

Coronavirus pandemic in the EU – Fundamental Rights Implications

Country: Romania

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1 Measures taken by government/public authorities

1.1 Emergency laws/states of emergency

Provide information on emergency laws/declarations of states of emergency, including actions taken by police to enforce them and court rulings concerning the legality of such measures. Please include in particular information on developments relating to the protection of the right of association/demonstration; for example, with respect to the public gatherings that took place concerning the death of George Floyd, or other such events.

In **Romania**, the state of alert (*stare de alertă*) was initially declared on 15 May 2020, by Decision¹ of the National Committee for Emergency Situations (*Comitetul Național pentru Situații de Urgență*), for a period of 30 days. On 18 May 2020, new legislation, the Law regarding some measures to prevent and combat the effects of the COVID-19 pandemic², specifically regulating the Covid-19 situation was enacted. Thus, the Government declared again the state of alert, for a new period of 30 days, through a Government Decision³, later endorsed, with amendments, by the Parliament⁴. The state of alert was prolonged on 16 June 2020, by the Decision of the Government, for another 30 days⁵.

The constitutionality of the Law regarding some measures to prevent and combat the effects of the COVID-19 pandemic⁶ was challenged by the Ombud, with the argument that it is breaching the separation of powers by placing a government decision as subject of approval by the Parliament. The argument was accepted by the Constitutional Court of Romania (*Curtea Constituțională a României*), who declared the respective provisions of the law unconstitutional on 25 June 2020⁷. The full reasoning of the Court was not published by 30 June 2020, thus the law remains valid for the time being.

¹ Romania, Decision on approval of national alert, institutions and measures to prevent and control information, in the context of the epidemiological situation generated by the SARS-CoV-2 virus ([Hotărâre nr. 24 din 14 mai 2020 privind aprobarea instituirii stării de alertă la nivel național și a măsurilor de prevenire și control al infecțiilor, în contextul situației epidemiologice generate de virusul SARS-CoV-2](#)), 15 May 2020.

² Romania, Law regarding some measures to prevent and combat the effects of the COVID-19 pandemic ([Lege nr. 55 din 15 mai 2020 privind unele măsuri pentru prevenirea și combaterea efectelor pandemiei de COVID-19](#)), 15 May 2020.

³ Romania, Government Decision on on the declaration of a state of alert and the measures to be taken during it to prevent and combat the effects of the COVID-19 pandemic ([Hotărâre nr. 394 din 18 mai 2020 privind declararea stării de alertă și măsurile care se aplică pe durata acesteia pentru prevenirea și combaterea efectelor pandemiei de COVID-19](#)), 18 May 2020.

⁴ Romania, Decision of the Parliament on approval of the state of alert and of the measures established by the Government Decision no. 394/2020 on the declaration of the state of alert and the measures applied during it to prevent and combat the effects of the COVID-19 pandemic ([Hotărâre nr. 5 din 20 mai 2020 pentru încuviințarea stării de alertă și a măsurilor instituite prin Hotărârea Guvernului nr. 394/2020 privind declararea stării de alertă și măsurile care se aplică pe durata acesteia pentru prevenirea și combaterea efectelor pandemiei de COVID-19](#)), 20 May 2020.

⁵ Romania, Government Decision on the prolongation of the state of alert on the territory of Romania ([Hotărâre nr. 476 din 16 iunie 2020 privind prelungirea stării de alertă pe teritoriul României și măsurile care se aplică pe durata acesteia pentru prevenirea și combaterea efectelor pandemiei de COVID-19](#)), 16 June 2020.

⁶ Romania, Law regarding some measures to prevent and combat the effects of the COVID-19 pandemic ([Lege nr. 55 din 15 mai 2020 privind unele măsuri pentru prevenirea și combaterea efectelor pandemiei de COVID-19](#)), 15 May 2020.

⁷ Romania, Constitutional Court of Romania (*Curtea Constituțională a României*), '[Comunicat de presă din 25 iunie 2020](#)', 25 June 2020.

The measures included in the Government's Decision cannot exceed the framework established by the law, and the law provides in detail the punishable offenses during the state of alert⁸. The fines range between RON 500 and 15,000 (€100-3,000). The Government publishes daily press bulletins which include the number of offenses but it does not publish disaggregated data on the type of offenses, nor the total number of offenses⁹.

In **Romania**, on 2 July 2020, the Constitutional Court of Romania (*Curtea Constituțională a României*) published its decision finding unconstitutional two articles from the Law on health care reform (*Legea nr. 95/2006 privind reforma în domeniul sănătății*)¹⁰ and the Government Emergency Ordinance on emergency medical stocks, as well as some measures related to the establishment of quarantine (*Ordonanța de Urgență a Guvernului privind stocurile de urgență medicală, precum și unele măsuri aferente instituirii carantinei*)¹¹. The two articles provide for compulsory hospitalization for patients carrying highly contagious diseases, and quarantine or self-isolation for persons suspected of carrying highly contagious diseases. In both cases, the Court found that the primary legislation was too general and vague, delegating the decision to the level of orders issued by the Minister of Health, and that the subject of the measures does not ensure the right to appeal. The Court ruled that, while the state can use such measures (forced hospitalization, quarantine or self-isolation) against individuals, to prevent the spread of diseases, the primary legislation should be more precise when defining the criteria used in such cases¹². The immediate effect of the decision is that the government can no longer force the hospitalization of patients tested positive for Covid-19, or the quarantine/self-isolation of suspects of Covid-19. The Minister of Health announced that the government is working on new legislation to regulate the mentioned measures, which will be presented to the Parliament in the near future¹³.

