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Overview	1
General information on Romania	2
Information submitted to the Working Group	3
State report.....	3
Official UN documents.....	3
Other relevant stakeholders	4
Interactive dialogue.....	5
Presentation by the State	5
Adoption of the report [20 May 2008/4.30 pm].....	27

Overview

The review of Romania before the universal periodic review (UPR) Working Group of the Human Rights Council (Council) began on 16 May 2008 with a lengthy introduction by the State Secretary of the Ministry of Foreign Affairs of Romania, Mrs Raduta Matache, on the various achievements and challenges faced by the country. The issues addressed in the presentation included: national human rights institutions, administration of justice, measures to combat discrimination, the Roma minority, gender equality, rights of the child, conditions in detention facilities, the fight against HIV/AIDS, the right to health, and international cooperation.

During the interactive dialogue many of the 36 States that spoke commended the progress made by Romania in protecting and promoting human rights over the last ten years, as well as its transition towards a fully democratic system. A reasonable number of questions were posed and recommendations provided by States. These included:

- discrimination against the Roma minority,¹women,² homosexuals,³ and people affected by HIV/AIDS.⁴ Specific concerns were raised regarding the limited access of Roma to education,

¹ Canada, Angola, France, Ireland, Czech Republic, Chile, Egypt, Netherlands.

² Algeria, China, France, Mexico, Italy, Guatemala, Chile, Jordan, Ukraine.

housing and work, especially of Roma women, and clarifications were sought in relation to the attacks against the gay parade that occurred in March 2008. Several States recommended that Romania strengthen the efforts in combating violence against women;

- violence against children⁵ and discrimination against vulnerable children (Roma, children with disabilities, and abandoned children).⁶ Several states commended the efforts undertaken by Romania in protecting and promoting child rights. Others asked what measures the State party intended to adopt to address the situation of street children;
- strategies to combat human trafficking, especially sexual exploitation on minors;⁷
- the fight against corruption⁸ and property restitution⁹, including the protection of the rights of religious minorities and the process of restoring religious and private lands abusively taken by the former Communist regime.

During the interactive dialogue, the attention of the Working Group mainly drew to the protection and promotion of the rights of vulnerable groups, such as Roma, women, children, LGBT persons and persons affected by HIV/AIDS. In this regard, several States made references to previous recommendations of treaty bodies, in particular the Committee on the Elimination of Discrimination against Women (CEDAW) and the Committee on the Right of the Child (CRC). Several States encouraged Romania to ratify those international conventions not yet adopted, such as the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* (CMW), the *International Convention on Enforced Disappearances*, and the *Optional Protocol to the Convention against Torture* (OPCAT). In the time allocated for the replies, issues addressed by the delegation mainly included women's and children's rights, and trafficking in human beings. The delegation assured that it would provide written replies to other questions at a later stage.

Nearly forty minutes out of the one hour allocated to the State under review were taken up by the initial presentation. Consequently Romania made only two interventions among the long list of speakers, giving adequate responses to only a few issues.

General information on Romania

Membership of the Human Rights Council

Romania is a member of the Human Rights Council (1st term, 2006-8).

Members of the troika

Angola, Canada, Bosnia-Herzegovina.¹⁰

³ Canada, Czech Republic, Finland.

⁴ Canada, France, Colombia, Czech Republic, Guatemala, Germany.

⁵ Sudan, Russia Federation.

⁶ Algeria, Tunisia, United Kingdom, Republic of Korea, France, Mexico, Sudan, Senegal, Turkey.

⁷ Azerbaijan, Canada, Mexico, Czech Republic, Turkey, Philippines, Chile, Japan, Australia.

⁸ Canada, Republic of Korea.

⁹ Slovenia, United States, Azerbaijan, Canada, Finland.

¹⁰ Regional groups selected: African Group, Western European Group, Eastern European Group. Members selected: Romania, Madagascar, France. Romania initially drew itself, thus the lot for the Eastern European Groups (EEG) was re-drawn. For a full summary of the selection of troikas, see http://www.ishr.ch/hrm/council/councilalert/council_update_7session.pdf

National consultation

According to the national report, ministries, departments, agencies of Government, non-governmental organizations and experts were actively involved in the consultative process of drafting the report.

