

2024 Country Reports on Human Rights Practices: Romania

EXECUTIVE SUMMARY

On December 6, the Constitutional Court annulled the results of the first round of the country's presidential election held November 24, ruling that "multiple irregularities and breaches of electoral law... compromised the transparency and fairness of the electoral campaign" and raised suspicions regarding the fairness of the conduct of elections. The court's ruling was criticized as political interference in an election and an undue restriction on disfavored political speech of an unprecedented nature and severity.

Significant human rights issues included credible reports of restrictions on freedom of expression, and crimes, violence, or threats of violence motivated by antisemitism.

The government took credible steps to identify and punish officials who committed human rights abuses, but in some cases government actions were insufficient and impunity was a problem.

Section 1.

Life

a. Extrajudicial Killings

There were no reports the government or its agents committed arbitrary or unlawful killings during the year.

In May, the Bucharest Court of Appeal rejected an extraordinary appeal of the acquittal of former communist-era Securitate officials Marin Parvulescu, Vasile Hodis, and Tudor Postelnicu. The three officials were accused of committing crimes against humanity in 1985 when, according to prosecutors, they were responsible for arresting and beating anticommunist dissident Gheorghe Ursu to death. The Gheorghe Ursu Foundation and several researchers criticized the decision, stating it granted impunity for persons who committed political killings during communism.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Section 2.

Liberty

a. Freedom of the Press

The constitution provided for freedom of speech, including for members of the press and other media, and the government generally respected this right. Independent media organizations and international observers noted a lack of transparency of media ownership and nontransparent financing of media outlets by political parties, as well as editorial policies subordinated to the interests of political parties or owners.

Reporters and civil society representatives said their freedom of expression was sometimes limited by restricted or paid access to information of public interest issued by the government and public institutions, including expenses, contracts or bids involving public funds, and the academic records of public officials. Reporters and nongovernmental organizations (NGOs) often had to sue state-controlled ministries, agencies, or local entities to access public information. Some reporters throughout the country were harassed, sued, or threatened by authorities or individuals whom they investigated and reported about or by proxies.

The Constitutional Court annulled the results of the November 2024 first-round presidential elections, ruling that “multiple irregularities and breaches of electoral law...compromised the transparency and fairness of the electoral campaign” raising suspicions regarding the fairness of the conduct of elections. This was criticized by some as an undue restriction on political speech. The Constitutional Court’s decision portrayed the election as having been unduly influenced by a Russian information operation on social media, but independent observers suggested that the social media campaign in question was an organic election activity by a Romanian political party. The country was scheduled to rerun the first-round presidential elections in May 2025.

The law prohibited Holocaust denial and promoting or using symbols representing fascist, racist, or xenophobic ideologies, or symbols associated with the interwar nationalist, extremist, fascist, and antisemitic Legionnaire movement, a World War II-era, Nazi-aligned political party and paramilitary movement.

On January 14, police briefly detained civic activist Angi Serban and reportedly subjected her to interrogation, fingerprinting, and a strip search after Serban posted on Facebook, “If at a peaceful protest the police come bearing firearms, wouldn’t it be legitimate for the protesters to bring cocktails?” According to a press release by the Bucharest Police, Serban’s post represented criminal incitement.

Physical Attacks, Imprisonment, and Pressure

Journalists, based on their investigative reporting, were subjected to harassment and intimidation tactics by authorities.

On July 18, the Directorate for the Investigation of Organized Crime and Terrorism (DIICOT) prosecutors’ office in Caras Severin issued an ordinance requiring journalists from the RISE Project, a consortium of investigative journalists, to reveal their sources related to a RISE investigation that overlapped with a DIICOT investigation or face an order allowing officials to search their effects for evidence of their sources and investigation. The RISE team said it would not submit to the ordinance. A number of media organizations signed a letter addressed to the judiciary asking for the annulment of the ordinance, arguing that “the protection of media sources is both a legal privilege and a professional obligation of journalists” and this privilege was established both in Romanian and European media legislation. The DIICOT central office annulled the ordinance later the same day, claiming a procedural error.

b. Worker Rights

Freedom of Association and Collective Bargaining

The law provided for the rights of workers to form and join independent labor unions, bargain collectively, and conduct legal strikes. Unions could affiliate with regional, national, or EU union federations. The law prohibited antiunion discrimination and allowed workers fired for union activity to challenge their dismissal in court for reinstatement. The law provided for protection of freedom of association and collective bargaining, but unions complained there was little enforcement to protect against violations of these rights.