In **Romania**, the right to assembly remains restricted during the state of alert. Noting that some outdoor events are permitted starting with 1 June 2020, for example concerts or other cultural events, when involving less than 500 participants, and with social distancing measures in place, a group of watchdog NGOs wrote an open letter to the authorities, asking for protests and other type of gatherings to be allowed in the same conditions¹⁴. No answer was received.

⁸ Romania, Law regarding some measures to prevent and combat the effects of the COVID-19 pandemic ([Legea nr. 55 din 15 mai 2020 privind unele măsuri pentru prevenirea și combaterea efectelor pandemiei de COVID-19](#)), 15 May 2020.

⁹ Daily bulletins published by the Government on [the official Covid-19 page](#).

¹⁰ Romania, Law on health care reform ([Legea nr. 95/2006 privind reforma în domeniul sănătății](#)), 14 April 2006.

¹¹ Romania, Government Emergency Ordinance on emergency medical stocks, as well as some measures related to the establishment of quarantine ([Ordonanța de Urgență a Guvernului privind stocurile de urgență medicală, precum și unele măsuri aferente instituirii carantinei](#)), 11 February 2020.

¹² Romania, Constitutional Court of Romania, Decision regarding the exception of unconstitutionality of the provisions of art. 25 para. (2) of Law no. 95/2006 on the reform in the field of health and of art. 8 para. (1) of the Government Emergency Ordinance no. 11/2020 on medical emergency stocks, as well as some measures related to the establishment of quarantine ([Decizie referitoare la excepția de neconstituționalitate a dispozițiilor art. 25 alin. \(2\) din Legea nr. 95/2006 privind reforma în domeniul sănătății și ale art. 8 alin. \(1\) din Ordonanța de urgență a Guvernului nr. 11/2020 privind stocurile de urgență medicală, precum și unele măsuri aferente instituirii carantinei](#)), 2 July 2020.

¹³ Hotnews.ro (2020), '[Ce spune Nelu Tătaru despre pacienții internați cu COVID, dar asimptomatici, care nu mai vor să stea în spital](#)', 3 July 2020.

¹⁴ TAMTAM ONG-uri pentru Cetățean (2020), '[Solicităm măsuri care să permită exercitarea drepturilor la adunări publice](#)', 18 June 2020.

A couple of protests against the lockdown measures were organized during the state of alert. According to the mass-media, the number of participants was under 200 in one protest¹⁵, and under 300 in the other¹⁶. The police tacitly surveyed the area and reportedly no fines were given. No large scale protests were organized.

1.2 Measures affecting the general population

1.2.1 Social distancing

Focus on:

- *Lifting of stay at home restrictions, and measures/rules for general physical distancing when in public or at home.*
- *Enforcement and penalties.*

In **Romania**, the prolongation of the state of alert, on 16 June 2020, maintained all the social distancing measures described in the previous bulletin and, in some cases, the maximum number of people attending the same event or activity was increased: up to 6 people can do sports activities together; in-door private gatherings may have up to 20 participants; outdoor private gatherings may have up to 50 participants; some outdoor arts and culture events may have up to 500 participants, if a distance of at least 2 meters between them can be maintained¹⁷.

Not observing these provisions is subject to fines between RON 500 and 2.500 (€100-500)¹⁸. The Government publishes daily press bulletins which include the number of offenses but it does not publish disaggregated data on the type of offenses, nor the total number of offenses¹⁹.

All restrictions to travel outside the locality / metropolitan area were lifted starting with 1 June 2020²⁰.

1.2.2 Education

Focus on:

- *Steps to reopen educational institutions (schools, third level and kindergartens). Include any specific measures aimed at children from socioeconomically disadvantaged backgrounds.*

¹⁵ Europa Libera (2020), '[Piața Victoriei, protest care contestă existența cazurilor de coronavirus. Se cere pedepsirea celor care au instituit starea de urgență](#)', 16 May 2020.

¹⁶ Hotnews.ro (2020), '[Câteva sute de persoane au protestat în Piața Victoriei, solicitând încetarea stării de alertă](#)', 13 June 2020.

¹⁷ Romania, Government Decision on the prolongation of the state of alert on the territory of Romania ([Hotărâre nr. 476 din 16 iunie 2020 privind prelungirea stării de alertă pe teritoriul României și măsurile care se aplică pe durata acesteia pentru prevenirea și combaterea efectelor pandemiei de COVID-19](#)), 16 June 2020.

