

ROMANIA 2022 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Romania is a constitutional republic with a democratic, multiparty parliamentary system. The bicameral parliament consists of the Senate and the Chamber of Deputies, both elected by popular vote. Observers considered the November 2019 presidential election and December 2020 parliamentary elections to have been generally free and fair.

The Ministry of Internal Affairs is responsible for the General Inspectorate of the Romanian Police, the gendarmerie, the border police, the General Directorate for Internal Protection, and the Directorate General for Anticorruption. The General Directorate for Internal Protection is responsible for intelligence gathering, counterintelligence, and preventing and combatting vulnerabilities and risks that could seriously disrupt public order or target Ministry of Internal Affairs operations. The directorate reports to the minister of interior. The Romanian Intelligence Service, the domestic security agency, investigates terrorism and national security threats. The service reports to the Supreme Council of National Defense. Civilian authorities maintained effective control over the intelligence service and the security agencies that reported to the Ministry of Internal Affairs. There were credible reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: cases of cruel, inhuman, or degrading treatment or punishment by the government; widespread serious official corruption; lack of investigation and accountability for gender-based violence, including but not limited to domestic and intimate partner violence and sexual violence; and abuses targeting institutionalized persons with disabilities.

The government took steps to identify, investigate, prosecute, and punish officials who committed abuses, but authorities did not have effective mechanisms to do so and delayed proceedings involving alleged police abuse and corruption, with the result that many of the cases ended in acquittals. Impunity for perpetrators of some

human rights abuses was a continuing problem.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports during the year that the government or its agents committed arbitrary or unlawful killings. In April 2021, in the city of Pitesti, several police officers tried to restrain a man, age 63, who was arguing with security forces after being evacuated from a burning restaurant. According to surveillance camera footage of the incident, officers appeared to roughly push the man to the ground. Press reports indicated that the man immediately stopped breathing and could not be resuscitated. A representative of the forensic medicine unit in Pitesti told the media that the cause of death was mechanical asphyxiation. In April 2021 two officers and a member of the gendarmerie were placed on house arrest and later supervised release for their alleged involvement in the incident. As of year's end, the prosecutor's office attached to the Bucharest Military Tribunal was conducting a criminal investigation against the three suspects for involuntary homicide and abusive behavior.

There was no agency specifically designated to investigate whether police killings were justified. Prosecutors' offices handled investigations and prosecutions against police who committed killings, while military prosecutors' offices handled investigations and prosecutions against members of the gendarmerie who committed killings.

In August the European Court of Human Rights (ECHR) issued a ruling in the 2009 wrongful killing of Sorin Parvu by police. According to the Court, law enforcement authorities conducted an ineffective investigation into the victim's death. The investigation lasted from 2009 to 2021 with numerous delays caused by omissions in the investigation that ended with prosecutors dropping charges against the police officer. The Court ordered the government to pay compensation to the victim's family and requested the adoption of general measures meant to prevent the unjustified use of potentially lethal force during law enforcement operations and to guarantee effective criminal investigations and proceedings into

any such future incidents.

The trial of former communist-era Securitate officials Marin Parvulescu, Vasile Hodis, and Tudor Postelnicu was pending before the High Court of Cassation and Justice as of year's end. The three officials had allegedly committed crimes against humanity in 1985 when, according to prosecutors, they were responsible for arresting and beating anticommunist dissident Gheorghe Ursu to death. In 2019 the Bucharest Court of Appeals issued a nonfinal ruling acquitting Parvulescu and Hodis, but Gheorghe Ursu's son challenged the decision.

In July military prosecutors resubmitted an indictment against former President Ion Iliescu and former Vice Prime Minister Gelu Voican Voiculescu for crimes against humanity allegedly committed during the 1989 Romanian Revolution. The High Court of Cassation and Justice previously dismissed the indictment and returned the case to the Military Prosecutor's Office in 2021 because it included several irregularities. The case was pending before the High Court of Cassation and Justice as of year's end.

A different investigation of former President Iliescu, former Prime Minister Petre Roman, former Vice Prime Minister Voican Voiculescu, and former Intelligence Service director Virgil Magureanu for crimes against humanity committed during the 1990 "miners' riot" was ongoing as of year's end. The defendants were accused of bringing thousands of miners to Bucharest to attack demonstrators opposed to Iliescu's rule. According to official figures, the violence resulted in hundreds of injuries, illegal arrests, and four deaths. Media estimates of the number of injuries and deaths were much higher.

b. Disappearance

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

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The constitution and law prohibit such practices, but there were credible reports from nongovernmental organizations (NGOs) and the media that police and gendarmes mistreated and abused Romani persons (Roma), asylum seekers,

minors, and other persons primarily with excessive force, including beatings.

An April report by the Council of Europe's Committee for the Prevention of Torture (CPT) noted several allegations of physical ill-treatment by police officers consisting primarily of slaps, punches, kicks, baton strikes, and excessively tight handcuffing of criminal suspects either at the time of the arrest or during questioning at the police station.

In August 2021 the prosecutor's office attached to the Bucharest County Court indicted seven police officers for torture, illegal deprivation of liberty, abusive behavior, and forgery. The seven officers, in addition to two others, were originally detained in March 2021. In September 2020 the officers detained and allegedly abused two persons who admonished them for not wearing face masks. The officers reportedly handcuffed one of the individuals, took him to a field at the outskirts of Bucharest, beat him for 30 minutes, and subjected him to degrading treatment. Police officers allegedly handcuffed the other individual, transported him to a dangerous area of Bucharest, and abandoned him in a dark alley. In September a trial started against the officers. The case was pending before the Bucharest Tribunal at year's end.

The prosecutor's office attached to the Giurgiu County Court continued its investigation of a member of the police for abusive behavior. In April 2020 media outlets circulated a video reportedly showing the chief of police and a subordinate in the town of Bolintin Vale in Giurgiu County beating several Romani persons immobilized in handcuffs on the ground and verbally abusing them for speaking in the Romani language. In 2020 the Ministry of Interior announced it had dismissed the chief of police and started an investigation of the incident. The case remained pending at year's end.

The April CPT report indicated the torture of prisoners occurred. The report noted there was "a considerable number of allegations of ill-treatment of prisoners by prison staff," particularly at Giurgiu Prison but also at Craiova Prison and, to a lesser extent, the Mărgineni and Galați Prisons. The delegation received credible allegations that Giurgiu Prison staff subjected several inmates to repeated blows to the soles of their feet as a form of punishment, a torture method known as *falaka*. The CPT also raised concerns about a failure to record and report injuries to

healthcare officials and a failure to effectively investigate allegations of ill-treatment. The CPT report stressed that some prison guards wore body armor, balaclavas, helmets, batons, and gloves, which were “designed to intimidate detained prisoners while providing the abusers with certain feeling of impunity.”

During the year investigations continued into two separate allegations of sexual exploitation and abuse in 2017 by Romanian peacekeepers serving in the UN Organization Stabilization Mission in the Democratic Republic of the Congo. One case involved the alleged sexual abuse (rape) of a minor. The other case involved alleged sexual exploitation (transactional sex). Both peacekeepers were repatriated to Romania by the United Nations.

Impunity was a significant problem in the security forces, particularly among police and gendarmerie. Police officers were frequently exonerated in cases of alleged beatings and other cruel, inhuman, or degrading treatment. Prosecutors were responsible for investigating abuses. The Directorate for Internal Review within the Romanian Police could conduct, under prosecutorial supervision, criminal investigations of abuses committed by members of the police as well as internal administrative investigations. The government took steps to increase respect for human rights by security forces. For example, the police and gendarmerie received training on a wide range of human rights issues, including gender equality, abuse against children, prevention of torture, gender-based violence, and preventing discrimination. Police academies reserved several seats for admission to persons of Romani ethnicity. Police and gendarmerie academies provided training to students, noncommissioned officers, and officers on racism, discrimination, and diversity.

Prison and Detention Center Conditions

Prison conditions remained harsh and overcrowded and did not meet international standards. The abuse of prisoners by authorities and other prisoners reportedly continued to be a problem.

Abusive Physical Conditions: According to official figures, overcrowding was a problem, particularly in those prisons that did not meet the standard set by the Council of Europe of 43 square feet per prisoner. The April CPT report noted,

“Prison overcrowding remains a serious problem, with prisons operating at 127 percent of official capacity. Certain establishments visited such as Craiova and Mărgineni Prisons were operating above 150 percent capacity. Such levels of overcrowding lowered the overall quality of life in prisons and undermined reintegration efforts.”

According to the National Penitentiary Administration, men and women, juveniles and adults, and pretrial detainees and convicted persons were not held together.

Media outlets, NGOs, and the ombudsperson reported that prisoners regularly assaulted and abused fellow inmates, generally with impunity. The CPT report noted that instances of interprisoner violence “remained a concern, notably at Giurgiu and Galati Prisons” and further noted that prison staff at several facilities often did not intervene, prevent, or deter prisoner-on-prisoner violence.

