverty, including the Roma.**

The programmes currently implemented by the Ministry of Labour, Family, Youth and Social Solidarity to reduce poverty, which are aimed at all vulnerable groups with low or no income and include incentives to reduce school drop-out among children from disadvantaged families, are as follows:

- **State child allowance**, a universal benefit granted under Law No. 61/1993, as republished, with subsequent amendments and additions, which is intended for all children up to the age of 18 **young people who have reached the age of 18 and are continuing their secondary or vocational education, organised in accordance with the law, until its completion, as well as young people with disabilities who are pursuing a form of pre-university education provided for by law, but not later than the age of 26.** The monthly amounts of the state child allowance have been increased starting with the entitlements for January 2024 and are currently as follows:
 - **292 lei** for children aged between 2 and 18, as well as for young people who have reached the age of 18 and are enrolled in secondary or vocational education, organised in accordance with the law, until the completion of their studies, as well as young people with disabilities who are enrolled in a form of pre-university education provided for by law, but not later than the age of 26;
 - **719 lei** for children up to 2 years of age or up to 18 years of age, in the case of children with disabilities.
- **Assistance for families with children**, part of the minimum inclusion income, in accordance with the provisions of *Law No. 196/2016, as amended and supplemented*, which is granted to families with dependent children up to the age of 18 **and aims to prevent poverty and encourage children's participation in education**, taking into account the list of family assets or, where applicable, of the single person who excludes them from receiving the Minimum Income. **The amount of assistance for families with children is determined according to the level of monthly income and the number of children in the family, as follows:**

TIP FAMILIE		Cuquantum 1 ianuarie 2024 - lei -	Cuquantum 1 martie 2024 - lei -	Cuquantum 1 martie 2025 - lei -
Venit/adult echivalent≤346 lei (1 martie 2024) / 366 lei (1 martie 2025)				
FAMILIE BIPARENTALĂ	1 copil	122	135	143
	2 copii	244	270	286
	3 copii	366	405	428
	≥4 copii	488	539	570
FAMILIE MONOPARENTALĂ	1 copil	137	152	161
	2 copii	274	303	320
	3 copii	410	453	479
	≥4 copii	547	604	638
Venit/adult echivalent>347 lei până la 879 lei (1 martie 2024) / 366 lei până la 930 lei (1 martie 2025)				
FAMILIE BIPARENTALĂ	1 copil	97	108	115
	2 copii	194	215	228
	3 copii	291	322	341
	≥4 copii	387	428	452
FAMILIE MONOPARENTALĂ	1 copil	126	140	148
	2 copii	245	271	287
	3 copii	370	409	432
	≥4 copii	490	541	572

The component of the assistance for families with children also includes elements to encourage education through the children's attendance at school. Thus, in the case of families with dependent children of school age, the assistance for families with children is granted in the amounts specified above, provided that each child is enrolled and attends without interruption a form of pre-university education, namely full-time education, as provided for by the National Education Law No. 1/2011, as amended and supplemented, except for those who interrupt their education for medical reasons. The amount of assistance for families with children shall be reduced in proportion to the number of children in the family, as follows:

- a) by 50% of the amount due to each child in the family for the month in which they have more than 15 unjustified absences;
- b) by the amount due to each child in the family for the month in which the child has more than 30 unjustified absences;

c) by the amount due to each child in the family for the period during which the child interrupts the school year, except in cases where the interruption is caused by medical reasons;

d) the amount due to each child in the family for the period during which the child repeats the school year for reasons other than medical reasons.

If one of the children no longer attends school, he or she shall no longer be taken into account when determining the adjusted monthly net income or the amount of assistance for families with children.

If a child attending school reaches the age of 18 during a school year, the family allowance is granted until the end of the school year in which the child is enrolled.

At the same time, schoolchildren from families receiving inclusion assistance are automatically eligible for social scholarships.

The educational incentive, established by *Law No. 248/2015 on encouraging participation in pre-school education for children from disadvantaged families*, is another programme aimed at children from disadvantaged families. **It is granted in the form of social vouchers to encourage children from disadvantaged families to participate in pre-school education and to increase their access to education.** The educational incentive is financed from the state budget through amounts deducted from value added tax and allocated to local budgets for this purpose. Starting on 1 January 2024, educational incentives will be granted to children attending preschool education from families who have established their right to family assistance for children under *Law No. 196/2016 on minimum inclusion income, as amended and supplemented*, regardless of whether the family is receiving this benefit or whether it has been suspended. Monthly amounts granted: 133 lei/month for each child enrolled in kindergarten from a family entitled to family assistance for children. **Granting educational incentives is conditional on the regular attendance at kindergarten of children from families benefiting from the educational incentive provided for in this law. Regular attendance means the daily presence of the child at kindergarten during the month monitored, except for justified absences. The following cases are considered justified absences that do not affect the granting of social vouchers, provided that they do not exceed 50% of the kindergarten days:**

- a) *medical absences*: justified, only if the parents provide medical certificates corresponding to the periods of absence when the children return to kindergarten. In exceptional cases, once per school year, children may receive social vouchers even if they have missed more than 50% of kindergarten days during the monitored month for medical reasons;
- b) *excused absences*: children may be excused by their parents for up to 3 days per month, provided that the teachers are notified.

Paragraph 101 regarding the lack of sufficient information provided to migrants on the purpose of the rights and procedures applicable to them. The recommendation specifies that there is no clear referral mechanism for migrants who are not beneficiaries of international protection and who may need specialized services. This recommendation invites the authorities to step up their efforts to ensure that relevant information is made available to migrants in the relevant languages and through various channels.

According to national law, namely *Law No. 292/2011 on social assistance, as amended and supplemented*, **the right to social services and social assistance benefits is guaranteed in Romania without any discrimination, for all Romanian citizens, as well as for citizens of other states or stateless persons who have their domicile or residence in Romania.** According to this principle, vulnerable persons benefit from social protection measures and actions without restriction or preference based on race, nationality, ethnic origin, language, religion, social class, opinion, sex or sexual orientation, age, political affiliation, disability, chronic illness or membership of a disadvantaged group.

In this context, **social services in Romania respect the principles of universal access, non-discrimination and human dignity**, ensuring support and social assistance for **persons in vulnerable situations**. This support includes access to **information, counselling, social guidance, community**

services or material assistance, in particular for children, pregnant women, older persons or persons with disabilities.

Furthermore, **Social Assistance Law No. 292/2011, as amended and supplemented**, stipulates that any person in difficulty, regardless of their legal status, **may request and benefit from social services**, according to their individual needs, based on a professional assessment. Romania is thus aligned with European and international standards on human rights, and social service providers actively contribute to **the social inclusion and protection of migrants**.

In accordance with **Government Decision No. 440/2022**, the National Strategy on Social Inclusion and Poverty Reduction for the period 2022–2027 recognizes **migrants as a vulnerable group** at risk of social exclusion and marginalization. The strategy document provides for **increased access to social, educational, health and employment services** for migrants, as well as the development of integrated and coordinated measures between institutions to **ensure equal opportunities and active integration** into society. The strategy emphasizes the importance of **non-discrimination** and **ensuring universal access** to rights and services, including for migrants in unclear administrative situations.

The strategy also includes objectives on **informing local communities about migrants' rights** and **improving the quality of social services** for migrants in order to support the process of **integration and active inclusion**.

The social inclusion of legally resident foreigners is supported by: participation in integration programmes, access to education and the labour market, protection of the rights of third-country workers and informing communities about their rights.

At the same time, according to the provisions of Article 20 of *Law No. 122/2006 on asylum in Romania*, **the recognition of refugee status or the granting of subsidiary protection entitles the beneficiary to social assistance measures under the conditions laid down by law for Romanian citizens**.

In Romania, social assistance benefits are granted only to persons who have international protection, i.e. refugee status or subsidiary protection. In addition, for foreign nationals or stateless persons, these rights are conditional on establishing domicile or residence in Romania, under the conditions laid down in Romanian law.

At the same time, according to the provisions of Article 20(1)(m) of Law No. 122/2006, persons who have refugee status or benefit from subsidiary protection are entitled, upon request, within the limits of the State's financial resources, **to a monthly non-repayable allowance for a maximum period of 12 months, if, for objective reasons, the person is deprived of the means of subsistence necessary for their existence. if, for objective reasons, the person lacks the necessary means of subsistence. The amount of the non-repayable monthly allowance is set at 1.08 ISR, starting in March 2024, i.e. 714 lei per month (approximately 143 euros) for each family member, including children.**

To be eligible for this right, **the person must have been granted international protection in Romania and be registered in the integration programme of the General Inspectorate for Immigration (IGI), in accordance with the legal regulations in force.** The following categories of vulnerable persons are exempt from this obligation: minors, unaccompanied minors, persons with disabilities, elderly persons, pregnant women, single parents accompanied by their minor children, victims of human trafficking, persons suffering from serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, mental, physical or sexual violence, or who are in other special situations similar to those mentioned above.

The non-repayable assistance is granted monthly **for each person who has been granted a form of protection. For minors who have been granted a form of protection and who are under the age of 14, the assistance is granted to their legal representative.**

The funds necessary for the granting of monthly non-repayable assistance **are provided from the budget of the Ministry of Labour, Family, Youth and Social Solidarity through the National Agency for Payments and Social Inspection and the county agencies for payments and social inspection.**

In the first quarter of 2025, the MMFTSS budget provided assistance to 363 persons (total number of beneficiaries) who acquired refugee status or subsidiary protection granted by the Romanian state. Compared to the first quarter of 2024, the number of beneficiaries increased by 41 persons (12.7%). The amount paid for this benefit in the first quarter of 2025 was 676,636 lei, higher than in the first quarter of 2024 by 106,218 lei (18.6%).

