

Joint Submission to the Human Rights Committee

ROMANIA

146th Session
19 Oct 2026 – 6 Nov 2026

24 August 2026



European
Network on
Statelessness



JOINT SUBMISSION

TO THE HUMAN RIGHTS COMMITTEE

AT THE 146TH SESSION

ROMANIA

INTRODUCTION

1. The Jesuit Refugee Service (Romania)¹ and the European Network on Statelessness (ENS)² welcome the opportunity to make this submission to the Human Rights Committee ('the Committee') in advance of the periodic report on Romania at its 146th session in October-November 2026.
2. This submission sets out our organisations' key concerns about the fulfilment of the International Covenant on Civil and Political Rights ('the Covenant' or 'ICCPR'), and in particular with regard to the child's right to nationality (Article 24), the right to a legal identity (Article 16), to freedom of movement (Article 12), and the prohibition of discrimination (Articles 2 and 26).
3. Considering Romania's obligations under the Covenant and the importance of eradicating statelessness expressed by the United Nations High Commissioner for Refugees (UNHCR) on the occasion of the launch of the Global Alliance to End Statelessness, the submitting organisations ask that the Committee consider these issues in advance of the periodic report on Romania. Moreover, it is our hope the Committee will raise these matters in the List of Issues Prior to Reporting (LoIPR) and address recommendations to the Romanian Government to further prevent and reduce statelessness and to protect the rights of stateless people.
4. This submission will set out some of the key challenges and rights violations faced by stateless people and people at risk of statelessness in Romania, drawing on the expertise of the submitting organisations. Firstly, this submission will provide an overview of statelessness in Romania. Thereafter, each of the following issues will be addressed in a separate section:
 - I. Articles 16 and 24: Statelessness determination procedure and protection status
 - II. Article 24: Child's right to a nationality
 - III. Article 24: Child's right to birth registration

PREVIOUS RECOMMENDATIONS TO ROMANIA

5. Romania was previously reviewed during the 8th, 23rd, 38th and 54th sessions of the UPR, in 2008, 2013, 2018 and 2023 respectively. During the fourth cycle Romania received three

¹ See: <https://jrs.net/en/home/>

² See: www.statelessness.eu

recommendations in total from Ukraine, Uruguay, and Kyrgyzstan, which Romania accepted. Ukraine recommended that Romania 'establish a clear and predictable statelessness determination procedure that guarantees basic procedural rights and safeguards'³. Uruguay recommended that Romania 'increase efforts to strengthen national campaigns aimed at reducing statelessness, especially aimed at promoting birth registration by undocumented parents and among groups at risk of statelessness'⁴. Finally, Kyrgyzstan recommended that Romania 'improve asylum procedures and mechanisms for identifying stateless persons and granting temporary protection status'⁵.

6. The Committee on Economic, Social and Cultural Rights recommended in 2014 that Romania adopt a 'human rights-based approach in addressing discrimination against the Roma, including by: [...]ursuing the efforts made to provide the Roma with personal documents, including birth certificates, which are necessary for the enjoyment of their rights under the Covenant'⁶.
7. The Committee against Torture recommended in 2023 that Romania should take legislative measures to ensure that all persons born on state territory who would otherwise be stateless acquire Romanian nationality. It also recommended that Romania establish a dedicated statelessness determination procedure, in accordance with the State party's obligations under the 1954 Convention relating to the Status of Stateless Persons ('1954 Convention') and the 1961 Convention on the Reduction of Statelessness ('1961 Convention')⁷. It had made a similar recommendation in 2015⁸.
8. The Committee on the Elimination of Discrimination against Women recommended in 2017 that Romania 'develop measures to identify unregistered children and ensure that all children born in the territory of the State party, in particular Roma children, are registered at birth'⁹.
9. The Committee on the Rights of the Child welcomed Romania's law on automatic birth registration and proposed amendments to its nationality law to prevent statelessness. It recommended that Romania ensure all children – particularly Roma children, Ukrainian children born in Romania since February 2022, and children born to refugee mothers, have prompt access to birth registration and certificates. It further recommended that Romania review its nationality law to include safeguards to prevent statelessness at birth, including for children born to stateless parents or parents unable to transmit their nationality, establish a dedicated statelessness determination procedure, and collect disaggregated data on stateless children¹⁰.