¹⁸ Romania, Law regarding some measures to prevent and combat the effects of the COVID-19 pandemic ([Lege nr. 55 din 15 mai 2020 privind unele măsuri pentru prevenirea și combaterea efectelor pandemiei de COVID-19](#)), 15 May 2020.

¹⁹ Daily bulletins published by the Government on [the official Covid-19 page](#).

²⁰ Romania, Decision of the National Committee for Emergency Situations (*Comitetul Național pentru Situații de Urgență*) on the proposal to amend / supplement / relax the prevention measures and combating the effects of the COVID-19 pandemic during the state of alert ([Hotărâre nr. 26 din 28.05.2020 privind propunerea de modificare / completare / relaxare a măsurilor de prevenire și combatere a efectelor pandemiei de COVID-19 dispuse pe durata stării de alertă](#)), 28 May 2020.

- *Measures to protect students and staff as they return to educational institutions (e.g. related to physical distancing, shift patterns, health and hygiene, etc.).*

In **Romania**, the school year ended on 12 June 2020. The regular face-to-face courses were not resumed. For most students, the school year ended online, in the conditions described in the previous bulletins. The only exception were the pupils who had to take the national exams (8 and 12/13 grades), who had the option to return to school for two weeks, between 2-12 June. During this time, they participated to classes designed to prepare them for exams, and the schools implemented strict social distancing and sanitary conditions. The participation in these preparatory activities was not mandatory. Upon parents' decision, pupils could choose to remain at home during this period, in which case the school provided online training sessions²¹.

The national exams were organized during the second half of June, and continuing in July²². The schools implemented screening and standard social distancing measures (such as wearing masks, maintaining at least 2 meters between persons, and frequent disinfection)²³. One of the precautionary measures was temperature screening, and students with a temperature above 37.3 degrees Celsius were barred from entering the exam. They were allowed to take the exam in a second, special session, two weeks after the first. The Ombuds expressed concerns that this measure is discriminatory, in a letter sent to the National Council for Combating Discrimination (*Consiliului Național pentru Combaterea Discriminării*)²⁴. In its response, the National Council for Combating Discrimination (*Consiliului Național pentru Combaterea Discriminării*) argued that the measure is indeed discriminatory²⁵. No further actions were taken. During the national exam, no student was barred from entering exams because temperature screening.

²¹ Romania, Joint order for the implementation of the measures regarding the education system in the context of the establishment of the alert state on the Romanian territory ([Ordin nr. 4.266/840/2020 pentru punerea în aplicare a măsurilor privind sistemul de învățământ în contextul instituirii stării de alertă pe teritoriul României](#)), 18/19 May 2020; and Joint order for the establishment of measures to prevent and combat diseases with SARS-CoV-2 in the educational units / institutions, the public institutions and all the structures subordinated or coordinated by the Ministry of Education and Research ([Ordin nr. 4.267/841/2020 pentru stabilirea unor măsuri de prevenire și combatere a îmbolnăvirilor cu SARS-CoV-2 în unitățile/instituțiile de învățământ, instituțiile publice și toate structurile aflate în subordonarea sau coordonarea Ministerului Educației și Cercetării](#)), 18/19 May 2020

²² Romania, Order regarding the organization of the National Evaluation ([Ordin nr. 4.248 din 13 mai 2020 pentru modificarea și completarea Ordinului ministrului educației naționale, interimar, nr. 4.916/2019 privind organizarea și desfășurarea evaluării naționale pentru absolvenții clasei a VIII-a în anul școlar 2019-2020](#)), 13 mai 2020; and Order regarding the organization of the Bacalaureat ([Ordin nr. 4.307 din 21 mai 2020 pentru modificarea și completarea Ordinului ministrului educației naționale nr. 4.950/2019 privind organizarea și desfășurarea examenului de bacalaureat național – 2020](#)), 21 May 2020.

²³ Romania, Joint order for the establishment of measures to prevent and combat SARS-CoV-2 diseases in educational institutions / institutions, public institutions and all structures under the subordination or coordination of the Ministry of Education and Research ([Ordin nr. 4.267/841/2020 pentru stabilirea unor măsuri de prevenire și combatere a îmbolnăvirilor cu SARS-CoV-2 în unitățile/instituțiile de învățământ, instituțiile publice și toate structurile aflate în subordonarea sau coordonarea Ministerului Educației și Cercetării](#)), 18/19 May 2020.

²⁴ Romania, Ombuds Office (2020), '[Solicitare adresată președintelui Consiliului Național pentru Combaterea Discriminării privind formularea unui punct de vedere față de interzicerea accesului persoanelor a căror temperatură corporală, măsurată la intrarea în incintă, depășește 37,3°C în unitățile/instituțiile de învățământ, instituțiile publice și toate structurile aflate în subordonarea sau coordonarea Ministerului Educației și Cercetării](#)', 22 May 2020.

²⁵ Romania, Response of the National Council for Combating Discrimination ([Răspunsul Consiliului Național pentru Combaterea Discriminării](#)).