Information on access to social assistance benefits in Romania, which can be requested by persons enjoying international protection, i.e. refugee status or subsidiary protection, is available on the website of the Ministry of Labour, Family, Youth and Social Solidarity, in English, through the National Electronic Platform for Citizens, at the following link: <http://beneficiifamiliale.mmuncii.ro/>.

Other official information in English about social services that can also be accessed by persons with migrant status is available on the RO SDG portal at the following link: <https://www.e-guvernare.ro/en/informations/1-citizens/6-healthcare/4-medical-insurance-in-a-member-state/25-rules-on-integration-in-a-care-home>.

EMPLOYMENT

National Agency for Employment (NAE) has been actively involved in supporting Ukrainian refugees who have expressed their desire to stay and work in Romania. NAE offers, without discrimination, services aimed at increasing the employment opportunities for all persons registered in its records. In this respect, Ukrainian citizens have benefited from the same services as Romanian citizens, in accordance with the provisions of Law no. 76/2002 on the unemployment insurance system and employment stimulation. These services include, according to the legal provisions in force, information and professional counselling, labour mediation, vocational training, unemployment benefits for persons who meet the requirements of Law no. 76/2002, as well as EURES information services.

The language barrier represents a significant obstacle for Ukrainian citizens to access a job similar to the one they previously had in their country of origin. For this reason, NAE has also focused its efforts in this direction, through its territorial structures, offering the opportunity for Ukrainian citizens to participate in Romanian language courses. The 42 territorial employment agencies, in collaboration with the Regional Adult Vocational Training Centres, organize Romanian language courses for Ukrainian citizens, depending on the availability of trainers and the available financial resources. The expenses incurred by NAE, between February 2022 and present, related to Romanian language courses organized for Ukrainian citizens, are worth 109,229 lei. To date, 295 Ukrainian citizens have participated in such courses.

Since the outbreak of the armed conflict and until 31.07.2025, 24,626 Ukrainian citizens have registered in the records of county employment agencies and the employment agency of the municipality of Bucharest, of which 3,362 have been employed. NAE has developed a leaflet in Romanian, Ukrainian and English, that was posted on the NAE website, at: https://www.anofm.ro/upload2/ANOFM/19895/pliant_servicii_refugiati_ucraineni.pdf.

The leaflet is distributed by the agencies in the territory to other locally involved actors and on social networks (Facebook, LinkedIn). The leaflet contains a QR code with the contact details of all county, local agencies or work points and one for the vacancies.

In collaboration with United Nations High Commissioner for Refugees (UNHCR), NAE has produced a Guide for Ukrainian workers that includes the steps to access the services offered by NAE. It can be found on the NAE website at: <https://www.anofm.ro/ghidul-guide>.

In order to support job seekers and increase their employment opportunities, NAE organizes two general job fairs annually at national level: the General Job Fair, held every spring, and the Job Fair for Graduates, organized every autumn. During these events, stands dedicated to informing Ukrainian citizens are set up. Also, the territorial structures of NAE organize job fairs depending on the requirements of the labour market, targeting certain professions, specific fields of activity or vulnerable groups. At the same time, NAE, together with county and municipal employment agencies, supported and/or participated in events organized by other entities in support of Ukrainian citizens.

All services provided by NAE to Ukrainian citizens (including information activities, coordination, monitoring, data and information transmission, development of information materials, organization of scholarships and courses) were carried out exclusively by using NAE's own human and financial resources.

Paragraphs 102, 103 and 104

Concerning paragraphs 102, 103 and 104, we would like to highlight that Romania has a legislative framework and mechanisms that effectively ensure the right to education of refugees and migrants. In addition, there is a constant concern to update and strengthen the regulatory framework that regulates and facilitates the access to education in the national education system to meet the needs of these people.

In this regard, in 2022 the methodological frameworks for schooling, organisation and conduct of the Romanian language initiation course for minors and adult foreigners respectively, who have acquired a form of international protection or a right of residence in Romania were updated, through the *Order of the Ministry of Education no. 6127/24.10.2022 for the approval of the Methodology regarding the schooling and the organization and implementation of the Romanian language initiation course for minors who have been granted a form of international protection or a right of residence in Romania, as well as for minors who are citizens of the Member States of the European Union, the European Economic Area, and the Swiss Confederation*⁴ and the *Order of the Ministry of Education no. 6129/24.10.2022 for the approval of the Methodology regarding the organization and implementation of the Romanian language initiation course for adult foreigners who have been granted a form of international protection or a right of residence in Romania, as well as for citizens of the Member States of the European Union, the European Economic Area, and the Swiss Confederation*⁵, respectively. Both orders also include a procedure regarding the development, approval, and distribution of the curricula and textbooks for the Romanian language initiation course for the two categories of learners – minors and adults, respectively.

Also in 2022, a special methodology was adopted for the certification of pre-university studies for foreigners who have been granted international protection in Romania and who do not possess supporting documents for their studies or who, for objective reasons, do not fall under the current legal provisions regarding the recognition and certification of foreign studies in Romania, in order to facilitate access to the labour market or the continuation of studies, through *Order of the Ministry of Education no. 5807/29.09.2022*⁶.

The introductory Romanian language course for migrant children runs throughout the school year and begins as soon as there are applicants. Each student enrolled in the introductory Romanian language course receives six hours of instruction per week, totaling a minimum of 216 hours. This corresponds to a period of 36 weeks, spread over one school year and, where applicable, the following school year. Students may continue attending the course even after completing the 216 hours, until the first examination session for the acquired Romanian language skills.

The course is usually divided into three modules, corresponding to levels A1, A2, and B1 according to the CEFR – Common European Framework of Reference for Languages. Thus, depending on the students who begin attending throughout the school year, beginner modules (A1) can be organized at any time during the school year, provided that the number of new students justifies such organization. Depending on the needs, modules corresponding to competency levels A1.1 and A1.2 may also be organized, particularly for students requiring additional time to familiarize themselves with the Latin alphabet.

⁴ <https://legislatie.just.ro/Public/DetaliuDocumentAfis/261307>

⁵ <https://legislatie.just.ro/public/DetaliuDocument/261381>

⁶ <https://legislatie.just.ro/Public/DetaliuDocumentAfis/260370>

At the end of each module, the instructor will assess the students, and based on the results, recommendations may be made to proceed to the next module, continue the studies supplemented by remedial activities, or repeat the completed module.

Teachers delivering the introductory Romanian language course are given priority access to training activities in teaching Romanian as a foreign language.

The Ministry of Education and Research closely cooperates with UNHCR, which has resulted in the use of educational resources and teacher training opportunities provided by UNHCR, which are disseminated among teachers.

For example, Romanian teachers working with migrant children have the opportunity to participate in an online training module to develop skills in inclusive education and the use of multicultural approaches. To support the teaching of Romanian to displaced Ukrainian children, teachers can use the Romanian Language Textbook for Ukrainians: "Romanian for Ukrainians, Level A1-A2," developed by the UNHCR and the Romanian National Council for Refugees.

Regarding the enrolment and placement of a foreign minors in a school year, including minors benefiting from a form of international protection, the applying procedures are provided in Chapter III of the *Methodology on the schooling and the organization and implementation of the Romanian language initiation course for minors who have been granted a form of international protection or a right of residence in Romania, as well as for minors who are citizens of the Member States of the European Union, the European Economic Area, and the Swiss Confederation* (approved by order NO. 6127/2022).

In the case of foreign minors who do not possess study documents, for enrolment and registration in pre-university education, they must undergo an evaluation/examination procedure in accordance with Article 125, paragraphs (11) and (12) of the *Framework Regulation on the organization and functioning of pre-university education institutions* (approved by the Order of the Minister of Education No. 4,183/2022), or in accordance with the provisions of the *Special Methodology for certification of pre-university studies for foreigners who have obtained international protection in Romania and who do not have proof of studies or who, due to objective reasons, do not fall under the current legal provisions regarding the recognition and certification of foreign studies in Romania, with the aim of facilitating access to the labour market or continuing education* (approved by the Order of the Minister of Education No. 5,807/2022), or according to the simplified evaluation procedure for enrolment and registration in a specific grade, as applicable.

The parents/legal guardians of these minors and who do not speak Romanian, as well as the respective pupils, benefit from psycho-pedagogical counselling and school orientation services provided by a school counsellor and/or the form teacher, with the purpose of making a well-informed decision regarding the evaluation/examination procedure necessary for enrolment in an academic year.

The assignment of the appropriate grade level for enrolment and registration is determined by a placement commission, which provides a recommendation to the parents/legal guardians regarding the appropriate school year placement. Parents or legal guardians may disagree with this recommendation, in which case they have the right to request the enrolment of their children in the Romanian pre-university education system in the grade level of their choice, assuming full responsibility for their choice.

It should be noted that, in order to overcome adaptation difficulties, during the Romanian language initiation course, throughout their attendance as auditors of school classes, as well as subsequently during their formal schooling, minors and young people will benefit from the support of school counsellors.

To support the training of teachers working with refugee children and youth, the Ministry of Education and Research is collaborating with the British Council through an initiative aimed at supporting children affected by trauma. This collaboration began in 2022 with training sessions attended by 250 Romanian

and Ukrainian teachers working with Ukrainian refugee pupils in their classrooms. The training sessions were organized within the framework of a partnership between the British Council, UNICEF, and the International Organization for Migration. Starting in 2024, a new project implemented by the British Council and UNICEF, in collaboration with the Ministry of Education and Research, was launched under the initiative *Teaching and Learning in Difficult Times*, focusing on trauma-informed teaching. Through this initiative, 84 teacher trainers from the Ministry of Education and Research's network (across 41 counties and Bucharest) have been trained. The main objective of this training is to support teachers of all subjects in learning how to respond to the immediate needs of children who have experienced trauma, and to ensure resilient, inclusive learning environments that promote the well-being of preschool and school-aged children in the classroom.