Physical conditions remained generally poor within the prison system, and observers noted insufficient spending on repair and retrofitting. The CPT report noted, “Material conditions in all the prisons visited were generally poor, with cells dilapidated and lacking equipment (storage space, tables, and chairs), and mattresses and bedding worn out and infested with bed bugs and cockroaches. Many complaints were received about very limited access to hot water and insufficient in-cell heating in winter. Many cells were severely overcrowded, notably at Craiova and Margineni Prisons, with inmates only given two square meters of living space each. Sanitary facilities were often in a poor state of repair and detained persons were not provided with appropriate quantities of detergent and hygiene products.” The report noted prison authorities in some facilities kept prisoners confined to their cells for long periods without opportunity for exercise or movement.

The Association for the Defense of Human Rights-Helsinki Committee (ADHR-HC) stated that some pretrial detention facilities had inadequate conditions, particularly in terms of hygiene. Such facilities were often located in basements and had no natural light and inadequate sanitation.

Several prisons reportedly provided insufficient medical care, and inmates complained that food quality was poor and sometimes insufficient in quantity. In

some prisons ventilation was inadequate. According to the ADHR-HC, inmates did not have access to adequate counseling, and many psychologist and social worker positions were not filled. Persons with mental disorders did not receive sufficient care and were frequently isolated from other inmates. According to the CPT, “the situation at Craiova and Margineni Prisons was particularly detrimental for persons suffering from a mental illness due to a lack of psychiatric services and inhospitable group accommodations.”

Administration: Inmates could file complaints with law enforcement agencies and judges. Independent authorities did not always investigate credible allegations of mistreatment and inhuman conditions. Authorities allowed prisoners and detainees access to visitors or religious observance.

Independent Monitoring: The government permitted monitoring visits by independent human rights observers, and such visits occurred during the year. The ombudsperson also visited prisons as part of her mandate to monitor places of confinement.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her detention in court. The government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

By law only judges may issue detention and search warrants, and the government generally respected this provision. Authorities must inform detainees at the time of their arrest of the charges against them and their legal rights, including the right to remain silent and the right to an attorney. Police must notify detainees of their rights in a language they understand before obtaining a statement and bring them before a court within 24 hours of arrest. Although authorities usually complied with these requirements, those rights were not always respected. If the alleged offender does not pose any danger while awaiting trial, there is no concern of flight or commission of another crime, and the case does not present a “reasonable suspicion” that the person may have committed the offense, the offender may be granted temporary release until trial. Depending on the circumstances of the case,

the law allows for home detention and pretrial investigation under judicial supervision, which requires the person accused to report regularly to law enforcement officials. A bail system exists but was seldom used.

Detainees have the right to counsel and, in most cases, had prompt access to a lawyer of their choice. Authorities provided indigent detainees legal counsel at public expense. The arresting officer is also responsible for contacting the detainee's lawyer or, alternatively, the local bar association to arrange for a lawyer. A detainee has the right to meet privately with counsel before the first police interview. In some pretrial facilities and prisons, however, there was no possibility for private meetings between detainees and their families or attorneys. A lawyer may be present during the interview or interrogation.

The law allows police to take an individual to a police station without a warrant for endangering others or disrupting public order. Following amendments that entered into force in May, the provision that required police to release held persons "at once" was replaced with a provision that obligates release after eight to 12 hours. The ADHR-HC welcomed the amendments as the previous version left room for abuse because of the vagueness of the term "at once."

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, although in practice the government did not completely respect judicial independence and impartiality. According to the Constitution, the Superior Council of Magistracy (CSM) is the country's judicial governance body, meant to ensure judicial independence and impartiality.

There were reports that judicial and prosecutorial independence were compromised by politically controlled bodies with the power to discipline or retaliate against judges and prosecutors for their decisions or alleged political inclinations. The Section to Investigate Offenses in the Judiciary (SIIJ), established in 2018, was abolished by the government in March in response to international pressure and complaints by civil society. During the year the CSM's investigative and disciplinary arm, the Judicial Inspection, was accused of using its authority to intimidate judges who spoke out against the former SIIJ. At the same time, the

CSM continued to advocate for judicial reform and was active in the process of drafting the country's three new "Justice Laws," enacted by the President in November. In June 2021, the Judicial Inspection opened an investigation into a judge in Pitesti who ruled that the existence of the SIIJ was illegal, based on a May 2021 European Court of Justice (ECJ) ruling. The case against the judge was dismissed in April.

In December 2021, the CSM dismissed pro-reform judge Cristi Danilet for alleged "social media misconduct" after he posted TikTok videos in which he was practicing martial arts and trimming hedges in his yard in a manner that the council deemed "indecorous." Civil society and opinion makers reported that Danilet was actually removed for his vocal criticism of controversial, corruption-friendly changes to the justice laws during the previous Social Democratic Party-led government. During the year, the CSM expelled Danilet from the profession two additional times, in May and in July. He appealed all three decisions at the High Court but remained barred from practicing law and will receive no salary until the cases against him are resolved. In December, the High Court of Cassation and Justice annulled the first CSM decision to expel Danilet and replaced it with a warning. According to the annual EU Rule of Law Report published in July, the legal provisions on disciplinary sanctions and their implementation continued to raise concerns for the independence of the judiciary. The extensive powers and lack of accountability of the Chief Judicial Inspector remained a cause for concern.

Trial Procedures

The constitution and the law provide for the right to a fair and public trial, and an independent judiciary generally enforced this right. Trials should take place without undue delay, but delays were observed due to heavy caseloads and procedural inconsistencies, as well as a lack of sufficient personnel, physical space, and technology necessary to enable the judiciary to act swiftly and efficiently.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Civil judicial and administrative remedies are available to individuals and organizations for abuses of human rights by government agencies. Plaintiffs may appeal adverse judgments involving alleged abuses of human rights by the state to the ECHR after exhausting the avenues of appeal in domestic courts. According to the civil society coalition European Implementation Network, as of December there were 106 leading ECHR judgments concerning significant or systemic human rights problems that the government had not fully implemented.

Property Seizure and Restitution

According to the National Authority for Property Restitution, the Jewish community is entitled to receive compensation for communal property consisting of buildings and land that belonged to the Judaic religious denomination or legal entities of the Jewish community and that were confiscated between September 6, 1940, and December 22, 1989. Individuals are entitled to compensation only for land and buildings confiscated between 1945 and 1989. The government has laws and mechanisms in place to address Holocaust-era property claims.

The law for returning property seized by the former communist and fascist regimes includes a “points” system to compensate claimants where restitution of the original property is not possible. Claimants may use the points to bid in auctions of state-owned property or exchange them for monetary compensation. Local authorities hindered property restitution by failing to complete a land inventory stipulated by law. In April the Association for Private Property stated that the land inventory was not completed. The government twice extended the deadline for the inventory’s completion in 2013 and 2014.

There were numerous disputes over church buildings and property that the Romanian Orthodox Church failed to return to the Greek Catholic Church, despite court orders to do so. The government did not take effective action to return churches confiscated by the post-World War II communist government. There continued to be lengthy delays in processing claims related to properties owned by national minority communities. Under the law there is a presumption of abusive transfer that applies to restitution of private property but not to religious or

communal property. In many cases documents attesting to the abusive transfer of such properties to state ownership no longer existed. Religious and national minorities are not entitled to compensation for nationalized buildings that were demolished.

Associations of former owners asserted that the points compensation system was ineffective and criticized the restitution law for failing to resolve cases fairly, as well as for lengthy delays and corruption. While the pace of resolving restitution cases at the administrative level increased, the number of properties returned involving churches and national minorities was disproportionately low. The number of cases resolved annually has remained approximately constant over the past three years (an average of 1,300), but the number of positive decisions remained extremely low. Religious communities disputing these rulings continued to go to court and incur additional costs. As of September, there were 3,070 pending requests for restitution from religious denominations.

According to advocates of the Jewish community, the disappearance of entire document repositories, combined with limited access to other archives, prevented the Jewish community from filing certain claims before the legal deadlines. The National Authority for Property Restitution rejected most restitution claims concerning former Jewish communal properties during its administrative procedures. The Caritatea Foundation, established by the Federation of Jewish Communities in Romania and World Jewish Restitution Organization to claim communal properties, challenged these negative National Authority for Property Restitution decisions in court. The World Jewish Restitution Organization also reported that the restitution of heirless private Jewish properties was not completed and that there was insufficient research concerning property that had belonged to Jewish victims of the Holocaust.