In **Romania**, all kindergatens and day care centres, both public and private, were initially closed during the state of alert. Some activities are carried out online but it is not compulsory. In each family with children under 12 years old, one parent or legal guardian is entitled to paid leave of absence until the end of the school year (12 June 2020)²⁶, under some conditions: the person is employed, and the work cannot be performed from home. The monthly stipendium can not exceed 75% of the national average brut revenue (RON 5.429, approx. € 1.120)²⁷. The kindergatens and day care centres were allowed to reopen starting with 15 June, in strict sanitary conditions (limited number of children, limited hours, frequent disinfections)²⁸.

In **Romania**, by exception to the general rules the suspension of courses in all educational units and institutions, higher education institutions were allowed to carry out the following face-to-face activities: exam preparation activities for admission to undergraduate and master programmes, preparation activities for bachelor and master graduation exams, as well as other activities established based on the principle of university autonomy. In addition, higher education institutions are allowed to carry out the necessary activities to allow candidates to sit entrance and/ or graduation exams and to finalize improvement/ postgraduation courses²⁹.

In **Romania**, Save the Children Organization Romania (*Organizatia Salvati Copiii Romania*) announced a program of remedial education, organized during the Summer, for 4.700 children from 20 localities. The program will ensure the recovery of the gaps caused by the lack of access or by the low / poor quality access to the classes held online during the restrictions imposed by the COVID-19 pandemic. All activities will be organized strictly observing the safety measures³⁰.

1.2.3 Work

Focus on:

- *Steps for specific sectors/the general population to return to work and measures to protect employees in the workplace (physical distancing, health and hygiene, shift patterns, etc.). Please include any specific measures aimed at people in precarious work.*
- *Ending of furlough/short-time work programmes for specific sectors/the general population.*

In **Romania**, the general framework for returning to work remains unchanged, at least until 30 June 2020, compared to the previous bulletin, #3.

In **Romania**, the state help for technical unemployment was suspended starting with 1 June 2020 in most sectors, with the exception of the industries/activities that were not allowed to re-open (in-door

²⁶ Romania, Law regarding some measures to prevent and combat the effects of the COVID-19 pandemic ([Legea nr. 55 din 15 mai 2020 privind unele măsuri pentru prevenirea și combaterea efectelor pandemiei de COVID-19](#)), 15 May 2020.

²⁷ Romania, Law on granting parental leave for the supervision of children in the event of the temporary closure of educational establishments ([Legea nr. 19 din 14 martie 2020 privind acordarea unor zile libere părinților pentru supravegherea copiilor, în situația închiderii temporare a unităților de învățământ](#)), 14 March 2020.

²⁸ Romania, Order on measures regarding re-opening of kindergarten, creches and afterschools ([Order nr. 1.076/4.518/3.936/2020 privind stabilirea măsurilor necesare în vederea redeschiderii creșelor, grădinițelor, afterschool-urilor pentru prevenirea îmbolnăvirilor cu SARS-CoV-2](#)), 15 June 2020

²⁹ Romania, Joint order on the implementation of the measures regarding the education system in the context of the establishment of the alert state on the Romanian territory ([Ordin nr. 4.266/840/2020 pentru punerea în aplicare a măsurilor privind sistemul de învățământ în contextul instituirii stării de alertă pe teritoriul României](#)), 18/19 May 2020.

³⁰ Edupedu.ro (2020), 'Salvați Copiii: Clase de recuperare, peste vară, pentru copiii al căror acces la educație a fost suspendat în timpul carantinei', 1 July 2020.

restaurants, some gyms and pools, theaters etc.). To support the workers that were affected, the state will reimburse employers, for a period of 3 months, a percentage of 41.5% of the gross monthly salary of each worker whose previously suspended employment contract is reactivated, financed from the Unemployment Insurance Budget, but not more than 41.5% of the average gross earnings provided by the Law on the state social insurance budget for 2020 no. 6/2020, under the condition that the worker's job is maintained at least until 31 December 2020 (exempting seasonal workers). The government has also decided to stimulate the employment of Romanian citizens whose employment with employers from abroad was terminated for reasons beyond their control, as well as of people aged between 16 and 29, and those over the age of 50 whose employment has ceased for reasons not attributable to them during the state of emergency or alert and who are registered as unemployed in the records of territorial employment agencies. Thus, for each person in this categories, employed for an indefinite period and full time between June 1 and December 31, 2020, employers receive monthly, for a period of 12 months, 50% of the employee's salary, but not more than RON 2,500 (approx. €550)³¹. The employers have the obligation to keep the employees from the above-mentioned categories for another 12 months.

1.2.4 Access to justice

Focus on:

- *Steps to lift restrictions previously imposed on court proceedings and any strategies to deal with case backlog or increased litigation due to COVID-19 measures (e.g. criteria to prioritise certain types of cases/disputes).*
- *Continued use of remote hearings and videoconferences within court proceedings despite the lifting of restrictions (e.g. for which proceedings).*

In **Romania**, restrictions to the courts proceedings were lifted during the state of alert. The proceedings resumed in the conditions described in the Bulletin #3. Remote hearings and videoconferences are occasionally used, in particular in penal cases, as they were before the pandemic, but it is not a generalized practice.