SNAPSHOT OF STATELESSNESS IN ROMANIA

10. Romania's accession record to relevant human rights treaties is generally good, but it retains some reservations to the 1954 Convention which impact on procedural rights for stateless people. Some

³ Human Rights Council 54th session, Universal Periodic Review, Report of the Working Group on the Universal Periodic Review – Romania, A/HRC/54/7, 23 June 2023, para 109.250

⁴ Ibid. para 109.195

⁵ Ibid. 109.251

⁶ Committee on Economic, Social and Cultural Rights, 'Concluding observations on the combined third to fifth periodic reports of Romania', 9 December 2014, E/C.12/ROU/CO/3-5, para 9, 9(b)

⁷ Committee against Torture, 'Concluding observations on the third periodic report of Romania, 23 August 2023, CAT/C/ROU/CO/3, para 24

⁸ Committee against Torture, 'Concluding observations on the second periodic report of Romania', 5 June 2015, CAT/C/ROU/CO/2, para 12 (a)

⁹ Committee on the Elimination of Discrimination of Women, 'Concluding observations on the combined seventh and eighth periodic reports of Romania' 24 July 2017, CEDAW/C/ROU/CO/7-8, para 21

¹⁰ Committee on the Rights of the Child, 'Concluding observations on the combined six and seventh periodic reports of Romania', 28 July 2025, CRC/C/ROU/CO/6-7, para 18

data on the stateless population in Romania is available, but published figures are unreliable, as only stateless people with a residence permit are recorded, and no data is available on the population at risk of statelessness.

11. Reliable data on the stateless population in Romania is limited. Official figures record only those with a residence permit. The Romanian General Inspectorate for Immigration reported 288 registered stateless people as of May 2024, of whom 118 hold international protection status¹¹. UNHCR records a similar figure of 291 stateless people as of mid-2024. However, these numbers significantly underrepresent the true scale of the problem, as stateless people living without residence status are largely invisible in official data, and there has been no mapping of statelessness or of the population at risk of statelessness. The 2021 census recorded just 54 stateless people, reflecting the inadequacy of data collection rather than the actual situation¹². There are also reports of people being wrongly attributed a nationality in official records, creating hidden statelessness.
12. Several groups face statelessness or a significant risk of it. Romani people are among those most affected, due to a combination of extreme poverty, social exclusion, and systemic discrimination, with reports of Roma children¹³ and young adults remaining unregistered at birth. Children born to parents whose countries of nationality require a specific procedure to confer nationality on the child are also at risk of statelessness. This is because if parents are unaware of or unable to complete that procedure, the child may be recorded as having a nationality they cannot in practice acquire. This risk is exacerbated by the lack of official guidelines for registry officials leading to discriminatory and inconsistent practices. Children born to refugees, migrants, or undocumented parents face discriminatory barriers to birth registration. There are also reports of children in same-sex families being unable to register births or obtain recognition of their nationality. People whose only documentation is from unrecognised territories, and those left in legal limbo following state succession, represent further categories of hidden statelessness¹⁴.
13. Romania still lacks a statelessness determination procedure which leads to significant challenges for stateless people to access their rights (see Section I). There are also remaining gaps in Romania's safeguards to prevent childhood statelessness (Section II) and ensuring universal birth registration (Section III). Additionally, naturalised Romanians may be deprived of their nationality on various grounds, including national security, and there is no safeguard to prevent statelessness, except for cases affecting children following the nullity of adoption or cessation of filiation¹⁵. Statelessness is not considered legally relevant in immigration detention decisions, and stateless people are detained in practice. There is no vulnerability assessment that treats statelessness as a factor increasing vulnerability, a concern UNHCR has raised explicitly. Stateless people acquire the right to apply for naturalisation after eight years of lawful residence, which is not expedited compared to other foreigners, although recent amendments to Nationality Law, provide that applications for granting or reacquiring Romanian nationality submitted by stateless people are processed on an expedited basis¹⁶.

¹¹ See Statelessness Index for Romania <https://index.statelessness.eu/country/romania>

¹² Ibid.