The project continues through the cascade training of teachers across the country, with the goal of training approximately 200 teachers annually. As part of the project, international best practices and educational resources (such as manuals, guides, and worksheets) have been adapted to the Romanian context with the support of UNICEF. Teaching strategies that provide support for various types of trauma—including trauma caused by war, parental absence due to labour migration, poverty, family issues, and more will be promoted.

Regarding the status of *auditor*, Chapter II of the *Methodology on the schooling and the organization and implementation of the Romanian language initiation course for minors who have been granted a form of international protection or a right of residence in Romania, as well as for minors who are citizens of the Member States of the European Union, the European Economic Area, and the Swiss Confederation* regulates the attendance of classes by auditors.

Foreign minors, as well as to foreign young persons over the age of 18 who have not yet completed their pre-university studies, and who have obtained or have applied for a form of international protection or a residence permit in Romania are granted the status of auditor. This status applies until the completion of the procedure for the recognition and equivalence of their studies for placement in a specific grade level.

Auditors can attend classes within a pre-university educational institution without being formally enrolled in the education system, while simultaneously participating in the Romanian language initiation course and other school or extracurricular educational activities.

The assignment of the grade level in which the pupils will be enrolled as an *auditor* is made by a placement commission, while the final decision rests, as appropriate, with the student's parent(s) or legal guardian.

It should be noted that the Romanian state ensures equitable access, without any form of discrimination, to all levels and forms of pre-university education for minors who have requested or have been granted a form of protection in Romania, for foreign minors, and for stateless minors whose residence on the territory of Romania is officially recognized in accordance with the law, under the same conditions as Romanian citizens.

Once enrolled in the Romanian education system, migrant students benefit from the same rights as those granted to Romanian students, including in terms of eligibility for programs implemented by the Ministry of Education and Research and /or the Romanian Government for children, pre-schoolers, and pupils in the pre-university education system.

Paragraph 105 the activity of preventing and combating undeclared work by foreigners carried out by the Labor Inspectorate, apart from the frequent control actions, is also carried out with the General Inspectorate for Immigration, by performing periodic controls, either on its own or in cooperation, structured by areas of activity.

During the frequent inspections carried out to verify employers' compliance with the legal provisions on labor relations, no distinction is made between workers identified at the inspected workplace on the basis of ethnicity or citizenship.

In accordance with the role established by the National Identification and Referral Mechanism (MNIR), if labor inspectors detect during their inspections any indications suggesting a possible situation of

human trafficking for the purpose of labor or labor exploitation, they shall notify the specialized units within the General Inspectorate of the Romanian Police, which shall conduct the investigation, as appropriate.

In order to avoid risks that may arise from foreign workers' lack of knowledge of their rights and obligations arising from employment relationships, as well as to prevent situations of labor exploitation or abuse, the Labor Inspectorate's website provides information on working conditions in Romania regarding: working hours/salaries/vacation time/working conditions for minors, translated into English, French, Ukrainian, Turkish, Arabic, and Sinhalese.

At the same time, through the implementation of the actions in the Annual Cooperation Plan, concluded between the Labor Inspectorate and the General Inspectorate for Immigration, annual information and awareness campaigns/actions are organized on human trafficking and the conditions under which gainful activities can be performed on the national territory, as well as on the rights and obligations of foreign citizens as employees.

Foreign citizens who carry out gainful activities on Romanian territory enjoy all the rights arising from labor legislation, to the same extent as Romanian citizens. According to legal provisions, the minimum guaranteed wage is ensured for all workers, regardless of nationality.

For non-payment of wages, labor inspectors have the power to impose administrative penalties on the employer and to order measures to ensure compliance with the wage payment date. Failure to comply with the measures within the deadlines set by the labor inspectors constitutes an administrative offense.

The competent institution for resolving a labor dispute involving non-payment of salary entitlements is the court in whose jurisdiction the foreign worker resides in Romania or works, and may provide proof by means of any documents or other evidence accepted by the court.

According to Law No. 53/2003 - the Labor Code, claims for the resolution of a labor dispute consisting of non-payment of salary entitlements may be filed within three years from the date on which the right to act arose. Labor disputes are dealt with on an urgent basis and are exempt from court fees and stamp duty.

Paragraph 107

We consider it useful to specify that according to data extracted from the General Register of Employees in electronic format⁷, on December 16, 2024, 6,750 active contracts were registered for Ukrainian citizens, of which 6,314 were contracts that provided for the start of work after 24th February 2022.

The number of Ukrainian job seekers in Romania registered with the territorial structures of the National Agency for Employment (ANOFM) for the period 24th February 2022 – 16th December 2024 was 23,912. Also, the number of beneficiaries of temporary protection who received unemployment benefits for the period 24.02.2022 – 16.12.2024 was 53.

Other information:

- Number of jobs occupied by Ukrainian citizens in Romania, as reported to ANOFM – 3,247;
- Number of beneficiaries of employment facilitation measures (language courses or vocational training) – 295.

Paragraph 111 which refers to access to social benefits for beneficiaries of temporary protection under the same conditions as Romanian citizens:

With the adoption of *Emergency Ordinance No. 96/2024 on the provision of humanitarian support and assistance by the Romanian state to foreign nationals or stateless persons in special situations, coming from the armed conflict zone in Ukraine*, **in August 2024, the regulatory framework for granting support measures for the integration of Ukrainian citizens who have taken refuge in Romania since**

⁷ Managed by the Labor Inspectorate in accordance with Government Decision No. 905/2017 on the general register of employees

the outbreak of the armed conflict was extended so that the Romanian state can provide effective and efficient assistance to these persons through social measures, namely by granting social benefits from the state budget, namely: *state child allowance, child-raising allowance and integration incentive, monthly support, financial benefits for persons with disabilities, minimum income support through the granting of inclusion assistance and assistance for families with children, and others.*

Administrative data provided by the National Agency for Payments and Social Inspection on the implementation of the measures provided for in GEO No. 96/2024 for 2024 and the first quarter of 2025:

Type of benefit	2024		Jan.		Feb		Mar.	
	Number of beneficiaries	Amounts paid	Number of beneficiaries	Amounts paid	Number of beneficiaries	Amounts paid	Number of beneficiaries	Amounts paid
State child allowance	2,338	1,116,502	2,117	867,584	2,499	1,165,997	2,082	946,339
Inclusion aid	98	47,044	89	42,582	1	86,912	100	48,425
Assistance for families with children	35	4,551	44	4,614	7	8,568	2	1,428
Non-repayable aid for refugees	28	97,078	7	4,998	54	5,372	68	17,746
Other benefits (placement, leave and child-raising allowance)	54	740,453	113	154,918	167	257,438	11	34,033
Assistance for persons with disabilities	176	594,389	163	87,975	229	130,124	260	158,984
Total	3,223	2,600,017	2,533	1,162,671	3,126	1,654,411	2,523	1,206,955

Minors who are part of a family benefiting from international protection are eligible for state child allowance in Romania, in accordance with the provisions of *Law No. 61/1993 on state child allowance, republished, with subsequent amendments and additions*. Thus, **children of foreign citizens and stateless persons who are residents, under the conditions laid down by law, are entitled to state child allowance in Romania if they live with their parents until they reach the age of 18, including after the age of 18 if they are enrolled in secondary or vocational education organised under the conditions laid down by law, until they complete their education.**

At the same time, if foreign citizens or stateless persons who have their domicile or residence in Romania meet the eligibility conditions established by the Romanian legislation in force, they may apply, without discrimination, for other social assistance benefits, which are granted, however, according to the material situation of the family.

Paragraph 112 according to which the authorities are invited to ensure that all persons displaced from Ukraine as a result of Russia's war of aggression enjoy the same level of protection and support, regardless of their national or ethnic origin or other characteristics or personal status:

All persons displaced from Ukraine as a result of Russia's war of aggression shall enjoy the same level of protection and support, regardless of their national or ethnic origin or other characteristics or personal status, and shall have access to social assistance benefits without discrimination, under the same conditions as Romanian citizens, if the eligibility conditions provided for by national legislation are met.

Also, according to the provisions of *Article 20 of Government Emergency Ordinance No. 96/2024 on the provision of humanitarian support and assistance by the Romanian state to foreign citizens or stateless persons in special situations, coming from the armed conflict zone in Ukraine*, **elderly persons with reduced mobility or in a situation of dependency, who come from the armed conflict zone in Ukraine and enter Romania, shall, upon request, receive free social services in accordance with the provisions of Law No. 17/2000 on social assistance for the elderly, republished, with subsequent amendments and additions.**

STATISTICAL SITUATION FOR THE YEAR 2019

REGARDING HATE CRIMES [to which the aggravating circumstance provided for in Article 77(h) of the Criminal Code has been applied

or where the element of hatred is part of the constituent content of the crime - Article 369 of the Criminal Code, Article 297(2) of the Criminal Code, etc.]