1.2.5 Freedom of movement

Focus on:

- *Steps to reopen borders/lift restrictions on freedom of movement to and within the EU, including rules or restrictions applying to certain categories of people (e.g. citizens; 'essential workers'). Please mention what requirements are in place for various categories of people to enter country (e.g. negative COVID-19 test result and/or obligation to self-isolate etc).*
- *Changes to asylum application procedures (e.g. lifting of temporary suspensions or restrictions on procedures) or available statistics on numbers of asylum applications (e.g. being much lower than for same period in previous years due to travel restrictions).*

³¹ Romania, Government Emergency Decree on supporting employers and employees (['Ordonanta de urgenta nr. 92 din 28 mai 2020 pentru instituirea unor măsuri active de sprijin destinate angajaților și angajatorilor în contextul situației epidemiologice determinate de răspândirea coronavirusului SARS-CoV-2, precum și pentru modificarea unor acte normative'](#)), 28 May 2020

In **Romania**, until 30 June 2020, the measures and restrictions in relation to freedom of movement described in the previous bulletin remain valid after the prolongation of the state of alert, at least until 30 June 2020. The borders remained closed to foreigners, with the exceptions mentioned in Bulletin #3³².

In **Romania**, all activities of the General Inspectorate for Immigrations (*Inspectoratul General pentru Imigrări*), which were suspended during the state of emergency (see Bulletin #3), were resumed on 15 May 2020. The General Inspectorate for Immigrations does not publish real time statistics on the number of asylum seekers but only occasional press releases. For example, according to a press release, on the week of 18-22 May, the first week of resuming the operations, 5 new asylum applications were received, and the Inspectorate issued decisions for 18 asylum seekers (7 were granted protection, and 11 were rejected)³³.

1.3 Impact of measures on particular groups

Select the three most relevant groups from the following:

- persons with disabilities,
- homeless people,
- older people,
- women,
- Roma and Travellers (Note – for those countries requested to collect additional data on the impact of COVID-19 on Roma – Service request No 33 (Belgium, Bulgaria, Czechia, Ireland, Greece, Spain, France, Croatia, Italy, Hungary, Netherlands, Portugal, Romania, Slovakia and Sweden), information submitted on Roma for Bulletin 4 should not be exactly duplicated in this additional data collection; however, a summary of main points concerning the Roma can be included in your submission for this Bulletin – to ensure that, where appropriate, any major developments in your Member State concerning this group are reported in Bulletin 4. The same approach applies regarding information supplied on asylum seekers/refugees).
- Detainees (including measures on early release or alternatives to detention)
- or another group not listed that have emerged in your country as facing particular challenges - before selection, this should be discussed with FRA.

Persons in institutions, including persons with disabilities

In **Romania**, the persons in institutions, including elderly, persons with disabilities and children, remain among the most vulnerable during the state of alert. The mass-media reported several cases of Covid-19 outbreaks in residential centers:

³² Romania, Government Decision on the prolongation of the state of alert on the territory of Romania ([Hotărâre nr. 476 din 16 iunie 2020 privind prelungirea stării de alertă pe teritoriul României și măsurile care se aplică pe durata acesteia pentru prevenirea și combaterea efectelor pandemiei de COVID-19](#)), 16 June 2020.

³³ Romania, General Inspectorate for Immigrations (*Inspectoratul General pentru Imigrări*), '[Aspecte din situația operativă a Inspectoratului General pentru Imigrări, în această săptămână](#)', press release, 22 May 2020.

- 13 children and 3 staff infected at a center for children with severe disabilities in Oltenia, Calarasi County³⁴.
- 8 patients and 5 staff infected at a center for persons with HIV in Focsani, Vrancea County³⁵.
- 39 children infected at two centers in Pascani, Iasi County³⁶.
- 41 persons (21 beneficiaries and 20 staff) at a center for persons with disabilities in Galati, Galati County³⁷.
- 42 cases at a center for paleative care in Sucevita, Suceava County³⁸.
- 71 cases, out of which 22 staff and 49 residents, at a center for the elderly in Izvorani, Prahova County³⁹.
- 7 children and 7 staff infected at a center in Beceni, Buzau County⁴⁰.
- Several cases in a home for victims of domestic violence in Ramnicu-Sarat, Buzau County⁴¹.
- 6 cases (3 staff, 3 residents) at a center for elderly persons, Harja, Bacau County⁴².
- 5 staff tested positive and 24 residents suspected at a center for elderly in Craiova, Dolj County⁴³.