¹³ Roma Civil Monitor Civil society monitoring report on the implementation of the national strategic framework for Roma equality, inclusion and participation in Romania, February 2025 <https://www.romacivilmonitoring.eu/wp-content/uploads/2025/09/RCM2-2024-C1-Romania-FINAL-Romanian.pdf>

¹⁴ ENS & JRS 'Written input on the Committee on the Rights of the Child', 100th Pre-Sessional Working Group, 3-7th February 2025, para 10

¹⁵ Law no. 14 of March 12, 2025 on amending and supplementing the Romanian Citizenship Law no. 21/1991, as well as on amending and supplementing other normative acts, <https://legislatie.just.ro/Public/DetaliiDocumentAfis/295342>

¹⁶ Law no. 14 of March 12, 2025 on amending and supplementing the Romanian Citizenship Law no. 21/1991, as well as on amending and supplementing other normative acts, <https://legislatie.just.ro/Public/DetaliiDocumentAfis/295342>

I. ARTICLES 16 AND 24: STATELESSNESS DETERMINATION PROCEDURE AND PROTECTION STATUS

14. Article 16 of the Covenant requires that “everyone shall have the right to recognition everywhere as a person before the law.” Article 16 must also be read in conjunction with Article 2(1) which proscribes discrimination “of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”.
15. To provide the protection and rights enshrined in the ICCPR and the 1954 Convention, including a residence permit, the right to study and facilitated naturalisation, States must identify stateless people on their territory. This is a necessary first step to providing them a secure legal status as well as protecting and ensuring their enjoyment of basic human rights. Given the barriers that stateless people face in accessing their human rights, it is important to determine statelessness to ensure that laws and policies do not directly or indirectly discriminate against stateless persons in the enjoyment of such rights. Without early identification and formal determination of statelessness, stateless people cannot enjoy their civil, political, economic, social and cultural rights, as well as other rights protected under the 1954 Convention (such as the right to administrative assistance, and exemption from requirements which by their nature a stateless person is incapable of fulfilling).
16. It is therefore critical that States establish a statelessness determination procedure, to identify stateless people and grant them protection, in line with UNHCR guidelines. Moreover, in 2020 this Committee found that the failure to identify statelessness and assess a child’s nationality status led to a violation of the right to nationality under Article 24(3), and stated that the Netherlands (the State under review in that case) should ensure that a procedure for determining statelessness status is established to prevent further violations.¹⁷
17. Romania has transposed the 1954 Convention definition of a stateless person into domestic law. However, it does not have a dedicated statelessness determination procedure leading to protection status, and therefore stateless people cannot access the rights enshrined in the 1954 Convention. There are other procedures in which statelessness can be identified, such as asylum or tolerated stay procedures, but these are applied inconsistently and do not lead to the full range of rights that stateless people are entitled to.. There is no obligation to consider a claim of statelessness and there is no information available for stateless people about how to claim their rights under the 1954 Convention and/or be identified as stateless.
18. While free legal aid and interpreting are available, and general procedural safeguards apply, stateless people face challenges in accessing the existing procedures. There is some cooperation between State agencies, but this is not specifically for the purposes of identifying stateless people. Some people may also be recorded based on an assumed nationality during these procedures, meaning that statelessness is not consistently identified in practice.
19. Rights granted are not based on statelessness, but rather the person’s residence or international protection status, i.e. as asylum-seekers, people with irregular residence status (at the border or in detention), people with a tolerated stay permit, or people granted another form of protection or

¹⁷ Zhao v. the Netherlands (2020) CCPR/C/130/D/2918/2016 (UN Human Rights Committee, 28 December 2020), para 10.

residence. No distinction is made between people with or without a nationality. Stateless people who qualify for a residence permit, international protection or tolerated stay will be issued with identity documents, but Romania does not issue dedicated travel documents for stateless people (despite this being an obligation under the 1954 Convention) and statelessness is not a priority category for access to social housing. The right to vote is reserved to Romanian nationals only.