Prosecutor's Office	THE CRIME COMMITTED UNDER ART. 77 UT. H C.P. OR WHERE THE ELEMENT OF HATE IS PART OF THE CONSTITUTIVE CONTENT OF THE CRIME	NUMBER OF CASES							NUMBER OF INDIVIDUALS AND JURISDICTIONS BROUGHT TO TRIAL (THROUGH INDICTMENTS AND PLEA BARGAINS)	NUMBER OF VICTIMS REFERRED TO IN THE DISCRIMINATION GROUND	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER SUSPECTED GUILTY1 NATURAL AND LEGAL PERSONS AGAINST WHOM THE PROSECUTION WAS DISCONTINUED	NUMBER OF VICTIMS REFERRED TO IN THE GROUND OF DISCRIMINATION	CESSATION OF THE GROUND FOR DISCRIMINATION	NUMBER OF SUSPECTS INDIVIDUALS AND LEGAL ENTITIES AGAINST WHOM THE CASE WAS DISMISSED	NUMBER OF VICTIMS TO WHOM THE GROUND OF DISCRIMINATION REFERS	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER OF CASES REMAINING UNRESOLVED AT THE END OF THE PERIOD (INCLUDING CASES WITH A.N.)
		EXISTING AT THE BEGINNING OF THE PERIOD	ENTERED DURING THE PERIOD	ENTERED DURING THE PERIOD	RESOLVED, OF WHICH:	BY REFERRAL TO TRIAL (INDICTMENTS AND PLEA BARGAINS)	BY WAIVING CRIMINAL PROSECUTION	BY RANKING										
0	1	2	3	4	6	6	7	d	9	10	11	12	#3	74	75	76	7	76
PCA București	art. 297 alin. 2	3	0	3	3	0	0	2	0	0		0	0		0	2	Social background	1
	Artss»	25	12	97	12	0	1	11	0	0	■	1	0	Ethnicity	0	14	Race, political affiliation, religion, social background	17
TOTAL		28	12	40	14	0	1	13	0	0		1	0		0	18		15
PCA Alba Iulia	Art2B6	1	11	12	6	0	0	6	0	0		0	0		0	0		3
	Art2»7 slln.2	1	2	3	0	0	0	0	0	0	*	0	0		0	0	-	2
	Art3M	4	4	8	4	0	1	3	0	0	-	0	0	Political affiliation	0	0		2
TOTAL		6	17	23	10	0	1	t	0	0		D	0		1	0		7
PCA Bacau	Art.369	0	4	4	0	0	0	0	0	0	-	0	0		0	0	-	2
TOTAL		0	4	4	0	0	0	0	0	0		0	«		0	0		2
PCA Brasov	Art369	4	T	11	3	0	0	3	0	0	-	0	0	-	2	4	Sexual orientation, Hungarian minority	8
TOTAL		4	7	11	3	0	0	3	*	0		D	8		2	4		8
Pea Constantia	Art369	9	2	11	S	0	0	5	0	0	-	0	0	-	5	5	Roma ethnicity	6
TOTAL		9	2	11	3	0	0	5	0	0		0	0		S	5		6
Pcs Craiova	An.369 C.p	2	S	7	3	0	0	3	0	0		0	0		0	3	Political affiliation Disability	3
TOTAL		2	5	7	3	0	0	3	0	0		0	0		«	3		3
PCA Galati	An.»? Sllt 2	0	1	1	0	0	0	0	0	0	*	0	0	*	0	0		1
	Art369	2	2	4	2	0	0	2	0	0	-	0	0	-	0	2	Discrimination on religious or professional grounds	2
TOTAL		2	3	S	2	0	0	2	0	0		t	0		0	2		3
PCA Iasi	Art.369	1	2	3	3	0	0	3	0	0	*	0	0	*	0	3	Ethnicity, Political affiliation	0
TOTAL		1		3	3	0	B	3	0	«		0	0		1			*

Prosecutor's Office	THE CRIME COMMITTED UNDER ART. 77 UT. H C.P. OR WHERE THE ELEMENT OF HATE IS PART OF THE CONSTITUTIVE CONTENT OF THE CRIME	NUMBER OF CASES							NUMBER OF INDIVIDUALS AND JURISDICTIONS BROUGHT TO TRIAL (THROUGH INDICTMENTS AND PLEA BARGAINS)	NUMBER OF VICTIMS REFERRED TO IN THE DISCRIMINATION GROUND	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER SUSPECTED GUILTY1 NATURAL AND LEGAL PERSONS AGAINST WHOM THE PROSECUTION WAS DISCONTINUED	NUMBER OF VICTIMS REFERRED TO IN THE GROUND OF DISCRIMINATION	CESSATION OF THE GROUND FOR DISCRIMINATION	NUMBER OF SUSPECTS INDIVIDUALS AND LEGAL ENTITIES AGAINST WHOM THE CASE WAS DISMISSED	NUMBER OF VICTIMS TO WHOM THE GROUND OF DISCRIMINATION REFERS	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER OF CASES REMAINING UNRESOLVED AT THE END OF THE PERIOD (INCLUDING CASES WITH A.N.)
		EXISTING AT THE BEGINNING OF THE PERIOD	ENTERED DURING THE PERIOD	ENTERED DURING THE PERIOD	RESOLVED, OF WHICH:	BY REFERRAL TO TRIAL (INDICTMENTS AND PLEA BARGAINS)	BY WAIVING CRIMINAL PROSECUTION	BY RANKING										
C		2	3	4	5	6	7	8	9	W	11	11	13	14	15	16	17	13
PCA Oradea	Art3B9	2	S	7	4	0	0	4	D	fi	-	0	0		0	4	Professional category, racism (Roma, Hungarian minority)	3
TOTAL		2	5	7	4	0	0	4	fi	0		0	0		0	4		3
PCA Pitesti	Art369	3	1	4	3	0	0	3	0	0	-	0	0		0	3	disability, race	1
TOTAL		3	1	4	3	0	0	3	0	0		fi	0		0	3		1
PCA Ploiești	Art 297 alin.2	1	2	3	2	fi	0	2	0	0		fi	fi		fi	2	incitement to hatred, Roma	1
	ArL369 C.p.	2	1	3	2	fi	0	2	0	0		0	0		0	2		1
TOTAL		3	3	S	4	0	0	4	0	0		0	0		0	4		2
PCA Suceava	Art309	1	0	1	1	0	0	1	0	0		0	0		0	1	Physical disability	0
TOTAL		1	0	1	1	0	0	1	0	0		0	0		fi	1		0
PCA Tg.Mureș	ArOlS	1	4	S	2	0	0	2	0	0	■	0	0	-	0	2	Ethnicity, vulnerable person (prisoner)	3
TOTAL		1	4	5	2	0	0	2	0	0		0	0		0	2		3
PCA Timisoara	Art 297 alin.2 C^	0	1	1	Q	0	0	0	0	0		0	fi		0	1	Nationality	1
	Art369	4	3	7	4	0	0	4	fi	fi	-	0	0		0	4	hatred	3
TOTAL		4	4	8	4	0	0	4	0	0		0	0		0	5		4
PICCJ. SUPC	Art369	0	3	3	1	0	0	1	0	0		0	0	-	0	fi	Reason of nationality, hatred against magistrates	1
TOTAL	-	0	3	3	1	0	0	1	0	0		0	0		0	0		1
TOTAL General	•	66	72	138	59	0	2	57	0	0	-	1	0	-	7	52	•	61

STATISTICAL SITUATION FOR 2020

REGARDING HATE CRIMES [to which the aggravating circumstance provided for in Article 77(h) of the Criminal Code

or where the element of hate is part of the constituent content of the crime - Article 369 of the Criminal Code, Article 297(2) of the Criminal Code, etc.]

Prosecutor's Office	THE CRIME COMMITTED UNDER ART. 77 UT, H.C.P. OR WHERE THE ELEMENT OF HATE IS PART OF THE CONSTITUTIVE CONTENT OF THE CRIME	NUMBER OF CASES							NUMBER OF INDIVIDUALS AND JURISDICTIONS BROUGHT TO TRIAL (THROUGH INDICTMENTS AND PLEA BARGAINS)	NUMBER OF VICTIMS REFERRED TO IN THE DISCRIMINATION GROUND	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER SUSPECTED GUILTY1 NATURAL AND LEGAL PERSONS AGAINST WHOM THE PROSECUTION WAS DISCONTINUED	NUMBER OF VICTIMS REFERRED TO IN THE GROUND OF DISCRIMINATION	CESSATION OF THE GROUND FOR DISCRIMINATION	NUMBER OF SUSPECTS INDIVIDUALS AND LEGAL ENTITIES AGAINST WHOM THE CASE WAS DISMISSED	NUMBER OF VICTIMS TO WHOM THE GROUND OF DISCRIMINATION REFERS	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER OF CASES REMAINING UNRESOLVED AT THE END OF THE PERIOD (INCLUDING CASES WITH A.N.)
		EXISTING AT THE BEGINNING OF THE PERIOD	ENTERED DURING THE PERIOD	ENTERED DURING THE PERIOD	RESOLVED, OF WHICH:	BY REFERRAL TO TRIAL (INDICTMENTS AND PLEA BARGAINS)	BY WAIVING CRIMINAL PROSECUTION	BY RANKING										
0	1	2	2	<	5	fi	7	fi	9	10	11	12	13	14	15	16	17	19
PCA Bucuresti	Alt2x7a12 C.p.	2	11	13	4	fi	0	4	0	fi		0	9		0	1	- age, wealth, -origin; - disability, -offensive expressions - origin;	9
	Art369 C.p.	15	30	45	15	2	1	12	2	fi	Inciting the video's audience to hatred and discrimination against women	0	0	race	1	5	anti-Semitism; Roma ethnicity; Hungarian ethnicity; political orientation; disclosure of illnesses suffered; harm; incitement to discrimination	29
TOTAL		17	41	54	11	2	1	18	2	0		•	fi		1	•		M
PCA Alba Iulia	Art253 C.p.	0	1	1	0	fi	fi	0	0	fi		0	0	•	0	fi		1
	Art295 C^	3	0	3	0	fi	0	0	fi	fi	-	0	0		fi	fi		a
	Art297 C4>	2	2	A	1	fi	fi	1	fi	0	-	0	0	-	fi	fi		a
	Art369 C.p	2	7	6	4	1	fi	3	1	0	Incitement to hatred	0	Q		0	0		S
TOTAL		7	10	17	5	1	•	4	1	0	-	0	fi	-	fi	fi		12
PCA Bacau	Art36e C4>.	2	fi	8	4	fi	1	3	0	fi	-	0	1	Ethnic discrimination	1	0	ethnicity	4
TOTAL		2	fi	fi	4	0	1	3	0	0		0	1		1	•		4
PCA Brasov	Ax358 C.p.	B	12	25	8	1	1	6	1	1	-nationality	0	1	-nationality	fi	6	displaying a conviction in a public space. > nationality, - sexual orientation-	7
TOTAL		I	12	20	I	1	1	I	1	1	-	fi	1		fi	6		7
PCA Cluj	Art3e9 C.p.	0	3	3	1	0	0	1	0	0		0	0		1	0	Incitement to hatred and violence against state institutions and the President of Romania	2
TOTAL		0	fi	3	1	0	0	1	0	0		fi	fi			0		2
PCA Constanta	Art5WC^p	fi	4	10	6	0	D	6	0	0	■	0	0	•	1	fi	Turkish ethnicity, ,	4