Information submitted to the Working Group

State report

On 25 April 2008 Romania submitted its national report for the universal periodic review.¹¹ After a brief overview of the country's political background, the report detailed Romania's normative and institutional instruments for the promotion and protection of human rights. An extensive part of the report is dedicated to the main achievements and major challenges of Romania in the field of human rights. These included:

- equality and protection against discrimination, especially with regard to the Roma minority;
- prohibition of torture, cruel, inhuman or degrading treatment, with a presentation of the measures undertaken to address the problems in the Romanian penitentiary system and the strategies to combat trafficking in human beings;
- freedom of opinion and expression, presenting the Romanian mass-media as of the most dynamic in the region;
- freedom of conscience and religion, with the efforts undertaken to redress the 'great injustices' done by the Greek-Catholic Church during the Communist regime;
- freedom of association and peaceful assembly, with reference to the national legislative framework;
- rights of the child, with a presentation of the main strategies to protect child rights, such as the National Authority for the Protection of the Child;
- rights of the persons with disabilities, and the adoption of the national strategy 'Equal Chances for Persons with Disabilities';
- rights of minorities, and their representation at the governmental, local and parliamentary levels;
- right to own property, and restitution measures for those properties abusively taken over by the State;
- right to education, with a focus on disadvantaged categories of children;
- right to work, with reference to the high rate of unemployment from the 1990s;
- right to asylum and legislative framework regulating the status of refugees in Romania.

The final part of the report focuses on the cooperation with international bodies in the field of human rights, on the implementation of Committees' recommendations, and progress towards the ratification of the *Convention on Enforced Disappearances* and the *Optional Protocol to the Convention Against Torture* (OPCAT).

Official UN documents

In the compilation of UN documents,¹² the Committee on the Elimination of Discrimination against Women (CEDAW) encouraged Romania to consider ratifying the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* (ICRMW), while the Committee on the Rights of the Child (CRC) welcomed the ratification of the Hague Convention of 1993 on Protection of Children and Cooperation in Respect of Intercountry Adoption. CRC and CEDAW welcomed the enactment of new laws in

¹¹ A/HRC/WG.6/2/ROM/1, 25 April 2008. Available at:

http://lib.ohchr.org/HRBodies/UPR/Documents/Session2/RO/A_HRC_WG6_2_ROM_1_E.pdf

¹² A/HRC/WG.6/2/ROM/2, 10 April 2008. Available at:

http://lib.ohchr.org/HRBodies/UPR/Documents/Session2/RO/A_HRC_WG6_2_ROM_2_E.pdf

the field of human rights. The Committee on the Elimination of Racial Discrimination (CERD) however, expressed concern that the provisions of Romanian legislation making punishable acts of racial discrimination by individuals are not in full conformity with the Convention. A section of the report is dedicated to the cooperation of Romania with human rights mechanisms, in particular the cooperation with treaty bodies¹³ and with special procedures. Regarding the implementation of international human rights obligations, recurring issues of concern are equality and non discrimination,¹⁴ right to life, liberty and security of the person,¹⁵ administration of justice and the rule of law,¹⁶ freedom of religion or belief, expression, association, and right to participate in public and political life,¹⁷ right to work,¹⁸ right to social security and to an adequate standard of living,¹⁹ and right to education and to participate in the cultural life of the community.²⁰ The final part of the report is dedicated to achievements, best practices, challenges and constraints, and among key priorities the Special Rapporteur on the sale of children recommended that Romania decriminalize prostitution and amend legislation to protect the victims of trafficking from being prosecuted for illegal border crossing.