The Department of State's *Justice for Uncompensated Survivors Today (JUST) Act* report to Congress, released publicly on July 29, 2020, can be found on the Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home,

or Correspondence

The constitution and law prohibit such actions and there were no reports that authorities failed to respect those prohibitions.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution provides for freedom of expression, including for members of the press and other media, and the government partially respected this right. Independent media organizations noted excessive politicization of media, corrupt financing mechanisms, as well as editorial policies subordinated to political parties and owners' interests. Reporters and civil society representatives said their freedom of expression was also limited by restricted 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 NGOs often had to sue state-controlled ministries, agencies, or local entities to access public information. Some reporters throughout the country continued to be harassed, sued, or threatened by authorities whom they investigated or by their proxies.

Freedom of Expression: The law prohibits Holocaust denial and promoting or using symbols representing fascist, racist, xenophobic ideologies, or symbols associated with the interwar nationalist, extremist, fascist, and antisemitic Legionnaire movement.

Violence and Harassment: In January dozens of reporters and NGOs accused the Directorate for Investigating Organized Crime and Terrorism (DIICOT) of abuses and taking disproportionate measures against reporter Alin Cristea of web-based news outlet *DeBraila.ro*. On January 6, DIICOT placed Cristea and *DeBraila.ro* under criminal investigation, searched the newsroom and the reporter's home, and confiscated his communication devices for allegedly "distributing child pornography." The investigation was reportedly related to Cristea's December 2021 report on child abuse that included a blurred video with an adult hitting and

humiliating a minor. The reporter stated that his article did not violate any existing laws or rules for the protection of minors and that he notified police eight days before the video's release as required by law. Cristea previously reported that a DIICOT prosecutor pressured him not to publish critical articles about the Braila County chief of police. On November 29, in a final decision, Braila Court dismissed DIICOT's claims as ungrounded and ruled that the reporter and the outlet did not violate the law.

Investigative journalist Emilia Sercan reported that she was subjected to threats and harassment after publishing an article alleging Prime Minister Nicolae Ciuca plagiarized his doctoral dissertation. In February, she received multiple threats and her personal photos appeared on multiple websites, including pornographic sites. On February 17 she filed a complaint with police about the leaked photos and alleged she was being harassed as retaliation. On February 18 the evidence she provided to the police was leaked online and reposted on dozens of websites. As of year's end, Sercan filed 10 complaints, including those against Minister of Interior Lucian Bode, about the threats, the leaked evidence, and the alleged smear campaign against her. As of year's end, prosecutors had not informed the reporter about any progress on her case, despite public admission on July 12 by fugitive former Social Democrat Party Deputy Cristian Rizea that he had leaked the photos online. Forensic data analysis published on July 11, by the Swedish media foundation Qurium, alleged that Rizea spread the online compromising campaign against Sercan with the help of media outlets allegedly controlled by businessmen Maricel Pacuraru and Sorin Cosmin Pacuraru. On April 14 international and local media freedom watchdogs, including Reporters Without Borders and the Committee to Protect Journalists, issued a joint letter urging authorities to investigate the threats and harassment.

In a separate case, on July 22 the High Court of Justice and Cassation issued a final ruling against Adrian Iacob, the former rector of the Police Academy, and his deputy, Mihail Marcoci, for instigating a fellow officer to blackmail and making death threats against Emilia Sercan in response to multiple articles, including one in 2019 on Iacob himself, in which Sercan published revealing top-level corruption at the Police Academy and the issuance of fake PhD titles. Iacob and Marcoci were sentenced to 120 days of community service and ordered to compensate the

victim with 80,000 lei (\$17,215).

On March 17, Captain Gabriel Cristian Alexandru of the National Defense University allegedly called and threatened the wife of the editor-in-chief of *G4Media.ro*, Cristian Pantazi, to pressure him to not publish an article about a Defense University lecturer spreading conspiracy theories and propaganda against Ukraine and its president. During the alleged telephone conversation with Pantazi's wife, Alexandru reportedly referred to a news story about a person in Russia who had anti-Putin views and was later found dead in a suitcase. On June 23, the Defense University confirmed that an investigation was opened into the case. No further update was available as of year's end.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: According to *Radio Free Europe*, in the first seven months of the year, the two main ruling political parties, the Social Democrat Party and the National Liberal Party, spent together more than €10 million (\$10.7 million) in contracts with specific media outlets that carried mainly progovernment coverage and avoided topics of public interest that would have embarrassed the government. In most of the cases, the reporting did not mention that it represented political advertising. Independent media reported that such practices were used during the year, as well as in 2021, and that the government allegedly spent more than €12 million (\$12.84 million) on undisclosed media expenses in the entire year 2021. Independent reporters and media NGOs claimed the funding led to government censorship and self-censorship and had the effect of shutting down media criticism, disinforming the public, and severely affecting the media market through unfair competition.

In June, private TV station *Digi24* fired popular analyst Cristian Tudor Popescu after he criticized ruling politicians over leaked drafts of new national security laws. Popescu claimed that the proposed laws could have given the Romanian Intelligence Service the equivalent powers of the Communist-era intelligence services. He also criticized the station for allegedly promoting fake footage about Russia's war in Ukraine.

Libel/Slander Laws: Libel and defamation are no longer criminal offenses. Nevertheless, incumbent and former government officials continued to file civil

cases and criminal complaints against investigative journalists as a pressure tactic. The Bucharest Court of Appeals heard an appeal from the investigative media group *Rise Project* and its reporter Ionut Stanescu against two sentences issued in July 2020 and March 2021 by two other courts that ruled in favor of Ramona Manescu, former minister of transportation and foreign affairs and a member in the European Parliament. Between 2017 and 2019, *Rise Project* investigated allegations that Manescu's acquaintances illegally made €31 million (\$33 million) from real estate transactions, of which €4 million (\$4.28 million) allegedly went to Manescu's family. Manescu won two trials against *Rise Project* with judges finding that the reporters had not proven the connection between the former official and the respective real estate transactions. On June 8 the Bucharest Court of Appeals rejected Manescu's claims that the outlet did not prove any connection with the respective real estate deals and ruled that Manescu had to pay the reporters compensation of €8,000 (\$8,560) and court expenses of 18,000 lei (\$3,873).

Internet Freedom

The government did not systematically restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority.

In February the government announced that it had blocked users' access to several websites allegedly promoting Russian propaganda. Media and NGOs protested publicly as the government did not indicate the legal basis under which the National Authority for Management and Regulations in Communications had internet service providers block users' access to websites. Among the websites blocked was web-based news outlet *aktual24.ro.*, which denied disseminating any Russian propaganda. Press freedom watchdogs warned that government restrictions on freedom of speech without legal justification represented a dangerous precedent and were ineffective at blocking Russian propaganda, which continued to be spread by newly established websites and Facebook pages. Following widespread public criticism, the government unblocked *aktual24.ro.*

Restrictions on Academic Freedom and Cultural Events

In May researchers, historians, university professors, and activists published an open letter urging government institutions to allow free and unrestricted access to the National Archives. They accused the Ministry of Interior of regularly using a legal loophole to limit their access to classified information about the country's previous dictatorial regimes, including those from the communist-era, and about Holocaust crimes and deportations. The letter stated that censorship on these themes was illegal as, according to the law, the documents were of public interest and referred to crimes against humanity. The coalition advocated that NATO norms, which allow information declassification after 30 years, should be applied.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provide for the freedoms of peaceful assembly and association, but the government occasionally restricted freedom of peaceful assembly.

Freedom of Peaceful Assembly

The constitution provides for freedom of peaceful assembly, which the government has occasionally restricted. The law provides that unarmed citizens may assemble peacefully, but it also stipulates that meetings must not interfere with other economic or social activities and may not take place near such locations as hospitals, airports, or military installations. In most cases organizers of public assemblies must request permits in writing three days in advance from the mayor's office of the locality where the gathering is to occur.

c. Freedom of Religion

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

d. Freedom of Movement and the Right to Leave the Country

The constitution and law provide for the freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these related rights.

In-country Movement: The internal movement of beneficiaries of international protection and stateless persons was generally not restricted. Asylum seekers, however, may be subject to measures limiting their freedom of movement and to detention in specific circumstances. The law and implementing regulations provide that the General Inspectorate for Immigration may designate a specific place of residence for an applicant for asylum while authorities determine his or her eligibility, or may take restrictive measures, subject to approval by the prosecutor's office, that amount to administrative detention in "specially arranged closed areas." During the year the government placed one asylum applicant in a "specially arranged closed area." The government may restrict the movement of persons granted "tolerated status" (see section 2.f., Temporary Protection).

e. Protection of Refugees

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

Access to Asylum: The law provides access to asylum procedures to foreign nationals and stateless persons who express their desire for protection and the government has established a system for providing protection to refugees in the form of refugee status or "subsidiary protection" status.

Refoulement: The law establishes exceptions to the principle of nonrefoulement and the withdrawal of the right to stay in the country following a declaration of a person as "undesirable." This may occur, for example, when classified information or "well-founded indications" suggest that aliens (including applicants for asylum, or persons granted asylum) intend to commit terrorist acts or favor terrorism. Applicants for protection declared "undesirable" on national security grounds were taken into custody pending the finalization of their asylum procedure and then deported upon final denial.