20. In practice, the absence of a dedicated statelessness determination procedure leaves stateless people in Romania without a clear route to recognition, protection, or a secure legal status. Without formal identification as stateless, people may remain undocumented or wrongly attributed a nationality they do not possess, face prolonged uncertainty about their residence status, and be unable to access the rights guaranteed under the 1954 Convention. This can restrict access to education, healthcare, housing, employment, social protection, and effective remedies, while also increasing the risk of immigration detention, destitution, exploitation, and discrimination. Establishing a fair, accessible, and rights-based procedure is therefore essential to give effect to Romania's obligations under the ICCPR and the 1954 Convention and to ensure that stateless people can live with dignity and security.

In light of the above, we urge the Committee to ask:

- a. What plans are in place to establish a statelessness determination procedure leading to a dedicated statelessness status?
- b. What measures are being considered to ensure access to existing procedures in which statelessness can be properly identified?
- c. What measures are planned to improve protection of and rights granted to stateless people?

II. ARTICLE 24: CHILD'S RIGHT TO A NATIONALITY

21. Article 24(3) of the Covenant states that "[e]very child has the right to acquire a nationality". States should implement legal safeguards to ensure that all children born on their territory who would otherwise be stateless acquire the nationality of the State where they were born.¹⁸ This Committee elaborated in its General Comment No. 17 that the purpose of a child's right to nationality as provided for in Article 24 is "to prevent a child from being afforded less protection by society and the State because he is stateless". States are "required to adopt every appropriate measure, both internally and in cooperation with other States, to ensure that every child has a nationality when he is born."¹⁹ In this connection, "no discrimination concerning the acquisition of nationality should be admissible under internal law as between legitimate children and children born out of wedlock or stateless parents or based on the nationality status of one or both of the parents".²⁰
22. Romanian law demonstrates significant gaps on the prevention of childhood statelessness. There is no safeguard in Romanian nationality law for otherwise stateless children born in Romania to acquire a nationality.²¹ The only option for a stateless child born on the territory is to apply for naturalisation alongside their parent/s if they can meet the general conditions set out in the law. Moreover, children born to parents with a foreign nationality are usually registered as having the same nationality as their parents without any determination as to whether they actually have that nationality or can

¹⁸ Convention on the Rights of the Child (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3 (CRC) art 7; Convention on the Reduction of Statelessness (adopted on 30 August 1961, entered into force 13 December 1975) 989 UNTS 175, art 1.

¹⁹ Office of the High Commissioner for Human Rights, 'General Comment No. 17. Article 24 (Rights of the Child)' (7 April 1989) UN Doc HRI/GEN/1/Rev.9(Vol. I) para 8.

²⁰ Ibid.

²¹ Law 21/1991 on Citizenship, available in English at: <https://www.refworld.org/docid/3ae6b50218.html>.

acquire it by registration.²² There are also no specific provisions to protect the right to a nationality of children born to refugees. Parents are generally not provided with information about their children's right to a nationality.

23. Foundlings are granted Romanian nationality by law, which provides that a child found on Romanian territory is considered Romanian national, until proven otherwise, if neither parent is known. However, in practice, the term "is considered" is not equivalent to the automatic acquisition of nationality, as it requires due diligence from competent authorities. This wording replaced an earlier provision stating that such children "are Romanian citizens" and has been criticised for creating uncertainty regarding their status²³. If it cannot be established whether the minor was conceived by at least one Romanian citizen, they are considered Romanian citizens until proven otherwise. They will lose Romanian citizenship if, before reaching the age of 18, filiation has been established at least with one parent, and that parent/parents are foreign citizens²⁴.
24. Children born to Romanian nationals abroad are entitled to Romanian nationality, but their civil status documents must be transcribed into the Romanian registries. In most cases, this can be done through a request submitted to the consular authorities where the child was born or through a request for the transcription of foreign civil status certificates in Romania. However, there have been reports of discriminatory practices hindering such registration in some cases. Children of same-sex parents will not be registered in the Romanian registries, or only one parent will be listed, increasing the risk of statelessness in some cases.²⁵

In light of the above, we urge the Committee to ask:

- a. What measures are in place to ensure that all children born in Romania who would otherwise be stateless can acquire a nationality as soon as possible after birth regardless of the status or identity of their parents?
- b. What plans does the State have to identify (risk of) statelessness of children born in Romania, children born to Romanian parents abroad, or children who arrive in Romania, to enable them to fulfil their right to acquire a nationality?