Under the law, those with individual labor contracts, most civil servants, members of cooperatives, farmers, and independent workers could join unions. Unemployed individuals could remain in or join a union. Military employees of the Ministries of National Defense and Internal Affairs, personnel from intelligence agencies, magistrates, elected officials, and senior government officials did not have the right to unionize. The law prohibited public authorities, employers, or organizations from interfering, limiting, or preventing unions from organizing, developing internal regulations, and selecting representatives.

The law required employers with more than 10 employees to negotiate a collective labor agreement. Collective labor agreements could be concluded within a company, by groups of workplaces, at the collective bargaining sector level, or at the national level. Unions or union confederations representing at least 35 percent of workers could negotiate on behalf of employees. If a union did not exist, employers could negotiate with worker representatives who were elected by at least “50 percent plus one” of employees. Employers who refused to initiate negotiation of a collective bargaining agreement could receive fines. Employers were required to inform and consult unions on topics with a direct impact on labor relations, including transfers, acquisitions, mergers, collective layoffs, and the company’s future economic prospects.

Generally, unions could not strike if a collective labor agreement was in place or for labor claims regulated by law. Before organizing a wider strike, unions were required to first pursue conciliation, mediation, or arbitration with the Labor Inspectorate or Ministry of Labor and Social Protection, and, if these failed, organize a warning strike. Unions were required to give employers 48 hours’ notice before striking. Employers could challenge strikes in court, and companies could claim damages from strike organizers if a court deemed a strike illegal. The law permitted strikes only in defense of workers’ collective economic, social, and professional interests and not for political gains. Unions could hold solidarity strikes to show support for employees in the same group or sector and could also strike against governmental social and economic policies that affected or diminished rights provided by collective labor agreements.

The law set criteria for declaring unions as representative based on the type of negotiation. Specifically, only confederations of unions could engage in national negotiations. A union confederation was required to have branches in at least “50 percent plus one” of all counties and represent at least 5 percent of all workers nationally. For negotiations with sectors or with groups of employers, unions were required to represent at least 5 percent of the respective pools of workers. In negotiations with individual employers, unions were required to represent at least 35 percent of the company’s workers. A union maintained its representative status for four years, unless challenged in court.

Companies often created separate legal entities to transfer employees, thereby avoiding representation thresholds. It was difficult to legally prove employers laid off employees in retaliation for union activities. Penalties were commensurate with those for analogous crimes such as civil rights violations and were sometimes applied against violators. The National Council for Combating Discrimination fined employers for antiunion discrimination, although it lacked the power to order reinstatement or other penalties. Employees usually were required to seek a court order to obtain reinstatement.

Forced or Compulsory Labor

See the Department of State’s annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acceptable Work Conditions

Wage and Hour Laws

The law provided for a national minimum wage for all sectors that was higher than the official estimate for the poverty income level. The law provided for a standard workweek of 40 hours or five days. Workers were entitled to overtime pay for weekend or holiday work or work of more than 40 hours. An employee's workweek could not exceed 48 hours per week on average over a four-month period, although exceptions were allowed for certain sectors or professions. The law required a 48-hour rest period in the workweek, although most workers received two days off per week. During reductions in workplace activity for economic or technical reasons, the law allowed employers to shorten an employee's workweek and reduce the associated salary. Excessive overtime could lead to fines for employers if workers filed a complaint, but complaints were rare. The law prohibited compulsory overtime.