Other relevant stakeholders

Eighteen stakeholders submitted information to the universal periodic review.²¹ Amnesty International called on Romania to sign and ratify outstanding international treaties,²² and stated that the lesbian, gay, bisexual and transgender community continues to suffer identity discrimination in the country. The Roma Centre for Social Intervention and Studies (RCRISS) referred to the establishment of the National Council for Combating Discrimination, an autonomous State authority responsible for applying the Romanian legal provisions on discrimination, and noted that in the past few years Romania has made significant progress in the non-discrimination field. Issues of concerns raised by the majority of stakeholders include:

- equality and discrimination against Roma, homosexuals and people affected by HIV/AIDS;
- right to life, liberty and security of the person, with reference to violence against women and children;
- right to privacy, marriage and family life, with consequences of mass migrations of Romanians on abandoned children;

¹³ *International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), International Covenant on Economic, Social and Cultural Rights (ICESCR), International Covenant on Civil and Political Rights, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), Convention on the Rights of the Child (CRC) and its Optional Protocols (CRC-OP-AC, CRC-OP-SC).*

¹⁴ Committee on the Elimination of Discrimination Against Women (CEDAW), Special Rapporteur on the right to health, United Nations Children's Fund (UNICEF), HR Committee, Committee of the Rights of the Childs (CRC)

¹⁵ HR Committee, CRC, CEDAW, Special Rapporteur on the sale of children.

¹⁶ Common Country Assessment, Special Rapporteur on the sale of children, CRC, UNICEF.

¹⁷ Special Rapporteur on freedom of religion or belief, Special Rapporteur on the right to freedom of opinion and expression, HR Committee, CEDAW.

¹⁸ CEDAW, CRC, CCA, UNICEF.

¹⁹ CCA, CRC, Special Rapporteur on the right to health, CRC, UNICEF.

²⁰ CRC.

²¹ A/HRC/WG.6/2/ROU/3. Available at:

http://lib.ohchr.org/HRBodies/UPR/Documents/Session2/RO/Romania_summary_A_HRC_WG6_2_ROU_3.pdf

Amnesty International, Centre for Legal Resources, Centre on Housing Rights and Evictions and the Roma Centre for Social Intervention and Studies, Human Rights Watch, Human Rights Without Frontiers, Foundation and the Association of Former Political Prisoners, International Commission of Jurists, Institute on Religion and Public Policy, International Trade Union Confederation, Roma Centre for Social Intervention and Studies, Save the Children Romania, Romanian Independent Society of Human Rights, SOS Children's Villages Romania, Society for Threatened Peoples, Unrepresented Nations and Peoples Organization, Organization for Security and Co-operation in Europe, Council of Europe.

²² *The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the Convention for the Protection of All Persons from Enforced Disappearance, and the Convention on the Rights of Persons with Disabilities and its Optional Protocol, and to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.*

- freedom of religion or belief, expression and association, with regard to discriminations suffered by religious communities with less than 300 members and homosexuals during the Gayfest organized every year;
- right to work, right to social security, noting that many employers make often use of informal recruitment practices and unregulated forms of employment;
- right to education and the high rate of illiteracy among Roma people;
- measures to counter terrorist and the need for a transparent inquiry to investigate allegations of the involvement of Romanian officials in renditions and secret detentions.

Progress made by Romania since 2002 in a number of fields was commended, and the International Commission of Jurists pointed out that in December 2006 the Romanian President was the first head of a former communist State to make an official political statement condemning the crimes of the former communist regime and offering an official apology to its victims.

Interactive dialogue²³

Presentation by the State

The State Secretary of the Ministry of Foreign Affairs of Romania, Mrs Raduta Matache, presented the national report to the Working Group on the occasion of the first universal periodic review of Romania. She highlighted how the approach of the Government towards human rights has fundamentally changed since the Revolution of December 1989. She stressed the special attention that Romania is paying to striking the right balance between promoting and protecting civil and political rights and ensuring the respect for economic, social and cultural rights.

Mrs Matache ensured that the protection and promotion of human rights in Romania is secured through a wide-ranging network of judicial, quasi-judicial and administrative institutions. She informed the Working Group that Romanian authorities are preparing the launching of a National Plan of Action for Human Rights to be reviewed annually. On the administration of justice she noted that several measures to strengthen the independence of the judiciary have been adopted.

Concerning the fight against discrimination, Mrs Matache pointed out that the legal and institutional framework for preventing and sanctioning all forms of discrimination in Romania has steadily improved through the operation of the National Council for Combating Discrimination and the implementation of the National Anti-Discrimination Strategy 2007-2013. The main objectives of these strategies are preventing acts of discrimination and raising awareness about the negative effects of discrimination. She stated that situation of the Roma minority remained a special concern, and in 2001 the Romanian Government adopted a specific Strategy for the Improvement of the Roma Situation, which is a result of collaboration between governmental institutions and Roma NGOs.