²² See: Statelessness Index, Romania, update soon to published, <https://index.statelessness.eu/country/romania>.

²³ As a background, the initial version of the Romanian nationality law 21/1991 provided that "[t]he child found on the territory of the Romanian state is a Romanian citizen, if neither of the parents is known" (Article 5.3). In 2003, the Government proposed an amendment without clear justification, later approved by the Parliament, stating that "the child found on the territory of the Romanian state is considered a Romanian citizen, until proven otherwise, if neither of the parents is known." (adopted by Law no. 405/2003). This amendment was adopted despite the opinion of the Legislative Council responsible for legal opinions on draft laws who considered that "this situation creates uncertainty about the child's status and is not in their favour but, on the contrary, creates a disadvantage for them."

²⁴ Committee on the Rights of the Child, Combined sixth and seventh periodic reports submitted by Romania under article 44 of the Convention, due in 2024, CRC/C/ROU/6-7, 15 July 2024, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FROU%2F6-7&Lang=en

²⁵ See: Statelessness Index, Romania, update soon to published, <https://index.statelessness.eu/country/romania>. And see Law 21/1991 on Citizenship, Article 5: <http://legislatie.just.ro/Public/DetaliiDocument/121439> (RO) (ENG translation available at: <https://www.refworld.org/docid/3ae6b50218.html>); Act No. 119/1996 on Civil Status Documents, Art. 40: <http://legislatie.just.ro/Public/DetaliiDocument/8624> (Romanian); ENS, Ending Childhood Statelessness: A Study on Romania, Working Paper 01/15, 2015: <https://www.statelessness.eu/updates/publication/ending-childhood-statelessness-study-romania>; EIPaís.com, 19 July 2019: Rumanía desbloquea la situación de los 200 niños sin papeles que tutela España: <http://cort.as/-RZh2> (Spanish).

III. ARTICLE 24: CHILD'S RIGHT TO BIRTH REGISTRATION

25. Lack of birth registration heightens the risk of leaving children without a nationality.²⁶ Article 24(2) of the Covenant states that "[e]very child shall be registered immediately after birth". This provision applies irrespective of the nationality, statelessness, or residence status of the parents,²⁷ and States should register the birth of all children born on their territory even if they are born to a foreign parent with an irregular immigration status or the parents are unknown.²⁸ Birth registration must be free and take place immediately after birth without delay. To ensure that all children have their births registered regardless of their or their parents' residence or documentation status, international norms and good practice urge States to prohibit data-sharing between health or registration officials and immigration enforcement authorities.²⁹
26. Access to birth registration in Romania has improved in recent years, but there is no procedure to determine a child's nationality. Certain children continue to face discriminatory barriers to registration, including refugees, Roma, and children in rainbow families.³⁰ Cases have been reported of children born to migrants or same-sex parents being refused birth certificates and registration being delayed in the case of marriages concluded abroad without transcription/registration in the Romanian civil register. A birth can only be registered after the marriage has been transcribed in the Romanian civil register.³¹
27. There has been improvement on this issue since 2019, when the relevant legal provisions were amended to allow parents seeking asylum or beneficiaries of international protection to register the birth of their children even if they do not hold a passport, identity card or travel document. A small number of cases continue to be reported where delays, refusals and/or difficulties in registration or issuance of birth certificates occur due to the interpretation of legal provisions or their lack of specific regulation of birth registration for some parents (generally migrants and/or same-sex parents).³²
28. While there were further improvements in 2022 regarding the regulatory framework governing civil status, including for the registration of the birth of Romanian or foreign nationals by competent

²⁶ For further information, see ENS (2024), *Thematic Briefing on Birth registration and the prevention of statelessness in Europe: identifying good practices and remaining barriers*: <https://www.statelessness.eu/updates/publications/birth-registration-and-prevention-statelessness-europe-identifying-good>.