Abuse of Migrants and Refugees: According to NGOs, several incidents of harassment, discrimination, abuses against refugees and migrants, pushbacks, and deviations from asylum procedures at border areas occurred throughout the year,

although most incidents were not reported because of fear, lack of information, inadequate support services, and inefficient redress mechanisms. According to the NGO coalition Border Violence Monitoring Network, on October 14 in Timisoara county, a Romanian border police officer stopped a group of five Syrian men along the border with Serbia. The five men reported that the officer shouted at them to go back to Serbia, took their money, broke one of their phones, physically abused them, and forced them to walk back across the border.

Durable Solutions: According to UNHCR, the country has become an emergent resettlement country, having agreed to resettle small quotas of refugees every year. During the year the government accepted 40 refugees for resettlement from Syria with the support of UNHCR and the International Organization for Migration.

Beneficiaries of international protection continued to face problems with local integration, including access to vocational training adapted to their specific needs, counseling programs, and naturalization. According to UNHCR, refugee integration programs relied almost exclusively on NGOs, with coordination from the General Inspectorate for Immigration. The support services or targeted integration and inclusion programs provided by local governments to refugees were limited.

Temporary Protection: The government provided temporary protection status, resources, and support to approximately 76,000 individuals who did not apply for refugee status, many of whom arrived from Ukraine. The government may grant “tolerated status” to persons who do not meet the requirements for refugee status or subsidiary protection, but who cannot be returned for various reasons. These reasons include cases in which stateless persons are not accepted by their former country of habitual residence or in which the lives or well-being of returnees could be at risk. Persons with “tolerated status” have the right to work but not to benefit from any other social protection or inclusion provisions, and the government may restrict their freedom of movement to a specific region of the country. There were 172 cases of individuals with tolerated status during the year.

Recipients of subsidiary protection noted problems regarding their freedom of movement to other countries due to additional visa requirements.

f. Status and Treatment of Internally Displaced Persons

Not applicable.

g. Stateless Persons

According to the Ministry of Foreign Affairs, as of the year's end there were 300 stateless persons with valid residence documents in the country. These included nonnational legal residents, stateless persons of Romanian origin, as well as persons granted some form of international protection. Data on stateless persons, including on persons at risk of statelessness and persons of undetermined nationality, were not reliable due to the absence of a procedure to determine statelessness, the absence of a single designated authority responsible for this purpose, and the lack of adequate identification and registration of persons with unknown or undetermined nationality.

Laws/policies afford the opportunity to acquire or confirm citizenship. The law includes favorable provisions for stateless persons of Romanian origin to reacquire citizenship. Nevertheless, a significant gap persisted due to the lack of safeguards against statelessness for children born in the country, who are stateless because their parents either were themselves stateless or were foreigners unable to transmit their nationality.

Section 3. Freedom to Participate in the Political Process

The law provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: The country held parliamentary elections in 2020 that were considered free and fair and without significant irregularities. In 2019 the country held presidential elections that election observers also considered free and fair.

Political Parties and Political Participation: The law requires political parties to register with the Bucharest Tribunal and to submit their statutes, program, and a roster of at least three members. Critics asserted that certain requirements

undermine the freedom of association. These include the requirement that parties field candidates – by themselves or in alliance – in at least 75 electoral constituencies in two successive local elections or that they field a full slate of candidates in at least one county or partial slates of candidates in a minimum of three counties in two successive parliamentary elections.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups in the political process, and they did participate. Societal attitudes presented a significant barrier, and women remained underrepresented in positions of authority. As of year's end, there were 61 women in the 330-seat Chamber of Deputies and 24 women in the 135-seat Senate.

Under the constitution each recognized ethnic minority is entitled to a representative in the Chamber of Deputies. An organization is required, however, to receive votes equal to 5 percent of the national average number of votes cast for a deputy to be elected. The list of organizations that benefit from these provisions is limited to those that are already part of a National Council of Minorities, which consists of organizations already in parliament. The law sets more stringent requirements for minority organizations without a presence in parliament. To participate in elections, such organizations must provide the Central Electoral Bureau a membership list equal to at least 15 percent of the total number of persons belonging to that ethnic group, as determined by the most recent census. If this number amounts to more than 20,000 persons, the organization must submit a list with at least 20,000 names distributed among a minimum of 15 counties plus the city of Bucharest, with no fewer than 300 persons from each county. Some organizations and individuals, particularly Romani activists, contended this rule was discriminatory.

Ethnic Hungarians, represented by the Democratic Union of Hungarians in Romania political party, were the sole ethnic minority to gain parliamentary representation by surpassing the 5 percent threshold of all valid votes cast nationally, the threshold set for political parties. A total of 18 ethnic minority political organizations, including the Pro-Europe Roma Party, received votes equal to 5 percent of the national average for a deputy to be elected.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials and the government generally implemented the law effectively. Nevertheless, corrupt practices remained widespread despite several high-profile prosecutions. There were numerous reports of government corruption during the year, sometimes with alleged impunity. A ruling by the High Court on criminal liability resulted in a shorter statute of limitations for a significant number of corruption and organized crime cases, including high-profile cases involving former Ministers. In recognition of Romania's progress in addressing corruption since its 2007 EU accession, the European Commission recommended in its November Cooperation and Verification Mechanism report ending the mandatory monitoring of Romania's rule of law framework.

Corruption: Corruption and misuse of public funds were widespread, sometimes involving European funds. Former Romanian Tourism Minister Elena Udrea, who was extradited from Bulgaria to Romania in June, was sentenced to six years in prison for corruption in April in the so-called Gala Bute file. Udrea, a close ally of former President Traian Basescu, tried to flee Romania before the expected verdict in her case, but was detained by Bulgarian police at the border.

On May 12, the Bucharest Court of Appeals sentenced Mayor Cristian Popescu-Piedone to a four-year prison term for abuse of office in issuing operating permits for the Colectiv nightclub.

Bribery was common in the public sector, especially in health care. Individual executive agencies were slow in enforcing sanctions, and agencies' own inspection bodies were generally inactive. The National Anticorruption Directorate launched several investigations into procurement fraud related to purchasing personal protective equipment and ventilators during the COVID-19 pandemic. In September 2021, the National Anticorruption Directorate also launched an investigation of the potential misuse of public funds for the government's decision to purchase 120 million doses of COVID vaccine for an adult population of approximately 14 million persons. At year's end the investigation was ongoing.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Several domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally met with human rights NGOs and were cooperative and sometimes responsive to their views.

The Center for Legal Resources, an NGO that regularly visits residential facilities for persons with disabilities and reports on alleged abuses observed during visits, reported facility directors frequently refused to grant the center's staff access to legal and medical documents of residents despite a 2020 agreement with the Ministry of Labor granting the NGO the right to access such documents.

Government Human Rights Bodies: The Office of the Ombudsperson has limited power and no authority to protect citizens' constitutional rights in cases requiring judicial action. The ombudsperson is the national preventive mechanism implementing the optional protocol to the UN Convention against Torture. This gives the ombudsperson the authority to conduct monitoring visits to places where individuals are deprived of their liberty, including prisons, psychiatric hospitals, and asylum centers.

The Office of the Children's Ombudsperson is empowered to examine human rights complaints made by children or their legal representatives. The Council for Monitoring the Implementation of the Convention on the Rights of Persons with Disabilities was authorized to make unannounced visits in centers and hospitals for persons with disabilities to check if the rights of these persons were respected, issue recommendations, and submit criminal complaints. Observers alleged the council's recommendations and reports were inaccurate and noted that conditions had not improved significantly since the council's establishment in 2016. Human rights activists and media regarded the institution as ineffective and believed that the inspectors who drafted the reports lacked the necessary human rights expertise.

Each chamber of parliament has a human rights committee tasked with drafting reports on bills pertaining to human rights.

The National Council for Combating Discrimination is the government agency responsible for applying domestic and EU antidiscrimination laws. The National Council reports to parliament. It operated with the government's cooperation and, for the most part, without government interference. Observers generally regarded the National Council as effective, but some criticized it for a lack of efficiency and political independence.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Rape of a person, including spousal rape, is illegal. The law provides for five to 10 years' imprisonment for rape and two to seven years' imprisonment for sexual assault. If there are no aggravating circumstances and the attack did not lead to death, police and prosecutors may not pursue a case on their own, but they require a survivor's complaint, even if there is independent physical evidence. In some cases the government did not enforce the law on rape and domestic violence effectively.

Several human rights activists reported that some police officers tried to dissuade survivors of rape or domestic violence from pressing charges against their aggressors and, in some cases, refused to register criminal complaints submitted by victims. In some instances, police delayed action against sexual abusers. According to media reports, after being notified regarding cases of domestic violence, some members of police ignored the problem or tried to mediate between the victims and their aggressors.