Prosecutor's Office	THE CRIME COMMITTED UNDER ART. 77 UT, H C.P. OR WHERE THE ELEMENT OF HATE IS PART OF THE CONSTITUTIVE CONTENT OF THE CRIME	NUMBER OF CASES							NUMBER OF INDIVIDUALS AND JURISDICTIONS BROUGHT TO TRIAL (THROUGH INDICTMENTS AND PLEA BARGAINS)	NUMBER OF VICTIMS REFERRED TO IN THE DISCRIMINATION GROUND	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER SUSPECTED GUILTY1 NATURAL AND LEGAL PERSONS AGAINST WHOM THE PROSECUTION WAS DISCONTINUED	NUMBER OF VICTIMS REFERRED TO IN THE GROUND OF DISCRIMINATION	CESSATION OF THE GROUND FOR DISCRIMINATION	NUMBER OF SUSPECTS INDIVIDUALS AND LEGAL ENTITIES AGAINST WHOM THE CASE WAS DISMISSED	NUMBER OF VICTIMS TO WHOM THE GROUND OF DISCRIMINATION REFERS	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER OF CASES REMAINING UNRESOLVED AT THE END OF THE PERIOD (INCLUDING CASES WITH A.N.)	
		EXISTING AT THE BEGINNING OF THE PERIOD	ENTERED DURING THE PERIOD	ENTERED DURING THE PERIOD:	RESOLVED, OF WHICH:	BY REFERRAL TO TRIAL (INDICTMENTS AND PLEA BARGAINS)	BY WAIVING CRIMINAL PROSECUTION	BY RANKING											
O	T	2	3	4	3	8	7	8	9	10	TI	72	«	14	18	14	17		19
																	prisoner status, offensive Facebook posts		
TCFTAL		6	4	10	8	0	0	S	0	0		0	0		1	I		4	
PCA Craiova	ArL3M C4>	3	3	\$	1	e	0	1	9	0		0	0		0	1	- nationality	3	
TOTAL		S	3	8	1	0	0	1	0	0		0	0		0	1		9	
PCA Galati	Art253 C.p	1	0	1	1	1	0	0	1	2	-ethnicity	g	9		0	0		0	
	ArtL297 al.2C.p	1	0	1	1	0	0	1	0	0		0	9		0	1	political affiliation	0	
	ArL3e9C#	2	4	9	3	0	0	3	0	a		A	0	*	9	3	Ethnicity, political affiliation	g	
TOTAL		4	1	5	9	1	*	4	1	3		«	B		*	4		*	
PCA Oradea	AiU69 Cj>.	4	3	7	4	0	2	2	0	0		2	2	-ethnicity	2	4	* ethnicity, sexual orientation	3	
TOTAL		4	3	7	4	0	2	2	0	0		2	2		2	4		3	
PCA Pitesti	ArueacA	4	4	8	2	0	0	2	0	0		0	0		Q	:	other reasons, xenophobia	8	
TOTAL		4	4	8	2	0	0	2	0	0		0	0		0	2		6	
PCA Ploiesti	ArUN C.p	0	1	1	0	0	0	0	0	0		0	0		Q	0		1	
	Art 297 C.p	1	2	3	0	0	0	0	0	0		0	0		0	0		3	
	ArL3e9 C.p.	1	4	5	3	0	0	3	0	0		0	0		3	3	Roma ethnicity, - incitement to hatred	0	
TOTAL		2	7	9	3	0	0	3	0	0		0	0		3	>		4	
PCA Suceava	ArtSU C4I.	0	9	9	4	0	0	4	B	0		0	0	-	0	8	political affiliation, incitement to hatred	5	
TOTAL		0	9	9	4	0	0	4	*	0		0	0		0	»		9	
PCA Tg.Mures	Art 297 alJC^	4	1	1	0	0	0	0	0	0		0	0		0	0		1	
	Art.369 C.p.	3	29	32	5	0	0	S	0	0		0	0		13	5	ethnicity, nationality	13	
TOTAL		3	30	33	S	0	0	5	9	0		0	*		11	5		13	
PCA Timisoara	Art 2S?«U C^	1	4	5	d	0	0	S	0	0		0	0	*	0	Q	hatred, sexual orientation	9	
	Alt3«9 C.p	3	7	10	3	0	0	3	a	0		0	0		8	0	hatred, nationality, political affiliation, disability, illness	7	
TOTAL		4	11	15	a	0	9	I	0	0		0	*		0	0		7	
PICCJ-SUPC	Art3««E.p	1	S	7	5	0	0	5	0	0		0	0		0	0		1	
TOTAL	*	1	6	7	5	0	0	5	0	0		0	0		0	0		1	
TOTAL GENERAL	*	65	150	215	80	5	5	70	5	3	-	2	4	-	22	44	-	111	

STATISTICAL SITUATION FOR 2021

REGARDING HATE CRIMES [to which the aggravating circumstance provided for in Article 77(h) of the Criminal Code

or where the element of hatred is part of the constituent content of the crime - Article 369 of the Criminal Code, Article 297(2) of the Criminal Code, etc.]

Prosecutor's Office	THE CRIME COMMITTED UNDER ART. 77 UT. H C.P. OR WHERE THE ELEMENT OF HATE IS PART OF THE CONSTITUTIVE CONTENT OF THE CRIME	NUMBER OF CASES							NUMBER OF INDIVIDUALS AND JURISDICTIONS BROUGHT TO TRIAL (THROUGH INDICTMENTS AND PLEA BARGAINS)	NUMBER OF VICTIMS REFERRED TO IN THE DISCRIMINATION GROUND	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER SUSPECTED GUILTY1 NATURAL AND LEGAL PERSONS AGAINST WHOM THE PROSECUTION WAS DISCONTINUED	NUMBER OF VICTIMS REFERRED TO IN THE GROUND OF DISCRIMINATION	CESSATION OF THE GROUND FOR DISCRIMINATION	NUMBER OF SUSPECTS INDIVIDUALS AND LEGAL ENTITIES AGAINST WHOM THE CASE WAS DISMISSED	NUMBER OF VICTIMS TO WHOM THE GROUND OF DISCRIMINATION REFERS	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER OF CASES REMAINING UNRESOLVED AT THE END OF THE PERIOD (INCLUDING CASES WITH A.N.)
		EXISTING AT THE BEGINNING OF THE PERIOD	ENTERED DURING THE PERIOD	ENTERED DURING THE PERIOD:	RESOLVED, OF WHICH:	BY REFERRAL TO TRIAL (INDICTMENTS AND PLEA BARGAINS)	BY WAIVING CRIMINAL PROSECUTION	BY RANKING										
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
PCA București	Art.369 C.L	31	33	89	29	0	0	29	0	0		0	Q		3	5	nationality, illness, incurable illness, race, sexual orientation, religious affiliation, offensive language. Incitement to class hatred. Incitement to hatred towards teachers, incitement to hatred towards a minor.	35
	Art 297 alin.2 C4>	9	9	18	3	D	Q	3	0	0		0	0	*	0	0	illness, contagious disease, incarcerated in prison	11
	Art206 C.p.	0	1	1	0	Q	0	0	0	0		0	0	*	0	0		9
TOTAL		40	48	88	32	0	0	32	0	0		0	0	-	3	5		48
PCA Alba Iulia	Art 389 cp	ii	9	14	8	0	0	#	0	0		0	0	■	5	ii	occupation, incitement to hatred	8
	Art297 alin 2C. p	3	4	7	4	0	0	4	0	0		0	0	■	3	3	-occupation	3
	Art.256 C.p	3	0	3	3	0	0	3	0	0		0	0		2	2	-occupation	6
	Art253 C.p	t	G	1	1	0	Q	1	Q	0		0	0	-	1	1	- occupation	0
TOTAL		12	13	25	14	0	0	14	0	0		0	0	-	11	11		11
PCA Bacau	Art.5dC.p.	4	ii	9	2	0	0	2	G	0		0	0		1	1	professional category	7
TOTAL		4	S	9	2	0	0	2	0	Q		9	9		1	1		T
PCA Brasov	Art.369 C.p.	7	S	15	4	0	1	3	0	G		0	1	-nationality	0	3	Nationality, religion	7
TOTAL		7	8	15	4	D	1	3	8	0		0	1		0	3		1
Pu Cluj	Art.3e>C.p.	2	1	3	0	0	0	0	0	0		0	0	-	0	0		3
	Art 193 Cp.	0	1	1	1	0	0	1	0	0		0	0	*	1	1	Nationality and race	0
TOTAL		3	2	4	1	S	0	1	9	0		0	G		1	1		3
Pca Constanta	Art 389 c.p	4	1	5	2	0	0	2	0	0		0	0	-	0	0	Ethnicity, illness	3
TOTAL		4	1	5	2	0	I	2	0	0		0	0	-	0	0	-	3