Occupational Safety and Health

Occupational safety and health (OSH) standards were appropriate for the main industries. Workers could remove themselves from situations they deemed dangerous to their health or safety without jeopardy to their employment. The construction, agriculture, and small manufacturing sectors were particularly problematic sectors for labor underreporting and neglecting health and safety standards.

The government proactively identified unsafe conditions by conducting formal inspections in vulnerable sectors, based on a prenotification calendar. For example, a national campaign, completed in April, included 2,412 inspections in the construction sector. Labor inspectors verified legal compliance for individual employment contracts, as well as whether employers met occupational health and safety requirements, and inspectors imposed sanctions and fines following inspections. Labor inspectors also conducted ad hoc investigations upon receiving complaints or notifications.

Wage, Hour, and OSH Enforcement

The Ministry of Labor and Social Protection, through the Labor Inspectorate, was responsible for enforcing the minimum wage, overtime, and OSH laws, although enforcement was not always effective. Penalties for violations were commensurate with those for similar crimes but were only applied sometimes against violators. Labor inspectors had the authority to make unannounced visits and initiate sanctions, but the number of inspectors was insufficient to enforce compliance in all sectors.

The Labor Inspectorate collaborated with the National Authority for Fiscal Administration to conduct joint operations to check employers in sectors prone to underreported labor, including the textile, construction, security, cleaning, food preparation, transportation, and storage industries. Investigations often focused on underpayment of taxes rather than workers' rights.

Not all workplace accidents were investigated by labor inspectors. Companies investigated minor incidents, while labor inspectors investigated more severe ones, typically those that resulted in fatalities or serious injuries. If appropriate, incidents could be referred for criminal investigation. Union leaders often claimed labor inspectors only superficially investigated workplace accidents, including ones involving fatalities, and that inspectors often wrongly concluded the victims were at fault in most fatal accidents.

The government did not report taking action to prevent violations of labor laws beyond its enforcement of laws that had been broken.

A European Parliament study estimated the informal economy represented 29 percent of GDP in 2022. The government did not enforce labor laws in the informal sector.

c. Disappearance and Abduction

Disappearance

There were no reports of enforced disappearances by or on behalf of government authorities.

Prolonged Detention without Charges

The constitution and law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their detention in court. The government generally observed these requirements.

The Council of Europe commissioner for human rights on March 6 noted legal provisions on compelling outpatient psychiatric treatment and security detention of persons with mental health issues did not include sufficient safeguards. Similarly, there were no legal provisions to ensure judicial review of decisions prolonging psychiatric placements. The commissioner and the ombudsperson also noted delays in the judicial review of decisions to commit persons to psychiatric hospitals or to discharge them, and the lack of observance of other safeguards including courts' failure to hear from the concerned persons.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3.

Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibited torture and inhuman or degrading treatment, but there were isolated reports government officials employed excessive force.

By law, penalties for torture ranged from two to seven years' imprisonment and the loss of certain rights. If torture resulted in the death of the victim, penalties ranged from 15 to 25 years' imprisonment and the loss of certain rights. Penalties for inhuman or degrading treatment ranged from one to five years' imprisonment and the loss of the right to hold public office.

The Association of Roma Lawyers RomaJust reported several cases of excessive use of force by police against Roma. In September, following a noise complaint, police in the city of Reghin,

central Transylvania, intervened to stop a party organized by several Romani individuals. According to RomaJust, when the father of one of the party organizers verbally protested, police used racial slurs against the man and beat him. Police then detained the man for 24 hours without medical care.

b. Protection of Children

Child Labor

The law prohibited all the worst forms of child labor. The law provided that the minimum age for most forms of employment was 16, and included limitations of working hours, occupational safety and health mandates, and health safeguards that applied to children working in all sectors. Children age 15 could work with the consent of parents or guardians if the activities did not endanger their health, morality, or safety. Children age 14 could work with the consent of parents or guardians if the child was accompanied by an adult at all times while working.