The law classifies family violence as a separate offense and stipulates that when murder, battery, or other serious violence is committed against a family member, the penalty is increased. The law also states that, if the parties reconcile, criminal liability is removed. The law on equal opportunities for men and women includes cyberviolence among the forms of domestic violence and defines it as the occurrence of online harassment, online messages that incite hate based on gender criteria, or the nonconsensual publication of private graphic content that aims to humiliate, scare, threaten, or reduce victims to silence. The FILIA Center for Gender Studies and Curriculum Development – an NGO that aims to promote

gender equality – stated that there were no regulations to implement these amendments.

Gender-based violence, including domestic violence, continued to be a serious problem that the government did not effectively address. The law provides for the issuance of provisional restraining orders by police for a maximum of five days and restraining orders by a court for a maximum of six months upon the survivor's request or at the request of a prosecutor, the state representative in charge of protecting survivors of family violence, or, if the survivor agrees, a social service provider. Violation of a restraining order is punishable by imprisonment for six months to five years, but the Center for Gender Studies and Curriculum Development stated that some judges may issue lesser sentences because of overlapping legislation. The court may also order an abuser to undergo psychological counseling. The center stated that police lacked procedures for the implementation and monitoring of restraining orders. A law that entered into force in 2021 established an electronic monitoring system for individuals under a restraining order. The law directed police and the National Administration for Penitentiaries to procure the necessary hardware and make the monitoring system operational by March 2022, but the government postponed the implementation of the system until October 2022. On October 1 police made the system operational in Bucharest and three other counties and announced plans to implement it nationwide by 2025. According to an investigation by independent investigative journalist website *Dela0.ro*, of the 26,500 restraining orders issued between 2019 and 2021, 7,200 were violated, while only 500 such cases were sent to court.

According to media, in January a man from Bacau who was under a restraining order killed his partner. Following repeated abuse, the woman had obtained a restraining order which her partner repeatedly violated. According to the victim's relatives, the victim had previously notified police about the abuser's violation of the restraining order. Several journalists commented that police did not monitor the effective enforcement of the restraining order. Law enforcement arrested the man and started an investigation against him for murder.

Courts prosecuted very few cases of domestic violence. Many cases were resolved before or during trial when the alleged survivors dropped their charges or reconciled with the alleged abuser.

Other Forms of Gender-based Violence: According to reports by media and NGOs, bride kidnapping occurred in some marginalized communities and was underreported. In such cases suitors or complicit family members kidnapped underage girls as a way to force the victim or her family into agreeing to a future marriage. NGOs noted bride kidnapping occurred, was largely undocumented, and difficult to prove due to social stigma.

Sexual Harassment: Criminal law prohibits sexual harassment, which it defines as repeatedly asking for sexual favors in a work or similar relationship. A victim's complaint is necessary to initiate a criminal investigation. Penalties range from fines to imprisonment of three months to one year. The law on equal opportunities for women and men defines sexual harassment as the occurrence of unwanted behavior with a sexual connotation, which can be expressed physically, verbally, or nonverbally and has the effect or result of damaging a person's dignity and, in particular, the creation of a hostile, intimidating, degrading, humiliating, or offensive environment. The government did not enforce the law effectively. According to reports by NGOs, police often mocked victims of sexual harassment or tried to discourage them from pressing charges. Sexual harassment in universities was underreported and, according to the NGO Filia Center, universities lacked detailed and clear procedures for reporting incidents.

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

According to several NGOs and observers, there were infrastructure and information barriers to an individual's ability to maintain his or her reproductive health, including the lack of community health care and age-appropriate sex education for adolescents. Some women, especially those from poor, rural, or Romani communities, had difficulty accessing reproductive health services due to a lack of information, ethnic discrimination, and poverty. According to the NGO Mothers for Mothers, 25 percent of pregnant women consulted a physician for the first time only after the onset of labor. The Filia Center reported that forensic services throughout the country occasionally carried out virginity tests on girls and women at the request of parents or future husbands. The "VIF" Network of NGOs for Preventing and Combatting Violence against Women called the practices "humiliating and degrading." In June the National Institute for Forensic Medicine

announced it stopped performing such tests, but NGOs reported that in the absence of explicit regulations banning such practices, other forensic services continued to carry out the tests.

Access to government-funded contraception and family planning services was limited because of insufficient funding and training for health professionals. According to the World Health Organization, as of 2020, 73.8 percent of women of reproductive age had their need for family planning satisfied by modern methods of contraception. NGOs, health professionals, and social workers identified underreported child sex abuse and limited access to information regarding reproductive health and contraception as the leading factors contributing to high teenage pregnancy rates. Several NGOs reported that the school curriculum lacked sufficient lessons on reproductive health.

Although home birth is not prohibited by law, regulations forbid health professionals from providing home birth services.

The government provided access to emergency health care and some sexual and reproductive health services to survivors of sexual violence, but some women had difficulties accessing these services. Emergency contraceptives were available in pharmacies without a prescription, but patients were expected to privately fund the cost even when used as part of the clinical management of rape. According to the Center for Gender Studies and Curriculum Development, emergency contraceptives were not affordable for all women. Access to emergency health care for the management of complications arising from abortion was available.

Discrimination: Under the law women and men have equal rights, including under family, religious, personal status, and nationality laws as well as laws related to labor, property, inheritance, employment, access to credit, and owning or managing businesses or property. The government did not enforce the law effectively. Women experienced discrimination in marriage, divorce, child custody, employment, credit, pay, owning or managing businesses or property, education, the judicial process, and housing. Segregation by profession existed, with women overrepresented in lower-paying jobs. There were reports of discrimination in employment. Women experienced discrimination in access to pension benefits and retirement (see section 7.d.).

Systemic Racial or Ethnic Violence and Discrimination

Under the law discrimination and harassment based on ethnic or racial criteria is punishable by a civil fine unless criminal legal provisions are applicable. According to the criminal code, public incitement to hatred or discrimination against a category of persons is punishable by imprisonment or a criminal fine. Special laws criminalize the spread of antisemitic or anti-Roma ideas and symbols, as well as ideas and symbols related to fascist, racist, and xenophobic ideologies. Committing any crime on the basis of the victim's ethnicity or race represents an aggravating circumstance, which carries a higher penalty. The government did not enforce the law effectively. Prosecutions based on discrimination and violence against racial or ethnic minorities were rare.

Romani groups complained that there were instances of police harassment and brutality, including beatings. On June 18, according to media and the NGO European Roma Rights Center, police reportedly detained a Roma man and took him to the police precinct in the city of Piatra-Neamt. A video clip shared on social media by a Roma activist allegedly showed the man unsteadily leaving the police station with a bloody shirt and a badly bruised and swollen eye, being met by his visibly distressed and crying children. The man later called the emergency 112 number and said he had been assaulted by police. Another video allegedly showed him being taken away in an ambulance. Police officials stated that an officer took the man to the Piatra-Neamt Police Headquarters, and he insulted them and refused to identify himself. In response to inquiries by media, on June 20 the Neamț County Police Inspectorate stated the prosecutor opened a case and that an internal investigation would take place to establish the facts. The case was still pending at year's end.

In May 2021, according to the RomaJust Association of Roma Lawyers, police detained two Romani persons and took them to the police precinct in Baia village, Tulcea County. At the precinct, police officers allegedly severely beat and humiliated the two individuals for hours and used racial slurs against them. According to RomaJust, the victims suffered multiple injuries that took two months to heal. Prosecutors started an investigation but closed the case in December. Victims appealed the decision and as of year's end the case was pending before the Tulcea Tribunal.

Discrimination against Roma continued to be a problem. NGOs reported Roma were often denied access to, or refused service in, some public places. In July an NGO working with vulnerable children reported to the media that the employees of a swimming pool in the city of Sibiu denied access to a group of Roma children. NGO representatives brought the Roma children to the swimming pool, but the employees allegedly informed them that the children would not be allowed inside because of their ethnicity. Roma also experienced poor access to government services, a shortage of employment opportunities (see section 7.d.), high rates of school attrition, inadequate health care, and poor housing.

In May the NGOs Desire Foundation and the Coastei Roma Community Association submitted a complaint before the Anti-Discrimination Council concerning alleged continuous discrimination over a period of multiple years against a group of Roma by the Cluj-Napoca Municipality. According to the complaint the discrimination started in 2010 when the municipality evicted a group of 76 Roma families from the city and moved them to mobile homes located near a closed landfill. The municipality then allegedly encouraged 36 other Roma families to build their houses in the same area on municipal land. In 2015, the municipality authorized the opening of two other new landfills in close proximity of the houses, one of which was still operational as of September. The NGOs noted in the complaint that Roma families were forced by the Cluj-Napoca Municipality to live for years in toxic and degrading environments which, because of high concentrations of hydrogen sulfide and various particulate matters, caused residents significant health issues.