Prosecutor's Office	THE CRIME COMMITTED UNDER ART. 77 UT. H C.P. OR WHERE THE ELEMENT OF HATE IS PART OF THE CONSTITUTIVE CONTENT OF THE CRIME	NUMBER OF CASES							NUMBER OF INDIVIDUALS AND JURISDICTIONS BROUGHT TO TRIAL (THROUGH INDICTMENTS AND PLEA BARGAINS)	NUMBER OF VICTIMS REFERRED TO IN THE DISCRIMINATION GROUND	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER SUSPECTED GUILTY1 NATURAL AND LEGAL PERSONS AGAINST WHOM THE PROSECUTION WAS DISCONTINUED	NUMBER OF VICTIMS REFERRED TO IN THE GROUND OF DISCRIMINATION	CESSATION OF THE GROUND FOR DISCRIMINATION	NUMBER OF SUSPECTS INDIVIDUALS AND LEGAL ENTITIES AGAINST WHOM THE CASE WAS DISMISSED	NUMBER OF VICTIMS TO WHOM THE GROUND OF DISCRIMINATION REFERS	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER OF CASES REMAINING UNRESOLVED AT THE END OF THE PERIOD (INCLUDING CASES WITH A.N.)
		EXISTING AT THE BEGINNING OF THE PERIOD	ENTERED DURING THE PERIOD	ENTERED DURING THE PERIOD:	RESOLVED, OF WHICH:	BY REFERRAL TO TRIAL (INDICTMENTS AND PLEA BARGAINS)	BY WAIVING CRIMINAL PROSECUTION	BY RANKING										
	1	2	3	4	5	6	7	9	9	10	11	12	15	14	15	15	16	
Pca Craiova	Art369 C.p	6	8	12	7	0	0	7	0	0		0	0	■	8	7	Nationality, ethnicity, incitement to hatred, social reasons, race	4
	Art 297 alin.2 C4>	1	5	6	4	0	0	4	0	0		0	0		6	4	ethnicity: violation of health rights, violation of professional rights, restriction of rights	2
TOTAL		7	11	18	11	0	0	11				0	0		14	11		6
PCA Galati	Art 297 alin.2 C4i	0	1	1	0	0	0	0	0	0		0	0		0	0		1
TOTAL		0	1	1	0	0	0	0	0	0		0	0		0	0		1
PCA Iasi	Art 297 alin1 c*	4	4	4	0	0	0	0	0	0		0	0		0	0		4
	Art 369 C.p.	2	6	8	3	0	0	3	0	0		0	0	-	0	3	discrimination based on sexual orientation and gender identity. defamation, insults based on ethnicity	5
TOTAL		2	10	12	3	0	0	3	0	0		0	0		0	3		■
PCA Oradea	ArtLM9C4>	3	11	14	13	0	0	13	0	0		0	0	-	13	13	ethnicity, sexual orientation, incitement to hatred, membership of a political group	1
TOTAL		3	11	14	13	0	0	13	0	0		0	0		13	13		1
PCA Pitesti	Art369 C.p.	5	1	8	4	0	0	4	0	0	■	0	0	-	0	3	incitement to hatred against a category of persons: Roma ethnicity. mayor	2
TOTAL		3	1	■	4	0	0	4	9	0		0	6		9	3		2
PCA Ploiesti	Art20S C4).	1	0	1	1	0	0	1	0	0		0	0		1	1	Roma ethnicity	0
	Art369 C.p.	0	7	7	3	0	0	3	0	0		0	0	-	3	4	Incitement to hatred on grounds of mental illness: messages inciting hatred were distributed, Roma ethnicity	4
	Art 297 alin.2 C4>	3	0	3	2	0	0	2	0	0		0	0	-	1	2	city hall officials - HIV infection: wealth	1
TOTAL		4	7	11	6	0	0	6	0	0		0	0		5	7		5
	Art369 C.p.	5	4	9	4	0	0	4	0	0	-	0	0	■	0	4	incitement to hatred	4

Prosecutor's Office	THE CRIME COMMITTED UNDER ART. 77 UT. H C.P. OR WHERE THE ELEMENT OF HATE IS PART OF THE CONSTITUTIVE CONTENT OF THE CRIME	NUMBER OF CASES							NUMBER OF INDIVIDUALS AND JURISDICTIONS BROUGHT TO TRIAL (THROUGH INDICTMENTS AND PLEA BARGAINS)	NUMBER OF VICTIMS REFERRED TO IN THE DISCRIMINATION GROUND	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER SUSPECTED GUILTY1 NATURAL AND LEGAL PERSONS AGAINST WHOM THE PROSECUTION WAS DISCONTINUED	NUMBER OF VICTIMS REFERRED TO IN THE GROUND OF DISCRIMINATION	CESSATION OF THE GROUND FOR DISCRIMINATION	NUMBER OF SUSPECTS INDIVIDUALS AND LEGAL ENTITIES AGAINST WHOM THE CASE WAS DISMISSED	NUMBER OF VICTIMS TO WHOM THE GROUND OF DISCRIMINATION REFERS	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER OF CASES REMAINING UNRESOLVED AT THE END OF THE PERIOD (INCLUDING CASES WITH A.N.)
		EXISTING AT THE BEGINNING OF THE PERIOD	ENTERED DURING THE PERIOD	ENTERED DURING THE PERIOD:	RESOLVED, OF WHICH:	BY REFERRAL TO TRIAL (INDICTMENTS AND PLEA BARGAINS)	BY WAIVING CRIMINAL PROSECUTION	BY RANKING										
PCA Suceava	1 Art 297 «Un2 c».	2 9	3 1	4 1	5 0	6 9	7 9	8 Q	9 0	10 0	11	12 6	13 0	14 •	15 0	16 0	17 -	18 1
TOTAL		5	5	10	4	0	0	4	0	0		0	0		0	4		5
PCA Tg.Mures	ArtM7 inn2	1	G	1	0	0	0	0	0	0		0	0		0	0		8
	Art399C^.	12	2	14	6	1	0	7	3	1	ethnicity	0	0		0	0	Race, nationality, ethnicity	4
	Art193 C4».	0	1	1	1	1	0	0	2	1	- ethnicity	0	0		0	0		0
TOTAL		13	3	16	9	2	0	7	5	2		0	0		0	0		4
PCA Timisoara	ArtLSeS C.p	7	7	14	7	0	0	7	0	Q		0	0		Q	0	Hatred, sanitary, sex, nationality	5
	Art 297 "In2 C9	0	2	2	1	0	0	1	0	0		0	0		9	1	ethnicity	0
TOTAL		7	9	16	8	0	0	8	0	0		0	0		Q	1		5
PICCJ. SUPC	Art36» C.p	1	12	13	5	0	0	S	0	0		0	0		0	0	Political opinion, nationality	8
	Art 297 «Un1 04»	0	1	1	1	0	0	1	0	0		0	0		0	0	Political opinion	0
TOTAL		1	13	14	6	0	0	6	0	0		0	0		0	0		8
TOTAL WFRACW	•	116	1«	264	119	2	1	116	5	2		0	1	•	46	63	•	123

STATISTICAL SITUATION FOR 2022

REGARDING HATE CRIMES [to which the aggravating circumstance provided for in Article 77(h) of the Criminal Code has been applied

or where the element of hate is part of the constituent content of the crime - Article 369 of the Criminal Code, Article 297(2) of the Criminal Code, etc.]

Prosecutor's Office	THE CRIME COMMITTED UNDER ART. 77 UT. H C.P. OR WHERE THE ELEMENT OF HATE IS PART OF THE CONSTITUTIVE CONTENT OF THE CRIME	NUMBER OF CASES							NUMBER OF INDIVIDUALS AND JURISDICTIONS BROUGHT TO TRIAL (THROUGH INDICTMENTS AND PLEA BARGAINS)	NUMBER OF VICTIMS REFERRED TO IN THE DISCRIMINATION GROUND	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER SUSPECTED GUILTY1 NATURAL AND LEGAL PERSONS AGAINST WHOM THE PROSECUTION WAS DISCONTINUED	NUMBER OF VICTIMS REFERRED TO IN THE GROUND OF DISCRIMINATION	CESSATION OF THE GROUND FOR DISCRIMINATION	NUMBER OF SUSPECTS INDIVIDUALS AND LEGAL ENTITIES AGAINST WHOM THE CASE WAS DISMISSED	NUMBER OF VICTIMS TO WHOM THE GROUND OF DISCRIMINATION REFERS	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER OF CASES REMAINING UNRESOLVED AT THE END OF THE PERIOD (INCLUDING CASES WITH A.N.)
		EXISTING AT THE BEGINNING OF THE PERIOD	ENTERED DURING THE PERIOD	ENTERED DURING THE PERIOD:	RESOLVED, OF WHICH:	BY REFERRAL TO TRIAL (INDICTMENTS AND PLEA BARGAINS)	BY WAIVING CRIMINAL PROSECUTION	BY RANKING										
0	*	2	3	4	S	6	7	S	9	10	11	72	73	M		10	ff	18
PCA București	Art 257 alin.2 C.p.	11	8	18	8	8	O	C	0	0		0	0		0	4	Restriction of the right to work, persons with disabilities, social status, prison inmates: political affiliation, discrimination in public, humiliation, abusive messages, unfounded accusations, other reasons.	10
	Art. 389 C'ł,	34	26	80	10	0	O	10	0	0		0	0		0	10	reasons related to education, wealth, sexual orientation, race, incitement to hatred and discrimination on YouTube, political party, position held (police officer), incitement to hatred and discrimination	48
	Alt 288C^	Q	1	1	O	0	O	0	0	0	*	O	0		0	0		1
	Art.193 C.p	0	1	1	0	0	0	0	O	Q		0	0		0	0		1
	Art.3 din Legea nr.157Z=18	0	3	3	O	0	O	0	O	0	-	0	0		0	O		2
TOTAL		AS	>1	U	11	I	O	18	0	8	*	0	I		O	M		82
PCA Albă Iulia	Arut C4>	8	4	14	5	1	8	4	1	0	hatred	0	0		4	4	ethnicity disability	5
	Art 297 alin.2 C.p	2	3	5	1	0	0	1	O	0		0	0		1	0	hatred	3
	Art253 C'ł)	3	0	3	0	0	O	O	0	0		0	0		0	O		3
	Art 189 cp	O	1	1	1	1	fi	0	1	1	Nationality, race, hatred	0	0		0	O		0
TOTAL		11	I	1>	7	2	e	S	2	1	-	0	0		3	4	*	11