As regard to gender equality, the head of delegation noted that the Government adopted the National Strategy for Equal Opportunities for Women and Men, which provides for actions to promote women's rights. Special

²³ Most statements made at the UPR Working Group can be found at <http://portal.ohchr.org/portal/page/portal/UPR>. Fill in the form at www.ohchr.org/english/bodies/hrcouncil/form.htm to receive username and password. Audiovisual archives of the meetings of the Working Group 'webcast' are available at www.un.org/webcast/unhrc/index.asp.

measures are adopted to prevent and combat domestic violence and violence against women, with specific protection and rehabilitation plans for the victims.

In the field of protection and promotion of the rights of the child, Mrs Matache expressed that Romania has to cope with the daunting problem of the large number of children in State-run institutions, under-funded and poorly staffed. She presented the newly-established National Authority for the Protection of the Rights of the Child, which drafted the recent National Strategy for the protection and promotion of the child's rights for the period 2008-2012, and which is authorized to intervene in administrative and judicial procedures in order to ensure the observance of the rights of the child in Romania. Mrs Matache also noted how Romanian authorities have started to address the challenge represented by the large number of children that are suffering from prolonged absence of their parents who left the country in search of job opportunities abroad.

On conditions of detention facilities, the State Secretary stated that Romanian authorities have adopted a number of legislative and organization measures designed to address the whole range of problems related to the functioning of the penitentiary system, such as the establishment of special sections for preventive arrests and the creation of distinct types of prison treatment for the recovery and social reinsertion. Great importance is also attached by the Ministry of Public Health to improving the management of the psychiatric hospitals, an issue raised by a number of States during the interactive dialogue.

With regard to the situation of HIV/AIDS in Romania, Mrs Matache affirmed that the National Network for Health Promotion and Health Education is implementing programs aimed at educating the public and the medical personnel to prevent discrimination against HIV positive persons.

Mrs Matache assured that special attention is dedicated to the issue of trafficking in human beings. Regarding the issue of sexual minority, the Romanian delegation affirmed that a law exists to punish discrimination based on sexual orientation, but also admitted that homosexuals are still vulnerable and victims of discrimination.

Finally Mrs Matache reiterated Romania's commitment to accelerate the implementation of international treaties within the national legislative framework.

The delegation then turned to the Working Group to begin its interactive dialogue.

Table on the interactive dialogue

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
Algeria	Model UPR report, ‘not complacent or self-serving’. Commended Ambassador Costea for his work as Council President. Romania is working for improvement and Algeria’s recommendations were echoed in the introductory statement.			Recommended that Romania adhere to the CMW. Enhance women’s awareness of their rights, especially Roma women. Improve child rights in healthy care and education especially for Roma children, and work on public perception of Roma community. Address problems of police brutality.	CEDAW – increase gender equality and end discrimination, women not sufficiently aware of their rights (para. 6 of compilation of UN documents)	
Morocco	Appreciated the ‘fluid and informative report’ and the introductory statement. Commended quick change over last ten years in the protection and promotion of human rights.	Concern in ensuring women’s rights, rights of persons with disabilities, and other vulnerable categories.	More information on the National Anti-Discrimination Strategy (2007-2014).			The National Anti-Discrimination Strategy was adopted by the National Council for Combating Discrimination, which is the body responsible for monitoring the

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	Commended the provision on freedom of expression granted by the Constitution as good practice and a source of inspiration for other countries.					legislation, sanctioning cases of discrimination, and elaborating anti-discrimination policies.
Slovenia	Comprehensive national report and commitment to the UPR process. Hard work undertaken in the country.	Situation of religious freedom - new legislation appears to ensure rights only for the major denominations.	How does Romania ensure equal freedom for all religions? What has been done to ensure gender perspective in the preparation of the UPR?	Recommended that Romania recognise all religious denominations. Continually integrate gender perspective in the UPR process.		The new law on freedom of religion was drafted and agreed upon by most religions, and it does not restrict the exercise of any religion. Gender prospective was included in the presentation and in the report, showing how this issue has been taken seriously by Romania. The Government is aware of the particular situation of Roma women.
China	Welcomed the report and the presentation.		What stages of implementation and			(On gender issues, see Slovenia)