Starting with 14 May 2020, the National Institute for Public Health (*Institutul Național de Sănătate Publică*) included the following relevant categories on the list of persons recommended for priority testing⁴⁴:

- Asymptomatic institutionalized people - when registering first time in residential center or upon returning to the residential center from the family or from the hospital;
- Symptomatic institutionalized people;
- Residential care and support staff - twice a month;

The testing is undertaken by the county Public Health Directions (*Direcția de Sănătate Publică*), which may publish relevant information in press releases. There is no centralized data on the number of tests and results in such institutions, thus the growing number of cases may or may not be linked with the increasing number of tests. Until 30 June 2020, the government didn't adopt any special measures to counteract the outbreaks in residential institutions.

On 3 July 2020, the National Authority for the Rights of Persons with Disabilities Children and Adoptions (*Autoritatea Națională pentru Drepturile Persoanelor cu Dizabilități Copii și Adopții*)

³⁴ TVR (2020), '13 copii și 3 adulți, infectați cu coronavirus la Centrul pentru copii cu handicap sever din Oltenița', 13 June 2020.

³⁵ Europa Libera (2020), '[Focar de coronavirus la un centru din Focșani pentru bolnavii de HIV](#)', 26 May 2020.

³⁶ Digi24 (2020), '[Focar de COVID-19 la două centre din Pașcani. 39 de copii confirmați pozitiv](#)', 24 June 2020.

³⁷ G4Media (2020), '[Focar de coronavirus la un centru de îngrijire pentru persoane cu dizabilități din Galați: 41 de pacienți și angajați, testați pozitiv](#)', 19 June 2020.

³⁸ Monitorul de Suceava (2020), '[Focar de Covid, cu 42 de cazuri, la Sucevița](#)', 17 June 2020.

³⁹ Observatorul Prahovean (2020), '[Situația COVID-19 în Prahova, 26 iunie. 52 de cazuri noi, confirmate ieri, la un Centru de îngrijire bătrâni, din totalul de 344 de la începutul pandemiei](#)', 26 June 2020.

⁴⁰ ProTV (2020), '[Focar de COVID-19 la un cămin de copii din Buzău. Sunt și șapte copii bolnavi](#)', 29 June 2020.

⁴¹ Adevarul (2020), '[Focar de COVID-19, într-un centru pentru victimele violenței domestice](#)', 30 June 2020.

⁴² Ziarul de Bacau (2020), '[Focar de COVID-19, descoperit la un cămin de bătrâni din Hârja](#)', 28 June 2020.

⁴³ Jurnalul (2020), '[Focar Covid-19 la un cămin de bătrâni din Dolj](#)', 25 June 2020.

⁴⁴ Romania, National Institute of Public Health (*Institutul Național de Sănătate Publică*), '[Definiții de caz și recomandări de prioritizare a testării pt COVID 19 actualizare 14 05 2020](#)', 14 May 2020

published updated statistics on the number of cases in the entire social services system⁴⁵. According to the publication, from the total of 55.000 beneficiaries in resident centers, as of July 3, 2020, there are 185 infected, 1,295 cured, and 176 deceased residents. Compared to 4 June 2020, the date of the previous statistics published by the National Authority⁴⁶, the number of infected residents decreased by 183, from 362 to 185; the number of those cured increased by 377, from 918 to 1,295; and the number of dead increased by 28, from 148 to 176. The publication presents the situation by counties but not on age and gender. The number of reported cases is not relative to the number of residents or staff in each institutions. Given the information obtained from mass-media, and quoted above, it is reasonable to question the reliability of the official statistics. In the list above, only a handful of cases, retrieved from mass-media, are presented, but even so, the number of new cases revealed by the journalists is higher than the total number of cured and deceased patients. A relevant example is the county of Prahova, where mass-media is announcing 71 new cases on 26 June but appears with no cases in the official statistics of 3 July.

Homeless people

In **Romania**, there is no significant change in the situation of the homeless people compared to Bulletin #3.

Older people (in community)

In **Romania**, stricter movement restrictions for older people (65+) were introduced during the state of emergency (16 March – 14 May)⁴⁷, as described in Bulletins #1 and #2. The restrictions were lifted on 15 May, when the state of emergency ended. The situation of older people was addressed in detail in the Bulletin #3.

In **Romania**, the Law regarding the state of alert requires that the Ministry of Health (*Ministerul Sănătății*) will provide masks for the people with low income, including older people with low pensions⁴⁸. A number of 2.7 million people should receive the masks. The procurement is ongoing but the award decision of the Ministry was contested by a bidder on 30 June 2020, which may lead to up to another 20 days of delay, and the risk of cancelling the whole procedure⁴⁹. It is not clear when the masks will reach their intended beneficiaries.

⁴⁵ Romania, National Authority for the Rights of Persons with Disabilities Children and Adoptions (*Autoritatea Națională pentru Drepturile Persoanelor cu Dizabilități Copii și Adopții*), '[Situația răspândirii COVID-19 la nivelul serviciilor sociale pentru categorii vulnerabile 03 iulie 2020](#)', 3 July 2020.