Roma faced discrimination in the criminal justice system. Some lawyers refused to defend Romani persons, while police, prosecutors, and judges were perceived to hold negative stereotypes of Roma.

A lack of identity documents excluded many Roma from participating in elections, receiving social benefits, accessing health insurance, securing property documents, and participating in the labor market. According to the Ministry of Interior, as of the end of 2021, 63,777 persons older than 14 residing in the country did not have valid identity documents. Romani rights activists reported that most of these persons were Roma who could not acquire legal identity documents because they resided in informal settlements and housing. Roma had a higher unemployment

rate and a lower life expectancy than non-Roma. Negative stereotypes and discriminatory language regarding Roma were widespread.

Researchers and activists reported a significant number of the remaining Romani Holocaust survivors who applied for pensions were denied because of unreasonable administrative barriers raised by the pension offices, problematic standards, lack of knowledge regarding the Holocaust and Roma, and other burdensome requirements. After considering hundreds of cases researchers concluded that the Romani survivors were resettled in Romania, not deported, and granted them the long overdue, but smaller pensions.

Ethnic Hungarians continued to report discrimination related mainly to the use of the Hungarian language. Ethnic Hungarians reported that the government did not enforce the law that states that ethnic minorities are entitled to interact with local governments in their native language in localities where a minority constitutes at least 20 percent of the population. There were continued reports that local authorities did not enforce the law requiring localities with at least a 20 percent minority population to have bilingual road signs.

Children

Birth Registration: Children derive citizenship by birth from at least one citizen parent. Birth registration was provided on a nondiscriminatory basis. Although birth registration is mandatory by law, it was not universal, and authorities denied some children public services as a result. Most unregistered children had access to schools, and authorities assisted in obtaining birth documents for unregistered children, but the education of unregistered children depended on the decision of school authorities. The law provides simplified birth registration for children whose mothers do not have proper documentation to register their children.

Education: Despite a 2016 order by the Ministry of Education forbidding segregation of Romani students, several NGOs, including the Center for Advocacy and Human Rights, continued to report that segregation along ethnic lines persisted in schools. In September, the Center for Advocacy and Human Rights notified the Anti-Discrimination Council of a segregation case at Paltinoasa School in Suceava County. During the 2021-2022 school year, the Paltinoasa school segregated 44

Roma pupils from kindergarten to fourth grade and moved them to a gym where they were forced to study together as one group, regardless of individual grade levels. The gym was separated from the main school building where other children were taught, did not have direct access to restrooms, and was reportedly insufficiently heated during the winter.

Child Abuse: The law prohibits child abuse and violence against children, but this has not been interpreted as prohibiting all corporal punishment. Child abuse, including emotional, physical, and psychological violence and neglect, continued to be serious problems. According to a December 2021 Save the Children report, 22 percent of parents admitted using physical punishment against their children and 44 percent of children said they experienced physical violence by their parents. Moreover, 22 percent of the children stated they suffered emotional or verbal abuse by their teachers and 5 percent were physically abused by teachers. In January, the government operationalized a national hotline and call center to report child abuse. In May, the government operationalized a missing child “Amber alert” system to send notifications of child disappearances through cell broadcast messages. Throughout the year the Ministry of Interior set up 13 child-friendly interview rooms in police precincts and procured new equipment and software for the investigation of online child pornography.

Child, Early, and Forced Marriage: The legal age of marriage is 18 for both men and women, but the law permits minors as young as 16 to marry under certain circumstances. Illegal child marriage was reportedly common in certain social groups, particularly among some Romani communities. NGOs and media reported cases of Roma girls and boys as young as 11 being sold into marriage by their families. Child protection authorities and police did not always intervene in such cases. There were no public policies to discourage child marriage. In July, the Avrig court in Sibiu County upheld a 2021 decision to drop charges against a boy, age 17, who entered a nonformal marriage with a girl, age 11. According to the prosecutorial decision, although the girl gave birth to a child at age 12, she was not traumatized and criminal action against her child’s father would endanger the interests of the child. (See Section 6, other forms of gender-based violence.)

Sexual Exploitation of Children: The law provides one- to 12-year prison sentences for persons convicted of sexual acts with minors, depending on the

circumstances and the child's age. Sexual intercourse with a minor who is 14 to 16 years of age is punishable by a one- to five-year prison sentence. Sexual intercourse with a person younger than 14 is punishable by a two- to nine-year prison sentence and deprivation of some rights. The law also criminalizes sexual corruption of minors (which includes subjecting minors to sexual acts other than intercourse or forcing minors to perform such acts), luring minors for sexual purposes or commercial sexual exploitation, sale, grooming, or using children for commercial exploitation, including child sex trafficking. Pimping and pandering that involve minors is an aggravated circumstance and increases sentences by 50 percent. The law allows authorities to maintain a registry of individuals who committed sexual offenses against or exploited adults and children. The law prohibits child pornography and authorities enforced the law. Child pornography is a separate offense and carries a sentence, depending on the circumstances, of up to seven years' imprisonment. The maximum sentence is increased to nine years if the perpetrator was a family member or guardian or if the child's life was endangered. The country was not a destination for child sex tourism.

In July 2021, the Judicial Inspectorate, an autonomous disciplinary unit within the Superior Council of Magistrates, released a report on how the justice system handled cases of child sex abuse. According to the findings, prosecutorial offices and courts had different opinions on the age of consent, and consequently, in some cases, sexual intercourse with minors as young as 12 was treated as the lesser crime of sexual acts with minors instead of rape. Child protection NGOs noted that some judges lacked awareness of the issue and showed bias against victims, who often came from socially disadvantaged groups. Investigators found it hard to prove sexual coercion of minors because of a lack of infrastructure, such as child-friendly interview rooms and the use of widely recognized methodologies developed by child psychologists to conduct forensic interviews with underage victims.

Institutionalized Children: During the year there were several media reports of abuse in centers for institutionalized children, including sexual abuse, physical violence and degrading treatment by colleagues or staff, and trafficking in persons. Numerous reports noted a lack of adequate food, clothing, medical treatment, and counselling services. A lack of hygiene, inadequate living conditions, insufficient

food, and a lack of physical therapy were problems in many residential centers for children with disabilities.

In May the European Court of Human Rights issued a ruling finding a lack of effective criminal proceedings in the sexual abuse case of a girl, age 13, between 2018 and 2019, after child protection services placed her in a privately run child-care home. According to the ruling, the investigation included several mistakes, including conclusions based solely on the statements of the suspect, psychological examinations that did not verify the victim's capacity to give valid consent to a sexual act, and the court justifying its ruling by using stereotypes that the minor victim had provoked an older man into having sex.

By law unaccompanied migrant children are held in placement centers, where they have access to education and benefits. The detention of families with children is allowed by law, with preservation of family unity used as justification. Several such cases were recorded during the year.

Antisemitism

According to the 2011 census, the Jewish population numbered 3,271. Representatives of the Jewish community stated that the Jewish population numbered approximately 7,000. Acts of antisemitism occurred during the year.

In February the head of the Jewish Community, the government's representative for combating antisemitism, the Elie Wiesel Institute, and the NGO Center for Monitoring and Combating Antisemitism condemned January 31 statements made by Chair of the Alliance for the Unity of Romanians Calin Georgescu. During a January 31 TV interview, Georgescu praised Ion Antonescu, the country's dictator during the Holocaust, and Corneliu Zelea Codreanu, the founder and leader of the Legionnaire Movement.

On March 27, before a play at the I.L. Caragiale National Theater in Bucharest, unknown persons distributed several copies of a newspaper that included antisemitic content. The Ministry of Culture announced it started an internal investigation and notified police about the incident. The National Theater notified law enforcement and as of year's end an investigation for incitement to hatred or discrimination was pending before the Prosecutor's Office attached to Bucharest's

Sector 1 Court.

In March 2021, the director of the Jewish State Theater Maia Morgenstern received an email that included antisemitic slurs and death threats against her children, as well as threats to set fire to the Jewish State Theater. In December 2021 Bucharest's Sector 3 Court issued a one-year suspended prison sentence against the author of the message.

Streets, organizations, schools, or libraries continued to be named after persons convicted for war crimes or crimes against humanity, according to the Elie Wiesel Institute for the Study of the Holocaust in Romania. For example, Radu Gyr was a commander and antisemitic ideologist of the fascist Legionnaire movement convicted of war crimes. The Wiesel Institute continued to request the renaming of Radu Gyr Street in Cluj-Napoca. The local government did not change the name of the street.

Material promoting antisemitic views and glorifying the Legionnaire movement appeared on the internet. According to a study released by the Wiesel Institute in July, several articles published online between November 2021 and April criticized an initiative to introduce Holocaust history as a course in the high school curricula and claimed that Jews or the state of Israel were behind the measure. According to the same study, most antisemitic hate speech on social media included Jewish conspiracy theories.