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	<p>Noted the quick change over last ten years in the protection and promotion of human rights, with the establishment of bodies for the prevention of discrimination. Appreciated efforts and strategies to improve Roma conditions.</p>		<p>what results have been achieved on the national strategy for equal opportunity?</p>			
Tunisia	<p>Complete report and active participation of civil society in the preparation. Commended efforts on the rights of the child. National strategy plan for children 2009-13 will be new milestone and High Level Group on children constitutes best practice.</p>			<p>Recommended that Romania pursue efforts to provide protection for children, including the most vulnerable children.</p>		<p>The final draft of a National Strategy on the rights of the child includes a chapter dedicated to children with disabilities. It develops special care services and ensures them access to education. This law also states that any form of corporal punishment against children is forbidden.</p>

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
Azerbaijan	Welcomed the achievement of policies for gender equality, and for children’s and mothers’ protection.	Problem of trafficking and sexual exploitations of minors.	Clarification on the opening status of invitation for the Special Rapporteur on the right of education, which has not yet been approved. What are the main problems limiting the adoption of measures to prevent trafficking and sexual exploitation of minors? What measures have been taken to face the issue of religious defamation in public?		Commend Romania’s attachment to international treaties.	
United States	Applauded engagement in the UPR process and noted Costea’s efforts as President of the Council. Appreciated comments on child rights and	Property restitution law since 2005 has made limited progress in restoring religious and private lands.	Why such delays and what efforts are being made to work closely with the Orthodox church?	Recommended that Romania make vigorous efforts to apply the law on property restitution, including by abiding with judicial rulings.		The Greek Catholic Church can ask to the Court the restitution of its property if the dialogue with the Orthodox Church has failed. Individuals can also

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	welfare.					ask for property restitution.
Canada	Appreciated frank presentation. Commend progress in human rights field. Commended fight against corruption and acknowledge measures towards the elimination of discrimination against Roma minority.		Which additional steps have been undertaken to fight corruption? Which legal reforms have been adopted to accelerate the property restitution process?	Recommended that Romania develop an anti-corruption strategy and monitor its implementation. Strengthen the capacity of judiciary at all levels. Take additional measures to fight discrimination against minorities, such as Roma, homosexuals and people affected by HIV/AIDS. Take additional measures to combat human trafficking and training police officers who deal with victims of trafficking and sexual abuse.		New institutional measures on preventing corruption are in place. Are continuing efforts to fight corruption at local level and at the judiciary level. Awareness campaign to encourage the civil society to cooperate.
United Kingdom	Thanks for answering questions in advance.	Roma still do not have adequate access	What is the use of EU development	Recommended that Romania take all	CEDAW – high levels of abortion.	Establishment of a National Agency for

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	The leading role of Ambassador Costea ‘is testament to Romania’s commitment to UPR’. Commended adoption of international conventions. Applauded efforts regarding Roma, including 2005-15 Roma Decade of Inclusion.	to education, housing and work. Living conditions in psychiatric wards violate international standards, no wards for children.	funding regarding the Roma? What efforts to address the situation of psychiatric wards?	necessary steps to make sure that national legislation is in conformity with international obligations. Improve conditions of psychiatric wards Share best practice efforts relating to children with disabilities. Take further measures on reproductive health.		Roma, which launched a campaign to raise awareness on the Roma situation. More than 10 projects in the field of education and culture are now implemented with the EU and Roma NGOs. (See Tunisia on the rights of the child)
Angola	Welcome the broad participation of civil society in the preparation of the report. Note the efforts in protecting and fostering human rights.		What measures can the Government adopt to ensure the full enjoyment of rights by the Roma minority and to foster their economic integration?		Appreciated the cooperation with treaty bodies and special procedures.	(See United Kingdom on the Roma minority)
France	Commended efforts in the protection and promotion of human rights..			Encouraged better integration of Roma in housing, health and education.		(See United Kingdom on the Roma minority, Tunisia on the right