Prosecutor's Office I	THE CRIME COMMITTED UNDER ART. 77 UT. H C.P. OR WHERE THE ELEMENT OF HATE IS PART OF THE CONSTITUTIVE CONTENT OF THE CRIME	NUMĂR CAUZE							NUMBER OF INDIVIDUALS AND JURISDICTIONS BROUGHT TO TRIAL (THROUGH INDICTMENTS AND PLEA BARGAINS)	NUMBER OF VICTIMS REFERRED TO IN THE DISCRIMINATION GROUND	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER SUSPECTED GUILTY1 NATURAL AND LEGAL PERSONS AGAINST WHOM THE PROSECUTION WAS DISCONTINUED	NUMBER OF VICTIMS REFERRED TO IN THE GROUND OF DISCRIMINATION	CESSATION OF THE GROUND FOR DISCRIMINATION	NUMBER OF SUSPECTS INDIVIDUALS AND LEGAL ENTITIES AGAINST WHOM THE CASE WAS DISMISSED	NUMBER OF VICTIMS TO WHOM THE GROUND OF DISCRIMINATION REFERS	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER OF CASES REMAINING UNRESOLVED AT THE END OF THE PERIOD (INCLUDING CASES WITH A.N.)
		EXISTING AT THE BEGINNING OF THE PERIOD	ENTERED DURING THE PERIOD	ENTERED DURING THE PERIOD:	RESOLVED, OF WHICH:	BY REFERRAL TO TRIAL (INDICTMENTS AND PLEA BARGAINS)	BY WAIVING CRIMINAL PROSECUTION	BY RANKING										
	1	2	3	4	5	6	7	8	9	10	<1	»	73	14	15	16	17	18
PCA Bacau	Art 297 agnJ C^>.	6	1	1	1	0	0	1	0	0		0	0	■	0	0		0
	An. 309 C4J.	2	1	3	1	0	0	1	0	0		0	0		0	3	social class, social status	1
TOTAL		2	2	4	2	0	0	2	0	0		0	0		«	3		1
PCA Brasov	Art. 309 C4>.	7	9	14	3	0	e	3	0	6		9	Q		9	3	nationality, ethnicity	12
TOTAL		7	9	16	3	0	0	3	0	0		0	0		8	3		12
PCA Cluj	Art.30»C4).	12	S	17	6	0	0	6	o	0		0	0		0	0	Ethnicity, political affiliation, homophobia	11
	Legea nr.157/2018	0	1	1	0	0	6	0	Cl	0		9	0		0	6		1
TOTAL		12	6	16	«	0	1	6	0	0		Q	o		0	0		12
PCA Constanta	Art369 C4J	3	3	6	3	0	0	3	o	0		0	9		0	0	ethnicity	3
TOTAL		3	3	6	3	0	l	3	Q	0		0	0		0	8		3
PCA Craiova	Art.29raIn.2C4).	2	6	8	4	0	9	4	0	0		0	A		9	5		3
	Art. 309 C4>	S	8	13	6	0	6	6	0	0		o	0		9	7	incitement to hatred	5
TOTAL		7	14	21	19	0	»	16	0	0		o	0		0	12		l
PCA Galati	Art 193 C.p.	1	0	1	0	0	0	0	0	0		o	9		0	0		1
	Art 309 CP	1	1	2	1	o	9	1	0	o		o	0		9	l	ethnicity	1
TOTAL		2	1	3	1	0	0	1	0	0		0	0		0	1		2
PCA Iasi	Art. 297 alin2C4).	4	1	5	2	0	0	2	o	o		o	0		9	2	Ethnic and sexual orientation insults	2
	Art.3»9C4J.	6	4	10	4	0	0	4	0	o		o	0		0	4	ethnic motives and political defamation	6
TOTAL		10	5	15	6	0	9	6	9	o		0	o		0	8		l
PCA Oradea	Art. 369 C4).	3	S	8	4	0	0	4	0	0		0	0		4	4	incitement to hatred on facebook, ethnicity	4
TOTAL		3	5	8	4	0	8	4	6	0		0	o		4	4		4
PCA Pitesti	Art 309 C4).	3	2	5	2	o	o	2	0	0		6	0		1	1	Social origin, incitement to hatred	3
TOTAL		3	2	5	2	o	D	2	0	o		0	0		1	1		3
PCA Ploiesti	Art. 297 alin.2C.p.	1	1	2	1	o	0	1	0	0		0	0		0	1	Mental health	1
	Art 369 C4>.	4	4	8	6	o	0	6	0	0		0	o		0	6	Other reasons, HIV,sexual orientation	2
TOTAL		5	5	10	7	0	0	7	Q	o		o	o		0	7		3
PCA Suceava	Art 297 aUnJ CA.	1	0	1	1	0	o	1	0	0		o	o		0	1	ethnic origin (anti-Semitic hatred)	a
	Art 369 C^.	4	S	9	2	o	6	2	0	0		6	o	■	0	2	incitement to hatred, discrimination	7

Prosecutor's Office	THE CRIME COMMITTED UNDER ART. 77 UT. H C.P. OR WHERE THE ELEMENT OF HATE IS PART OF THE CONSTITUTIVE CONTENT OF THE CRIME	NUMBER OF CASES							NUMBER OF INDIVIDUALS AND JURISDICTIONS BROUGHT TO TRIAL (THROUGH INDICTMENTS AND PLEA BARGAINS)	NUMBER OF VICTIMS REFERRED TO IN THE DISCRIMINATION GROUND	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER SUSPECTED GUILTY1 NATURAL AND LEGAL PERSONS AGAINST WHOM THE PROSECUTION WAS DISCONTINUED	NUMBER OF VICTIMS REFERRED TO IN THE GROUND OF DISCRIMINATION	CESSATION OF THE GROUND FOR DISCRIMINATION	NUMBER OF SUSPECTS INDIVIDUALS AND LEGAL ENTITIES AGAINST WHOM THE CASE WAS DISMISSED	NUMBER OF VICTIMS TO WHOM THE GROUND OF DISCRIMINATION REFERS	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER OF CASES REMAINING UNRESOLVED AT THE END OF THE PERIOD (INCLUDING CASES WITH A.N.)
		EXISTING AT THE BEGINNING OF THE PERIOD	ENTERED DURING THE PERIOD	ENTERED DURING THE PERIOD:	RESOLVED, OF WHICH:	BY REFERRAL TO TRIAL (INDICTMENTS AND PLEA BARGAINS)	BY WAIVING CRIMINAL PROSECUTION	BY RANKING										
Q	1	2	3	<	5	6	7	8	9	10	n	«	«	74	15	M	77	48
TOTAL		S	S	19	3	O	O	3	O	O		O	fi		0	3		7
PCA Tg. Mureș	Art 389 Cp.	4	4	8	3	O	1	2	O	O		7	O	ethnicity	0	1	Sexual orientation	5
	Art 297 alinJ C.p	9	2	2	2	O	O	2	O	O		O	0		0	2	Ethnicity, language	O
TOTAL		4	6	10	S	O	1	4	O	Q		7	O		O	3		S
PCA Timisoa	Art 369 C4).	S	6	11	9	9	O	9	d	O		O	O		O	O	Hatred, nationality, other criteria	2
	Art 297 alin.2 C.p	O	5	5	3	O	0	3	O	O		O	O		O	fi	Other criteria, sexual orientation	2
TOTAL		5	11	If	12	O	0	12	O	O		c	a		0	0		4
PICCJ- SUPC	Art 297 alin.2C.p.	1	3	4	3	9	0	3	O	O		0	0		0	O	Political opinion	1
	An. 369 C4>.	8	5	13	9	9	0	9	O	0		O	0		0	6	Political opinion, nationality	2
TOTAL	■	I	S	17	12	O	«	12	O	«		0	O		6	O	-	3
TOTAL General	-	in	123	262	93	2	1	st	2	1	-	7	O		10	61	•	148

STATISTICAL SITUATION FOR 2023

REGARDING HATE CRIMES [to which the aggravating circumstance provided for in Article 77(h) of the Criminal Code has been applied

or where the element of hate is part of the constituent content of the crime - Article 369 of the Criminal Code, Article 297(2) of the Criminal Code, etc.]