⁴⁶ Romania, National Authority for the Rights of Persons with Disabilities Children and Adoptions (*Autoritatea Națională pentru Drepturile Persoanelor cu Dizabilități Copii și Adopții*), '[Situația răspândirii COVID-19 la nivelul serviciilor sociale pentru categorii vulnerabile 04 iunie 2020](#)', 4 June 2020.

⁴⁷ Romania, [Military Ordinance no. 2 regarding some measures of first emergency regarding people gatherings and trans frontier circulation of goods \(Ordonanța Militară nr. 2 din 21 martie 2020 privind măsuri de prevenire a răspândirii COVID-19\)](#), 21 March 2020.

⁴⁸ Romania, Law regarding some measures to prevent and combat the effects of the COVID-19 pandemic ([Lege nr. 55 din 15 mai 2020 privind unele măsuri pentru prevenirea și combaterea efectelor pandemiei de COVID-19](#)), 15 May 2020.

⁴⁹ Agerpress (2020), '[Orban: Solicit CNSC sa solucioneze rapid contestatia](#)', 30 June 2020.

In **Romania**, the project launched by the Ministry of Labour and Social Protection (*Ministerul Muncii și Protecției Sociale*) financed from European Social Fund, presented in the Bulletin #3, aiming at offering support to minimum 100.000 older people and people with disabilities affected by the isolation measures, remains in its preliminary stage of selecting the partners⁵⁰. The project will offer direct support to the providers of social services, for a duration of six months, to design and implement tailored integrated services for beneficiaries. The support consists of:

- RON 18,000 (approx. €3,700) for each social worker or community nurse, subsidy type expenses to support community work for the entire implementation period;
- RON 2,460 (approx. €510) for the entire implementation period / social worker or community nurse, settlement of transport expenses;
- RON 60,000 (approx. €12,400), for the entire implementation period, for each nurse or community nurse, expenses for the purchase of protective and disinfected materials, both for the specialist and for the vulnerable people supported. This amount is estimated for 1 social worker / AMC (where applicable) and for 100 vulnerable people.

The total budget of the project, including administrative and management costs, is €30mln. The project will be implemented in partnership with 116 municipalities from all counties.

Women

In **Romania**, the issue of domestic violence is of concern. Although there are no official statistics on the number of cases, the National Agency for Equality of Chances (*Agenția Națională pentru Egalitate de Șanse*) drafted an action plan with measures to prevent domestic violence during the Covid-19 pandemic. The plan focuses on situation analyses, information and communication, better support for victims, and increasing the capacity of the shelters for victims⁵¹. The information and communication component targets beneficiaries, other public institutions, and the private sector, to raise awareness and gather support for the victims. The plan includes measures to increase transversal cooperation with other public institutions, including the police and judiciary, to improve identification and rapid response. It also includes measures to improve the cooperation with the private sector, such as hotels and home delivery companies. The permanent phone Helpline for victims is already offering additional information related to Covid-19. There is no monitoring report on the implementation of the action plan.

Roma

In **Romania**, the situation of Roma remains difficult because most of Roma have a precarious socio-economic status, and the prejudices against Roma are widely spread. The topic was covered by the report for the Service Request No 33 - on the impact of COVID-19 on Roma and no additional information is currently available.

⁵⁰ Romania, Minister of Labour and Social Protection (*Ministerul Muncii și Protecției Sociale*), '[Metodologie selectie proiect POCU "Sprijin pentru persoanele vulnerabile în contextul epidemiei COVID-19, cod MYSmis 137872"](#)', 26 May 2020.

⁵¹ Romania, National Agency for Equality of Chances (*Agenția Națională pentru Egalitate de Șanse*), '[Plan de masuri privind prevenirea și combaterea violenței domestice, pe fondul măsurilor impuse la nivel național pentru combaterea răspândirii COVID-19](#)', May 2020.

Detainees

In **Romania**, there is no significant change in the situation of the detainees compared to Bulletin #3.

2 Selected issues emerging during the COVID-19 crisis

2.1 Xenophobic speech, acts of harassment and violent attacks

- *In reference to Bulletin #1 where these issues were addressed, please report incidents of xenophobic speech, acts of harassment and violent attacks against specific minority groups on the grounds of race or ethnic origin during the reporting period and on any key developments since you last reported on this issue.*

In **Romania**, Roma were and they remain the main target of the xenophobic speech. The prejudices against Roma are surfacing in the time of emergency, according to human rights activists and specialists. Examples are included in the report for the Service Request No 33 - on the impact of COVID-19 on Roma.

A recent survey, published at the beginning of July, is presenting public perceptions on Roma during the pandemic⁵². The survey shows high levels of intolerance and mistrust towards Roma but it argues that the situation did not change during the pandemic. 'The hypothesis that the Roma are responsible for the spread of coronaviruses is refuted, with only 1 in 10 respondents confirming this. The Roma are on the 3rd place in assigning the responsibility, the diaspora being considered as the main factor of spreading the virus', the authors of the survey stated.

In **Romania**, there were no other cases of harassment against refugees or other foreigners, except the one described in Bulletin #1.