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
				<p>Recommended that Romania improve the rights of the child, especially in civil registration, education, health and protection against violence.</p> <p>Recommended strengthening efforts to combat violence against women through information and protection of victims. Need to combat discrimination of those affected by HIV/AIDS. Ratify the Convention on Disappearances, as planned.</p>		<p>of the child, Slovenia on gender issues)</p>
Denmark	<p>Noted efforts made to fight against the excessive abuse of force by police officers.</p> <p>Appreciated measures</p>	<p>Abuse of prisoners by police officers.</p> <p>Lack of action regarding complaints of ill treatment in detention.</p>		<p>Recommended that Romania continue efforts to avoid ill treatment of detainees and any abuse of authority.</p>		<p>Training for police officers to prevent abuse of prisoners. NGOs can enter the police stations and the prisons to</p>

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	to improve standards of prisons.	Roma minority is subject to violence by police officers. Concern regarding the law on religion which risks undermining the principle of equality.		Ensure that freedom of religion is implemented without discrimination. Stop religious intolerance.		monitor the situation and talk in private with prisoners to evaluate alleged cases of abuse.
Republic of Korea	Good presentation and appreciates State report. Government has taken particular interest in protecting rights of children and families.	Wide perception of mistrust of judiciary.	More information on measures taken to address health related issues of street children. More information on measures to achieve independence of judiciary.			The achievement of the independence of the judiciary is a long process. (See Tunisia on the rights of the child)
Ireland	Thank for the replies to the written questions submitted Romania.			Recommended that Romania continue further actions to ensure the enjoyment of human rights by Roma community. Improve detention conditions. Continue to combat the spread of HIV among children and		

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
				<p>prevent discrimination against people affected by HIV/AIDS. Develop measures to combat discrimination against people living with disabilities.</p>		
Mexico	<p>Special appreciation to Ambassador Costea. Broad information submitted and extensive consultations. Visible commitment of Romania to human rights.</p>		<p>More information on progress to achieve equity in rural communities, especially for women and children. What are the deep rooted causes of trafficking and what actions are being taken to suppress it?</p>	<p>Recommended that Romania strengthen efforts in the area of equal rights of women and children as raised by CEDAW, CRC and Special Rapporteur on the sale of children, child prostitution and child pornography. Intensify efforts to implement recommendations of SR on the sale of children, child prostitution and child</p>	<p>CEDAW, CRC and Special Rapporteur on the sale of children, child prostitution and child pornography.</p>	<p>(See Slovenia on gender issues, Tunisia on the rights of the child)</p>

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
				<p>pornography. Encourage adeherence to the principles of the Disabilities Convention and ratify it as soon as possible. Also recommend that Romania ratify the CMW, the Convention on Disappearances (as planned) and the OPCAT.</p>		
Sudan	Commend the improvement of social and economic welfare.		<p>Explain international cooperation measures for the protection of child’s rights. Wished to benefit from Romania’s experience in protecting children rights.</p>	<p>More cooperation with developing countries in the domain of social and economic rights.</p>		(See Tunisia on the rights of the child)
Senegal	Party to most international instruments. Favourable		<p>More information on the achievement of the National Authority on the</p>			(See Tunisia on the rights of the child)

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	institutional framework for human rights.		rights of the child and the role it plays in implementing the National Strategy on the rights of the child. What are the strategy's salient points?			
Turkey	Commended Romania's engagement with UPR. Appreciated the diligently prepared report. Commended progress in such a limited period of time. Commended establishment of National Council for Combating Discrimination. Welcomed the establishment of agencies for gender equality and children.	Social discrimination of victims in trafficking once returning to home country. Great concern on the issue of abandoned children.	Which measures did Romania intend to adopt to address the problem of abandoned children?	Recommended that Romania improve prison conditions. Build up efforts to fight violence against women. Pay more attention to victims of trafficking.	Praised outstanding level of cooperation with special procedures.	The Government is focusing on projects aimed at keeping abandoned children in a family environment. The Government is working to set new measures to ensure that all children have the right to identity (only 1,510 children are still without ID today).
Italy	Close European partnership of	Discrimination on gender and violence	Delays in submission of reports to treaty	Recommended that Romania eliminate		