Prosecutor's Office	THE CRIME COMMITTED UNDER ART. 77 UT. H C.P. OR WHERE THE ELEMENT OF HATE IS PART OF THE CONSTITUTIVE CONTENT OF THE CRIME	NUMBER OF CASES							NUMBER OF INDIVIDUALS AND JURISDICTIONS BROUGHT TO TRIAL (THROUGH INDICTMENTS AND PLEA BARGAINS)	NUMBER OF VICTIMS REFERRED TO IN THE DISCRIMINATION GROUND	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER SUSPECTED GUILTY ¹ NATURAL AND LEGAL PERSONS AGAINST WHOM THE PROSECUTION WAS DISCONTINUED	NUMBER OF VICTIMS REFERRED TO IN THE GROUND OF DISCRIMINATION	CESSATION OF THE GROUND FOR DISCRIMINATION	NUMBER OF SUSPECTS INDIVIDUALS AND LEGAL ENTITIES AGAINST WHOM THE CASE WAS DISMISSED	NUMBER OF VICTIMS TO WHOM THE GROUND OF DISCRIMINATION REFERS	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER OF CASES REMAINING UNRESOLVED AT THE END OF THE PERIOD (INCLUDING CASES WITH A.N.)
		EXISTING AT THE BEGINNING OF THE PERIOD	ENTERED DURING THE PERIOD	ENTERED DURING THE PERIOD:	RESOLVED, OF WHICH:	BY REFERRAL TO TRIAL (INDICTMENTS AND PLEA BARGAINS)	BY WAIVING CRIMINAL PROSECUTION	BY RANKING										
	1	2	3	4	6	6	7	8	9	10	11	12	13	14	16	16	17	18
PCA București	Art193 C.p.	1	1	2	0	0	0	0	0	0		0	0		8	9		2
	Art 3 Law 157/2018	2	1	3	0	0	0	0	0	0		9	0		8	9		2
	Art369 C.p	48	28	74	19	0	0	19	0	0		0	0		2	14	citizenship, race, sexual orientation, financial status, incitement to hatred/fascism, anti-Semitism, use of the term "Jew" disclosure of personal documents	54
	Art297 alinJ C.p	10	5	13	3	0	0	3	0	0		0	0	-	0	1	Nationality, age, discrimination, public defamation, insults, offensive words and expressions	7
TOTAL		81	31	»	22	0	8	5	0	0		0	0		2	17		85
PCA Alba Iulia	Art389 C.p	4	2	8	2	0	0	2	0	0		0	0		1	0	Political opinions	2
	Art297 alin2 c*	2	0	2	1	0	0	1	0	0	-	0	0		0	5	Ethnicity, hatred, disability	1
	Art 296 alin 2CAI	1	0	1	1	1	0	0	1	1	ethnicity	0	0		0	9		0
TOTAL		7	2	*	4	1	0	3	1	1		*	«		1	8		3
PCA Bacau	Art 297 alin 1 Cd	0	1	1	0	0	0	0	0	0		0	0		0	0		1
	Art569 C.p.	1	8	9	2	0	0	2	5	0		0	0		0	11	Hatred, social status	7
TOTAL		1	8	10	2	0	«	2	0	e		#	0		t	0		8
PCA Brasov	Artme.p.	12	8	18	8	0	0	6	0	0	■	0	0	*	0	5	socially disadvantaged group, nationality, personal defamation, ethnicity	12
	Art297 alini Cd	0	1	1	1	0	0	1	0	0		0	0	-	0	1	Age and illness	0
TOTAL		11	7	10	7	0	*	7	0	0		0	0		0	8		12
Pca Cluj	Art5W C.p.	11	2	13		0	1	2	0	0	*	0	0	homophobia	0	0	Ethnicity, nationality, political affiliation	10

Prosecutor's Office	THE CRIME COMMITTED UNDER ART. 77 UT, H.C.P. OR WHERE THE ELEMENT OF HATE IS PART OF THE CONSTITUTIVE CONTENT OF THE CRIME	NUMBER OF CASES							NUMBER OF INDIVIDUALS AND JURISDICTIONS BROUGHT TO TRIAL (THROUGH INDICTMENTS AND PLEA BARGAINS)	NUMBER OF VICTIMS REFERRED TO IN THE DISCRIMINATION GROUND	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER SUSPECTED GUILTY1 NATURAL AND LEGAL PERSONS AGAINST WHOM THE PROSECUTION WAS DISCONTINUED	NUMBER OF VICTIMS REFERRED TO IN THE GROUND OF DISCRIMINATION	CESSATION OF THE GROUND FOR DISCRIMINATION	NUMBER OF SUSPECTS INDIVIDUALS AND LEGAL ENTITIES AGAINST WHOM THE CASE WAS DISMISSED	NUMBER OF VICTIMS TO WHOM THE GROUND OF DISCRIMINATION REFERS	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER OF CASES REMAINING UNRESOLVED AT THE END OF THE PERIOD (INCLUDING CASES WITH A.N.)
		EXISTING AT THE BEGINNING OF THE PERIOD	ENTERED DURING THE PERIOD	ENTERED DURING THE PERIOD	RESOLVED, OF WHICH:	BY REFERRAL TO TRIAL (INDICTMENTS AND PLEA BARGAINS)	BY WAIVING CRIMINAL PROSECUTION	BY RANKING										
	»	2	3	4	5	6	7	8	9	10	11	«	13	14	19	74	17	18
	Art.3 Legea 157/2011	1	1	2	0	0	0	0	0	0		0	0		0	0		2
	Art.297 afina CA	1	1	2	1	0	0	1	0	0		9	0		0	0	antisemitism	1
TOTAL		13	a	17	4	0	1	3	0	0		0	0		0	1		13
Pca Constanta	Art309 C.p	3	2	5	2	0	Q	2	0	0		0	8		0	0	ethnicity	3
TOTAL		3	2	5	2	0	0	2	0	0		0	0		0	0		3
Pca Craiova	ArtL 297 alin.2 C-P.	3	1	4	2	0	0	2	0	0	-	g	0		0	2	Violation of the rules governing the exercise of the duties of a public official	0
	Art369 C.p	0	9	15	3	0	0	a	0	0		o	D		0	3	incitement to hatred or discrimination	12
TOTAL		9	10	19	5	0	0	5	0	Q		8	«		0	5		12
PCA Galati	Art.205al.1 Cx, Art.193 al.2	1	0	1	0	0	o	0	0	0		0	0		g	0		1
	Art369 C.p	1	3	4	4	0	o	4	0	0		0	0		4	4	political	Q
TOTAL		2	3	5	4	0	0	4	0	0		•	•		4	4		1
PCA Iasi	An. 207 alini O.	2	Q	2	0	o	0	0	o	o		o	o		0	0		2
	Alt 369 C4).	5	3	8	3	0	0	3	0	0	-	0	0		0	3	ethnic motives, defamation for political reasons	5
	Art3 Legea 157/2011	1	0	1	1	o	0	1	0	0		0	0		9	1	promotion of anti-Semitism	0
TOTAL		1	3	11	4	0	0	4	0	0		0	0		0	4		7
PCA Oradea	Art.369 C.p.	8	3	11	5	0	0	5	0	0		0	0		0	5	Incitement to hatred on Facebook, ethnicity,	3
TOTAL		1	3	11	5	0	0	5	0	D		0	0		0	5		3
PCA Pitesti	ArtL 297 aUna CJ*	•	1	1	0	0	0	0	0	0		0	o		0	0		1
	An.369 C.p.	3	4	7	5	0	o	5	0	0		0	0		o	2	Social origin	2
TOTAL		3	5	8	5	0	0	5	t	0		«	0		o	2		3
PCA Ploiesti	Art 297 alin.2 CA.	1	1	2	0	0	o	0	0	0		0	0		0	0		2

	Art.369 C.p.	2	0	8	4	0	0	4	0	0	*	0	0	-	Q	4	Wealth, social origin, disabilities, other reasons	3
TOTAL		3	7	10	4	0	0	4	0	0		0	0		0	4		5
PCA Suceava	Art.369 C.4).	7	1	8	0	0	0	8	0	0	-	0	0		0	7	inciting hatred/discrimination based on Russian nationality, inciting hatred, religion	2
TOTAL		7	1	8	6	0	0	6	0	0		0	0		0	7		2
PCA Tg. Mures	Art 369 C.p.	7	4	11	6	0	0	6	0	0	■	0	0	*	1	1	Political reasons, sexual orientation, ethnicity and nationality	5
	Art. 293CA		1	1	1	1	0	0	1	1	nationality	0	0	*	0	9		0

Prosecutor's Office	THE CRIME COMMITTED UNDER ART. 77 UT, H.C.P. OR WHERE THE ELEMENT OF HATE IS PART OF THE CONSTITUTIVE CONTENT OF THE CRIME	NUMBER OF CASES							NUMBER OF INDIVIDUALS AND JURISDICTIONS BROUGHT TO TRIAL (THROUGH INDICTMENTS AND PLEA BARGAINS)	NUMBER OF VICTIMS REFERRED TO IN THE DISCRIMINATION GROUND	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER SUSPECTED GUILTY ¹ NATURAL AND LEGAL PERSONS AGAINST WHOM THE PROSECUTION WAS DISCONTINUED	NUMBER OF VICTIMS REFERRED TO IN THE GROUND OF DISCRIMINATION	CESSATION OF THE GROUND FOR DISCRIMINATION	NUMBER OF SUSPECTS INDIVIDUALS AND LEGAL ENTITIES AGAINST WHOM THE CASE WAS DISMISSED	NUMBER OF VICTIMS TO WHOM THE GROUND OF DISCRIMINATION REFERS	INDICATION OF THE REASON FOR DISCRIMINATION	NUMBER OF CASES REMAINING UNRESOLVED AT THE END OF THE PERIOD (INCLUDING CASES WITH A.N.)
		EXISTING AT THE BEGINNING OF THE PERIOD	ENTERED DURING THE PERIOD	ENTERED DURING THE PERIOD:	RESOLVED, OF WHICH:	BY REFERRAL TO TRIAL (INDICTMENTS AND PLEA BARGAINS)	BY WAIVING CRIMINAL PROSECUTION	BY RANKING										
	1	2	3	4	5	8	7	9	9	70	11	12	15	14	15	11	11	18
TOTAL		7	9	12	7	1	•	«	1	1		0	0		1	1		5
PCA Timisoara	Art369 C.p.	2	4	4	4	0	0	4	0	0		0	0		0	0	other criteria, hatred	4
	Art297 alin 2 C ¹	2	2	4	4	8	0	4	0	0		0	0		0	0	illness, other criteria	0
TOTAL		4	1	12	8	0	0	8	0	0		0	0		0	0		4
PICCJ- SUPC	Art389C.p	3	0	3	2	0	0	2	0	0		0	0		0	0	Political opinions, nationality	1
	Art297 alin 2 c ¹	1	9	1	1	0	0	1	0	0		0	0		0	1	Political opinions	0
TOTAL		4	•	4	1	0	D	3	•	0		9	0		0	9		1
TOTAL GENERAL	•	152	100	252	02	2	1	89	2	2	•	0	0		0	56	•	147

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The European Commission against Racism and Intolerance (ECRI) is a unique human rights monitoring body which specialises in questions relating to the fight against racism, discrimination (on grounds of “race”, ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance in Europe; it prepares reports and issues recommendations to member States.