2.2 Infringement of privacy and/or data protection rights

- *In reference to Bulletin # 1 and Bulletin #2 where these issues were addressed, please describe instances of infringement of privacy and/or data protection rights related to the pandemic during the reporting period and on any key developments since you last reported on this issue.*

In **Romania**, the Government did not continue the plans to develop a Covid-tracking app, discussed in the Bulletin #2. The topic is no longer on the public agenda.

In **Romania**, no additional isolated incidents, similar to the ones included in the Bulletin #2, were reported.

In **Romania**, one of the measures imposed during the state of alert was temperature screening when entering a closed space, such as shops, public institutions, work places etc. Persons with a temperature above 37.3 degrees Celsius were not to be allowed to enter the respective spaces. The Ombuds expressed concerns that this screening may not be compliant with the data protections regulations, in letters sent to the National Supervisory Authority for the Processing of Personal Data (*Autoritatea*

⁵² IRES (2020), '[Percepția asupra romilor în timpul pandemiei de Covid-19](#)', 3 July 2020.

Națională de Supraveghere a Prelucrării Datelor cu Caracter Personal)⁵³, the European Data Protection Supervisor⁵⁴, and the European Ombuds Office⁵⁵. In its response, the National Supervisory Authority for the Processing of Personal Data (*Autoritatea Națională de Supraveghere a Prelucrării Datelor cu Caracter Personal*) dismissed these concerns showing that the temperature data is not stored in any way, and that the practice is generally accepted in the European area⁵⁶.

2.3 Spread of disinformation online

- *In reference to Bulletin #1 where these issues were addressed, please describe measures taken to counter the spread of disinformation online, during the reporting period and on any key developments since you last reported on this issue.*

In **Romania**, the special powers to suspend web sites or other media outlets, given to the government during the state of emergency, and described in the Bulletin #1, are not extended during the state of alert⁵⁷.

In **Romania**, in addition to the general communication tools described in the previous Bulletins, the Government started a nation-wide information campaign to inform the population about the recommended sanitary measures. The total budget of the campaign is RON 200,000,000 (approx. €41.3mln), and the campaign will run on mass-media (all forms)⁵⁸. The opposition criticized the program, accusing it to be a hidden form of state support for the media industry, and a 'bribe' for mass-media⁵⁹.

⁵³ Romania, Ombuds Office (2020), '[Solicitare adresată președintelui Autorității Naționale de Supraveghere a Prelucrării Datelor cu Caracter Personal privind formularea unui punct de vedere din perspectiva nerespectării drepturilor consumatorilor, care pentru a avea acces, de exemplu, într-un magazin pentru achiziția de produse alimentare sunt obligați să accepte verificarea temperaturii corporale](#)', 22 May 2020.

⁵⁴ Romania, Ombuds Office (2020), '[Solicitare adresată European Data Protection Supervisor privind formularea unui punct de vedere din perspectiva nerespectării drepturilor consumatorilor, care pentru a avea acces, de exemplu, într-un magazin pentru achiziția de produse alimentare sunt obligați să accepte verificarea temperaturii corporale](#)', 22 May 2020.

⁵⁵ Romania, Ombuds Office (2020), '[Solicitare adresată Ombudsmanului European privind formularea unui punct de vedere din perspectiva nerespectării drepturilor consumatorilor, care pentru a avea acces, de exemplu, într-un magazin pentru achiziția de produse alimentare sunt obligați să accepte verificarea temperaturii corporale / interzicerea accesului persoanelor a căror temperatură corporală, măsurată la intrarea în incintă, depășește 37,3°C în unitățile/instituțiile de învățământ, instituțiile publice și toate structurile aflate în subordonarea sau coordonarea Ministerului Educației și Cercetării](#)', 22 May 2020.

⁵⁶ Romania, Response of the National Supervisory Authority for the Processing of Personal Data ([Răspunsul Autorității Naționale de Supraveghere a Prelucrării Datelor cu Caracter Personal](#)), 17 June 2020.

⁵⁷ Romania, Decision on approval of national alert, institutions and measures to prevent and control information, in the context of the epidemiological situation generated by the SARS-CoV-2 virus ([Hotărâre nr. 24 din 14 mai 2020 privind aprobarea instituirii stării de alertă la nivel național și a măsurilor de prevenire și control al infecțiilor, în contextul situației epidemiologice generate de virusul SARS-CoV-2](#)), 15 May 2020.

⁵⁸ Romania, Government Emergency Decree on for organizing and conducting public information campaigns in the context of the epidemiological situation caused by the spread of COVID-19 ([Ordonanță de urgență nr. 63 din 7 mai 2020 pentru organizarea și desfășurarea unor campanii de informare publică în contextul situației epidemiologice determinate de răspândirea COVID-19](#)), 7 May 2020.

⁵⁹ Union Save Romania (*Uniunea Salvati Romania*) (2020), '[Iulian Bulai a cerut puncte de vedere în cadrul APCE după decizia Guvernului de a aloca 42 milioane euro pentru mass-media](#)', 24 April 2020.