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	<p>Romania and Italy in all fields, including human rights. Outstanding contribution to human rights bodies, including the treaty bodies. 2000 law on abolition of all forms of discrimination and creations of national unit.</p>	<p>against women is still a problem.</p>	<p>bodies– provide additional information on how this will be corrected.</p>	<p>domestic violence against women. Develop national strategy on the school system’s integration of human rights education, including review of textbooks and the training of teachers, in accordance with UN human rights education efforts.</p>		
<p>Czech Republic</p>	<p>Welcomed efforts for the promotion and protection of the rights of homosexuals and people affected by HIV/AIDS.</p>		<p>What measures have been adopted to eliminate discrimination against Roma, homosexuals and people affected by HIV/AIDS?</p>	<p>Recommended that Romania strengthen protection for victims of trafficking. Ensure adoption of measures to prevent prejudice against sexual minorities and people affected by HIV/AIDS. Punish any act of ill treatment. Ratify OPCAT. Elaborate on measures to prevent</p>		

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
				international and internal form of trafficking.		
Colombia	Comprehensive report, ‘clear and candid’. One of the biggest challenges that Romania has to face is discrimination.		How does Romania facilitate the participation of civil society in the National Strategy to combat discrimination and are there indicators to measure its impact?			NGOs take part in the development of strategies to combat discrimination and in the monitoring of these measures.
Bangladesh	Comprehensive report and excellent presentation. Country in transition and has made ‘remarkable changes’, particularly in its national human rights framework.		What efforts have been taken regarding CEDAW and CRC recommendations?	Continue to improve situation of Roma to enjoy their human rights.	Various treaty body comments on implementation of legal frameworks, including that Roma have access to health, education, and housing. CEDAW – need to improve rural Roma women’s access to the labour market. CRC – need to ensure free and compulsory education and equal	

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Guatemala	<p>Welcomed the efforts to become a democracy. Appreciated the reforms in combating discrimination and to integrate minorities into society. Congratulated the work of the National Council for Combating Discrimination.</p>			<p>Recommended that Romania devote special attention on discrimination against homosexuals and people affected by HIV/AIDS. Implement the recommendations of the Special Rapporteur on the right to health. Endorse the recommendation of CEDAW to develop an awareness campaign on women rights.</p>	<p>Special Rapporteur on the right to health, CEDAW</p>	
Finland	<p>Comprehensive report.</p>	<p>Legal situation of religious freedom is poor.</p>	<p>What steps have been taken to protect rights of religious minorities?</p>	<p>Recommended that Romania strengthen protection so that all religious minorities can practice. Investigate and prosecute those responsible for attacks on gay</p>	<p>Institute on Religion and Public Policy (IRPP)– Romania has failed to live up to obligations to protect religious minorities. Amnesty International –</p>	<p>All citizens that violate public order during the gay parade were investigated.</p>

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
				parade.	homosexual discrimination. Gay parade opposed by churches, and attacks on march.	
Philippines	Remarkable transition towards democracy. Exemplary manner in fighting climate change, as model of sustainable carbon emission with only 0,3% of global emissions.		Consider inviting the Special Rapporteur in trafficking to assess the situation in Romania, especially regarding women and children?	Recommended that Romania strengthen efforts to assist victims of human trafficking. Enhance measures to ensure that people affected by HIV/AIDS can enjoy their rights. Promote rights of vulnerable groups including Roma.		(See Tunisia on the rights of the child, Slovenia on gender issues)
Germany	Thanked Costea as President of the Council. Open, detailed and self-critical report.		Work of the National Council for Combating Discrimination and the National Agency for Roma. In which way are the members of the Roma community involved in their work? In			The Roma minority is highly represented in the National Council for Combating Discrimination.