The law prohibited persons younger than 18 from working in hazardous conditions, and it included a list of dangerous jobs and specified penalties for offenders. Some examples of hazardous jobs for children included those posing a high risk of accident or damage to health, exposure to psychological or sexual risk, night shifts, exposure to harmful temperatures, and those that required the use of hazardous equipment. Parents whose children carried out hazardous activities were required to attend parental education programs or counseling and could be fined if they failed to do so.

Children who worked had the right to continue their education, and the law obliged employers to assist in this regard. Children ages 15 to 18 could work a maximum of six hours per day and no more than 30 hours per week, provided their school attendance was not affected. Businesses that imposed tasks incommensurate with children's physical abilities or that failed to respect restrictions on children's working hours could face fines. Many children reportedly did not attend school while working. Children had the right to an additional three days of annual leave.

The law required schools to notify social services immediately if children missed class to work, but schools often did not comply. Social welfare services had the responsibility to reintegrate such children into the educational system.

The Ministry of Labor and Social Protection could impose fines and close businesses where it found exploitation of child labor. The National Authority for the Protection of the Rights of the Child and Adoption (ANDPDCA) within the ministry had responsibility for investigating reports of child labor abuse, but enforcement of child labor laws tended to be lax, especially in rural areas with many agricultural households and where social welfare services lacked personnel and capacity to address child labor violations. The ANDPDCA was responsible for monitoring and coordinating all programs for the prevention and elimination of child labor.

The government did not effectively enforce the child labor law. Penalties were commensurate with those for other serious crimes such as kidnapping, but resources were inadequate to uniformly apply penalties against violators. Penalties were sometimes applied against violators.

Government efforts focused on reacting to reported cases, and the ANDPDCA dedicated limited resources to prevention programs. Incidents of child labor were widely believed to be much higher than official statistics. Child labor, including begging, selling trinkets on the street, and washing windshields, was widespread in Romani communities, especially in urban areas.

Child Marriage

The legal minimum age for marriage was 18, but the law permitted children as young as 16 to marry under certain circumstances. The government effectively enforced the law in most cases. Illegal child marriage was reportedly common, however, in certain social groups, particularly among some Romani communities. NGOs and media reported cases of Romani girls and boys as young as 14 being sold into marriage by their families. Child protection authorities and police did not always intervene in such cases.

c. Protection to Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Provision of First Asylum

The law provided for the granting of asylum or refugee status, and the government had a system for providing protection to refugees.

d. Acts of Antisemitism and Antisemitic Incitement

According to the 2021 census, the Jewish population numbered 2,378. Representatives of the Jewish community stated the Jewish population numbered approximately 7,000. Incidents of antisemitism occurred during the year.

Several acts of vandalism against Jewish religious sites occurred throughout the year. The Wiesel Institute reported an increase in the number of antisemitic and fascist symbols and messages painted in various public spaces throughout Bucharest. Similar incidents occurred in other cities throughout the country.

Prominent individuals, including figures in parliament, published material on social media promoting antisemitic views and racial slurs, and glorifying the Legionnaire movement.

In an April 23 decision, the European Court of Human Rights (ECHR) issued a ruling against the Romanian government for overturning historic convictions for Holocaust-related crimes, following the Supreme Court of Justice's retrial and acquittal in the 1990s of two officers convicted in the 1950s for war crimes and crimes against humanity. The Supreme Court of Justice had ruled the two army officers were mere executors of the orders of their superiors regarding the deportation of Romanian Jews and had no involvement in the massacres of Jews, which it claimed were carried out solely by German troops.

Schools taught the mandatory Holocaust education course, and the Ministry of Education approved five textbooks for the course based on International Holocaust Remembrance Alliance recommendations. Romania was one of the first endorsers of the Global Guidelines for Countering Antisemitism and worked to convince other countries to do the same.

For further information on incidents of antisemitism in the country, whether or not those incidents were motivated by religion, and for reporting on the ability of Jews to exercise freedom of religion or belief, see the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.