In October the government provided a €16.1 million (\$15 million) EU investment grant for developing the Bucharest Holocaust and Jewish History Museum under the auspices of the Elie Wiesel Institute.

Trafficking in Persons

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

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex

Characteristics

Criminalization: The law does not criminalize consensual same-sex conduct between adults. There were no laws against debauchery or so-called cross dressing. Seemingly neutral laws, such as laws on immorality or loitering, were not disproportionately applied to lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons.

Violence against LGBTQI+ Persons: The LGBTQI+ rights NGO MozaiQ reported that in the weeks following the July 9 Pride March in Bucharest, several cases of physical violence against LGBTQI+ persons occurred. On July 25 a group of men physically attacked two teenagers who were kissing in a park in Bucharest. The teenagers did not press charges against their attackers. LGBTQI+ rights NGO ACCEPT stated that minors can press charges only with the approval of their parents and that in many cases LGBTQI+ underage persons are reluctant to disclose their sexual orientation to their parents and take the necessary legal steps in case of discrimination or violence. According to ACCEPT, hate crimes were severely underreported and authorities have not initiated prosecution in any reported LGBTQI+ hate crime case since 2006.

MozaiQ also reported that following the Bucharest Pride March, hate speech against LGBTQI+ persons intensified. In July MozaiQ received several death threats, including messages and images that depicted Nazi symbols and referenced the extermination of LGBTQI+ persons. The NGO pressed criminal charges and as of December an investigation was pending before police.

Discrimination: The law prohibits discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics. There were reports that the government did not always enforce such laws. The law does not recognize LGBTQI+ couples and their families. NGOs reported that societal discrimination against LGBTQI+ persons was common but severely underreported. Access to adequate psychological and health services was also limited because some psychologists refused to accept transgender patients and some medical staff discriminated against them. Intersex individuals faced several challenges, including extreme social stigma and frequent distrust of doctors, that deterred them from seeking medical treatment.

Availability of Legal Gender Recognition: The legal provisions governing legal gender recognition for transgender persons were vague and incomplete. In some cases authorities refused legal gender recognition unless an individual had first undergone sex reassignment surgery. For official documents, individuals who apply for gender recognition must provide medical documentation.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: So-called conversion therapies are not explicitly forbidden by law; however, civil society groups reported there were no such publicly reported cases. They noted unconfirmed reports of individual cases where parents brought children to psychologists hoping they would “change or influence” their sexual orientation.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: There were no restrictions on freedom of expression, association, or peaceful assembly for those speaking out about LGBTQI+ issues, or on the ability of LGBTQI+ organizations to legally register or convene events.

Persons with Disabilities

Persons with disabilities could not access education, health services, public buildings, and transportation on an equal basis with others. Laws and regulations require such access, but the government did not fully implement the law, and discrimination against persons with disabilities remained a problem. Government information on disability concerns was not always provided in accessible format.

Discrimination against children with disabilities in education was a widespread problem due to lack of adequate teacher training on inclusion of children with disabilities and lack of investment to make schools accessible. According to official data, 40 percent of children with disabilities were either placed in segregated schools or not placed in school at all.

Limited access to justice for persons with disabilities continued to be a problem. According to a report released by the NGO Center for Legal Resources in April, the lack of access to information about the legal process and cumbersome procedures caused persons with disabilities to have limited access to public legal aid. Law 140/2022 on Certain Protection Measures for the Persons with

Intellectual and Psycho-Social Disabilities and the Amendment of Certain Normative Acts entered into force in August, allowing for the lifting of conservatorship and providing for alternative protection measures for persons with disabilities. The Constitutional Court previously deemed conservatorship unconstitutional because it did not include safeguards to ensure respect for fundamental rights and freedoms, had no possibility of periodic review, and did not differentiate the degree of incapacitation. Prior to the passage of the new law, persons with disabilities placed under conservatorship did not have the right to liberty or the rights to work, vote, or consent to medical procedures. The NGO Center for Legal Resources reported that a significant number of persons continue to be under conservatorship.

The Center for Legal Resources and media identified a series of problems in centers for persons with disabilities or psychiatric hospitals, including verbal and physical abuse of children and adults, sedation, excessive use of physical restraints, lack of hygiene, inadequate living conditions, and lack of adequate medical care. According to media, in April following a complaint by a staff member at a residential center for persons with disabilities in Vaslui county, law enforcement arrested an employee of the local Directorate for Child Protection and Social Assistance for repeatedly raping over a period of several months an institutionalized woman with disabilities. According to the Directorate, the employee had also beaten another resident of the center. Prosecutors indicted the employee and as of year's end the trial was pending before the Vaslui Court.

In August the Council for Monitoring the Implementation of the Convention on the Rights of Persons with Disabilities released a report on a monitoring visit to a residential center for persons with disabilities in Malaiesti, Vaslui County. According to the report, employees of the center repeatedly placed agitated residents in an unsanitary isolation chamber for up to a week. According to the Center for Legal Resources, residents of the center stated that staff used isolation as a punishment against two persons who wanted to leave the center.

In August 2021, an employee of a government-managed center for persons with disabilities in Calinesti, Prahova County, gathered approximately 30 residents in the institution's courtyard to discipline them. The employee then allegedly hit two of the residents several times. The center's medical staff called an ambulance to

take one of the assaulted residents to the hospital. One day later, the resident died after being released from the hospital. The Center for Legal Resources investigated the incident and found that residents did not have access to means of communication to notify authorities of the physical punishments and abuses. According to the center, for several days the employees did not notify authorities regarding the violent episode and did not request a medical examination for the injured resident. Following indictment by prosecutors, in August the Prahova Tribunal sentenced the employee to six years and four months in prison for assault causing death. Additionally, as of year's end an investigation against other employees of the center for neglect was pending before the Prosecutor's Office.

Persons with disabilities faced discrimination in employment and occupation (see section 7.d.). The National Authority for the Rights of Persons with Disabilities, Children, and Adoptions under the Labor Ministry coordinated services for persons with disabilities and drafted policies, strategies, and standards in the field of disabilities rights.

Other Societal Violence or Discrimination

Discrimination against persons with HIV or AIDS impeded their access to routine medical and dental care because in some cases medical staff refused to treat them.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

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

The Romanian government enacted Social Dialogue Law 367 on December 19, 2022, stating that those with individual labor contracts, most civil servants, members of cooperatives, farmers, and independent workers could join unions.

Unemployed individuals may remain in or join a union. Military employees of the Ministries of National Defense and Interior, personnel from intelligence agencies, magistrates, elected officials, and senior government officials do not have the right to unionize. A union may be established by at least 10 workers from the same employer or 20 workers from a group of employers belonging to the same collective bargaining sector. To register as a union, founding members must submit a decision letter, a copy of the union's statute, and a list of union management members.

The law requires employers with more than 10 employees to negotiate a collective labor agreement. Collective labor agreements can also 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, may negotiate on behalf of employees. If a union does not exist, employers may negotiate with worker representatives who are elected by at least '50 percent plus one' of employees. Employers refusing to initiate negotiation of a collective bargaining agreement can receive fines. Employers must 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 may not strike if a collective labor agreement is in place or for labor claims that are regulated by law. Before organizing a general strike, unions must first pursue conciliation, mediation, or arbitration with the Labor Inspectorate or Ministry, and organize a warning strike. Unions must give employers 48 hours' notice before striking. Unions have criticized the Labor Ministry for failing to intervene effectively. Employers may challenge strikes in court, and companies may claim damages from strike organizers if a court deems a strike illegal. The law permits strikes only in defense of workers' collective economic, social, and professional interests and not for political gains. Unions can hold solidarity strikes to show support for employees in the same group or sector and may also strike against governmental social and economic policies that affect or diminish rights provided by collective labor agreements.

Social Dialogue Law 367 sets new criteria for declaring unions as representative based on the type of negotiation. Specifically, only confederations of unions can

engage in national negotiations. A union confederation must 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 must represent at least 5 percent of the respective pools of workers. In negotiations with individual employers, unions must represent at least 35 percent of the company’s workers. A union maintains its representative status for four years, unless challenged in court. Unions have complained that past representation requirements were overly burdensome and limited the rights of workers to participate in collective bargaining and to strike. Companies often create separate legal entities to transfer employees, thereby avoiding representation thresholds.

Public reports of antiunion discrimination incidents were minimal. It is difficult to prove legally that employers laid off employees in retaliation for union activities. The government did not effectively enforce the law. Penalties, which were sometimes applied against violators, were commensurate with those for similar violations when enforcement was successful. The National Council for Combating Discrimination (CNCD) fines employers for antiunion discrimination, although it lacks the power to order reinstatement or other penalties. Employees usually must seek a court order to obtain reinstatement. The law prohibits public authorities, employers, or organizations from interfering, limiting, or preventing unions from organizing, developing internal regulations, and selecting representatives.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes all forms of forced or compulsory labor. Nevertheless, there were reports that such practices continued to occur, often involving Romani, persons with disabilities, and children (see section 7.c.). The government did not effectively enforce the law and took limited measures to prevent forced or compulsory labor.