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
			which ways are Roma NGOs themselves working in the community to improve the situation, especially of women?			
Bosnia - Herzegovina		Problem of children left alone after the massive migration of Romanians.	Is there any policy which will cover the problem of abandoned children?	Express our hope that Romania will increase efforts in the cooperation with international bodies.	Note the ratification of core international instruments.	(See Turkey on abandoned children)
Japan	Sincere and detailed report. Commended active measures on the rights of children. Commended efforts on Roma.		Sought elaboration on plans to publicise trafficking dangers. How do institutions and NGOs work together in a coordinated manner to seek to eradicate discrimination against Roma, as recommended by CEDAW and CRC?		CRC (2003) and CEDAW (2006) remained concerned that Romania is a transit country for trafficked women and children. CRC and CEDAW called for a comprehensive and holistic approach to eradicate discrimination against Roma.	
Argentina	Welcomed the signing of the Convention on			Work on the implementation of		

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	Disappearances.			the Convention on Disappearances.		
Chile	Comprehensive report. Appreciated efforts regarding trafficking.	The situation of vulnerability of women is very serious. Still heard 'misgivings' about the conditions of Roma.		Recommended that Romania adopt development programmes necessary to overcome situations of discrimination, especially of Roma women.		(See United Kingdom on the Roma minority)
Netherlands	Commended strong commitment to UPR and progress in protecting and promoting human rights.			Recommended that Romania take further measures to eliminate discrimination against Roma and ensure access to education, care system, houses and employment. Give follow up to UN recommendations on this matter.		(See United Kingdom on the Roma minority)
Russian Federation			What efforts have been made regarding CRC	Recommended that Romania impose direct ban on	CRC – still widespread ill-treatment of children	(See Tunisia on the rights of the child)

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
			recommendation on tackling police impunity?	corporal punishment against children in all instances. Adhere to ILO Conventions No. 138 and 182 and the Convention on the Rights of the Child in relation to child labour.	and torture even. Combat prevailing culture of impunity of police officers on children. CRC – many children working, as young as six.	
Brazil	Congratulated the report as reflecting Romania's commitment in protecting and promoting human rights. Commended the advancement in areas such as women and children rights.		How does Romania assess progress and concrete results of the work of the National Council for Combating Discrimination? How does it assess the result of the initiatives in ensuring women rights?	Strengthen efforts to fight discrimination against Roma.		
Australia			National human rights institution received 'C' status by the International Coordinating Committee of National Institutions			Training of police officers dealing with victims of trafficking. Budget for NGOs to improve the quality of assistance for the

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
			in 2007. Any efforts to improve this status? Further information on how Romania seeks to tackle incidences of trafficking.			victims. The Government has developed four national campaigns so far, with the target of women and children.
Jordan	Commended the Ombudsman as demonstration of the keen desire to ensure the protection and promotion of human rights. Commended steps taken towards gender equality.	Gaps existing in the Civil Code in ensuring equal opportunity for men and women.	Which remedies have been adopted to bridge the existing gaps in the protection and promotion of human rights?			
Ukraine	Excellent presentation. Report shows progress and difficulties. Welcomed fulfilment of pledges and commitments. Impressed by work to combat trafficking in human beings carried out in recent years.		Elaborate on efforts to raise awareness of human rights.	Carry on efforts to combat trafficking.	CEDAW – equality and the elimination of discrimination. Women might not be aware of their rights.	

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
Egypt			Sought further elaboration on the status of minorities and efforts undertaken to ensure the enjoyment of human rights by Roma?		Stakeholders report gives different picture on the situation of minorities.	(See United Kingdom on the Roma minority)

Adoption of the report [20 May 2008/4.30 pm]

Canada introduced the report²⁴ on behalf of the troika and highlighted the high level of the Romanian delegation, including Ambassador Costea, President of the Human Rights Council..

Ambassador Costea thanked the Working Group for the interest expressed in human rights challenges and achievements of Romania. He reiterated the Government's commitment to implement the recommendations and to work closely with all stakeholders for the promotion and protection of human rights. He also expressed the delegation's confidence in the UPR mechanism as an instrument to enhance the Human Rights Council's credibility and efficiency. He added that any comments to the recommendations would be provided in due time.

On this basis, the report of Romania was adopted.

²⁴ A/HRC/WG.6/2/L.15, 22 May 2008, available at the UPR extranet. Fill in the form at www.ohchr.org/english/bodies/hrcouncil/form.htm to receive username and password. At the time of writing the report was not available on line, but can now be found in the UPR extranet page.

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