According to the Ministry of Internal Affairs, 8.6 percent of human trafficking victims officially identified in 2021 were exploited specifically for labor purposes, down from 16.1 percent in 2020. Men, women, and children were subjected to labor trafficking in agriculture, construction, domestic service, hotels, and manufacturing. More than half of victims were exploited for animal caretaking, domestic servitude, forestry and wood processing, car washing, and meat

processing units. Most persons subjected to labor trafficking were male.

Organized rings, often involving family members, forced persons, including significant numbers of Romani women and children, to engage in begging and petty theft.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/trafficking-in-persons-report/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits all the worst forms of child labor. The law provides that the minimum age for most forms of employment is 16 and includes limitations of working hours and occupational safety and health restrictions for children, and applies to children working in all sectors. Children may work with the consent of parents or guardians at the age of 15 if the activities do not endanger their health, morality, or safety. The law prohibits persons younger than 18 from working in hazardous conditions, includes a list of dangerous jobs, and specifies penalties for offenders. Some examples of hazardous jobs for children include 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 requiring use of hazardous equipment. Parents whose children carry out hazardous activities are required to attend parental education programs or counseling and may be fined if they fail to do so.

Minors who work have the right to continue their education, and the law obliges employers to assist in this regard. Minors between the ages of 15 and 18 may work a maximum of six hours per day and no more than 30 hours per week, provided their school attendance is not affected. Businesses that impose tasks incommensurate with minors' physical abilities or fail to respect restrictions on minors' working hours can face fines. Many minors reportedly did not attend school while working. Minors have the right to an additional three days of annual leave.

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

The Ministry of Labor and Social Protection may impose fines and close businesses where it finds exploitation of child labor. The National Authority for the Protection of the Rights of the Child and Adoption (ANPDCA) within the ministry has 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 ANPDCA is responsible for monitoring and coordinating all programs for the prevention and elimination of child labor.

The government did not effectively enforce the law. Penalties were commensurate with those for other serious crimes like kidnapping, but resources were inadequate. Penalties were sometimes applied against violators. Government efforts focused on reacting to reported cases, and ANPDCA dedicated limited resources to prevention programs. According to ANPDCA, 304 children were subject to child labor in 2021 in both rural and urban areas. Children most vulnerable to child labor were ages 10 to 13 (33.5 percent), 14 to 17 (27.6 percent), and 3 to 6 (16.1 percent).

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, remained widespread in Romani communities, especially in urban areas. Children as young as five frequently engaged in such activities, but instances were frequently underreported because official statistics were limited to cases documented by police. Children whose parents worked abroad remained vulnerable to neglect and abuse. The country had more than 76,000 children whose parents worked abroad in 2021, almost a fifth of whom had both parents working abroad. Media reports continue to reference unreported cases of seasonally employed minors in the hospitality industry along the Black Sea coast. Of the 304 documented cases of child labor in 2021, authorities prosecuted alleged perpetrators in 12 cases, while an additional 258 cases remained under investigation at the end of 2021.

d. Discrimination with Respect to Employment and Occupation

Labor laws and regulations prohibit discrimination with respect to employment and

occupation based on race, religion, national origin, color, sex (including pregnancy), ethnicity, disability, age, sexual orientation or gender identity, HIV or AIDS status, or refugee or stateless status. The government did not enforce these laws effectively, reacting to claims of discrimination rather than adequately engaging in programs to prevent discrimination. Penalties for violations were in general commensurate with penalties related to civil rights, but they were insufficient to deter violations. Penalties were sometimes applied against violators.

Discrimination in employment or occupation occurred with respect to gender, disability, and HIV status (see section 6). Discrimination against Romani and migrant workers also occurred. The CNCD investigated employment discrimination cases in both the public and private sectors. In November 2021, CNCD fined an employer for failing to act when a staff member diagnosed with HIV and AIDS was discriminated against by his coworkers. The employer's discovery of the medical diagnosis led to the dissolution of the employee's employment contract. The law mandates equal remuneration for work of equal value. Eurostat reports the pay gap between men and women in the country was 2.4 percent in 2020, down from 3.3 percent in 2019. While the law provides female employees reentering the workforce after maternity leave the right to return to their previous or a similar job, pregnant women and other women of childbearing age still suffered unacknowledged discrimination in the labor market. In one case from March 2021, CNCD concluded an employer failed to provide a wage increase when a female worker returned from maternity leave taken for a disabled child.

There was no systemic integration of persons with disabilities into the workforce, and public bias against persons with disabilities persisted. While NGOs worked to change attitudes and assist persons with disabilities in gaining skills and employment, the government lacked adequate programs to prevent discrimination. The law requires companies or institutions with more than 50 employees to fill at least 4 percent of their positions with workers with disabilities. Many companies chose to pay the fine for noncompliance rather than meet the human resources requirements but may redirect half of penalties incurred to purchase goods and services from "protected" or "social" enterprises employing persons with disabilities or at-risk groups. Local labor offices had limited success in facilitating

employment for persons with disabilities and reported only 309 such instances in 2021, more than half of which were employed via government subsidies for employers and labor market insertion programs.

NGOs reported that patients suffering from cancer and tuberculosis faced discrimination in the workplace. The law supports tuberculosis patients by providing monthly food allowances, medical leave, and psychological support but does not contain measures to protect patients from workplace discrimination.

e. Acceptable Conditions of Work

Wage and Hour Laws: The law provides for a national minimum wage that is greater than the official estimate for the poverty income level and has nearly tripled in nominal terms since 2012. More than four in 10 labor contracts provide a minimum wage pay. Despite minimum wage increases, 15.6 percent of employed Romanians remained at risk of poverty.

The law provides for a standard workweek of 40 hours or five days. Workers are entitled to overtime pay for weekend or holiday work or work of more than 40 hours. An employee's workweek may not exceed 48 hours per week on average over a four-month reference period, although exceptions are allowed for certain sectors or professions. The law requires 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 allows employers to shorten an employee's workweek and reduce the associated salary.

In response to COVID-19 restrictions, the government adopted a flexible work plan modeled after Germany's *Kurzarbeit* (flexible work) program with the aim of retaining employees on payrolls with joint government and employer contributions. The plan required employers to cover half of full-time wages and the Romanian government to pay 75 percent of the difference between the gross wage and the basic wage paid to the employee, based on the number of hours worked. The plan remained in effect through year's end.

Excessive overtime may lead to fines for employers if workers file a complaint, but complaints were rare. The law prohibits compulsory overtime.

Occupational Safety and Health: Occupational safety and health (OSH) standards were appropriate for the main industries, but compliance and enforcement remained weak. Workers can 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 both labor underreporting and neglecting health and safety standards. In November 2021, four workers died at the Babeni Mechanical Factory after explosives products were handled poorly. In August 2021, two workers died and four were injured on a construction site in Bucharest's city center after a deep ditch collapsed.

In the context of the COVID-19 pandemic, additional risk bonuses were awarded to health-care staff caring for COVID-19 patients or for those involved in pandemic response. Spikes in the number of critical cases of COVID-19 added pressure on hospital infrastructure, particularly in intensive care units.

Wage, Hour, and OSH Enforcement: The Ministry of Labor, through the Labor Inspectorate, is responsible for enforcing the law on working conditions, hours, minimum wage rates and OSH, though enforcement was not always effective. Penalties for violations were commensurate with those for similar crimes but were only applied sometimes against violators. Labor inspectors have the authority to make unannounced visits and initiate sanctions, but the number of inspectors was insufficient to enforce compliance in all sectors. Additionally, the Labor Inspectorate collaborates 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. These 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 may 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 that the victims were at fault in most fatal accidents.

Informal Sector: Informal employment continued to affect employees in the agriculture, retail, hospitality, and construction sectors. Since August, employers are required to pay labor taxes and social contributions at the minimum wage level even if part-time employees earn less than the minimum wage, unless the worker declares they have multiple part-time contracts which are full-time equivalent. The government declared the measures were targeted at limiting undeclared work.

The prevalence of the minimum wage, a tight labor market, and labor taxation exemptions for vulnerable sectors have made undeclared work less attractive. As a result of a mass outflow of unskilled and skilled labor, the country has experienced a tight labor market. Over the past decade, some 2.7 million Romanians of working age (20 to 64) have moved to other EU countries seeking employment. The construction, agriculture, and food industry sectors are exempt from income tax and health and pension mandatory contributions. The law provides for temporary and seasonal work and sets penalties for undeclared labor. In accordance with EU regulations, the maximum duration of a temporary contract is 36 months. Workers in the informal sector were not covered by wage, hour, and occupational safety and health laws, and inspections.