²⁷ UN High Commissioner for Refugees (UNHCR), 'Guidelines on Statelessness No. 4: Ensuring Every Child's Right to Acquire a Nationality through Articles 1-4 of the 1961 Convention on the Reduction of Statelessness' (21 December 2012) UN Doc HCR/GS/12/04, available at: <https://www.refworld.org/docid/50d460c72.html>.

²⁸ See also, at the regional level, Council of Europe: Committee of Ministers, Recommendation CM/Rec(2009)13 and explanatory memorandum of the Committee of Ministers to member states on the nationality of children, 9 May 2009, CM/Rec(2009)13.

²⁹ See, for instance: Joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return, 16 November 2017, CMW/C/GC/4-CRC/C/GC/23, available at: <https://www.refworld.org/docid/5a12942a2b.html>.

³⁰ Statelessness Index, Romania, update soon to published, <https://index.statelessness.eu/country/romania>.

³¹ Act No. 119/1996 on Civil Status Documents: <http://legislatie.just.ro/Public/DetaliiDocument/8624> (RO); Methodological norms for the application of legislation on civil status, Official Gazette No. 151 of 2 March 2011, Arts. 34-37: <http://legislatie.just.ro/Public/DetaliiDocumentAfis/220201> (RO); Act No. 272/2004 on the Protection and promotion of the rights of the child, Article 9: <http://legislatie.just.ro/Public/DetaliiDocument/52909> (RO); ENS, Ending Childhood Statelessness: A Study on Romania, Working Paper 01/15, 2015: <https://www.statelessness.eu/updates/publication/ending-childhood-statelessness-study-romania>.

³² Government Decision no. 64/2001 on the Methodology for the unitary application of dispositions concerning civil status., Official Gazette No. 151 of 2 March 2011, Art. 24 (21): <http://legislatie.just.ro/Public/DetaliiDocumentAfis/220201> (RO); Statelessness Index, Romania, Country Survey Data (2021) https://index.statelessness.eu/sites/default/files/ENS_Statelessness_Index_Survey-Romania-2021.pdf, 6e.

authorities,³³ as mentioned in the State report communicated in 2024,³⁴ this only concerns the declaration of the birth while the issuance of birth certificates continues to be non-automatic.

29. Births must be registered within 15 days, after which approval of the mayor is required. After one year, registration is only possible through a court procedure, which involves verification of the child's identity, age, and sex. Legal aid is not available for people who are unregistered, and a medico-legal assessment is required, which incurs a fee for adults. The age-assessment process is reportedly unpleasant and uncomfortable, which may deter people from accessing the procedure. The procedure is even more difficult (if not impossible) for people who were not born in medical facilities and do not have a medical certificate of birth.³⁵
30. In case of foundlings, certain administrative conditions must be met in practice for considering lack of nationality. Any authority, institution, or person who cares for a pregnant woman or finds a newborn or an older child whose identity is unknown or cannot be established, has an obligation to inform the competent authorities within 24 hours ('immediately'). Within three days, a report signed by a competent authority and a doctor must be completed, including the date, place and context in which the child was found, and the child's sex and presumed date of birth as established by the doctor. Within 30 days, based on this information, the birth certificate is issued. To establish the identity of a child found or abandoned in a hospital, the competent authorities are required to designate one or more persons to carry out the necessary steps for birth registration, including forensic expertise, and a decision by the mayor determining the name and surname. If the parent(s) is/are later identified, the birth certificate is annulled through a court decision and a new one is issued³⁶.
31. Romani children are one of the groups most at risk of not having their birth registered and therefore not having a confirmed nationality. This is due to a complex range of issues, including extreme poverty, social exclusion, and antigypsyism. There are reports of Roma children and young adults who remain unregistered at birth and who would need to undergo the complex court procedure to register later in life.³⁷ The risk is heightened for children born to parents who themselves are undocumented, thus perpetuating the lack of legal identity and risk of statelessness.³⁸

³³ Law no. 105/2022 amending and supplementing Law No. 119/1996 on civil status acts, as well as repealing Government Ordinance No. 41/2003 on the administrative acquisition and change of names of natural persons. <https://legislatie.just.ro/Public/DetaliiDocument/254482>.

³⁴ Committee on the Rights of the Child, Combined sixth and seventh periodic reports submitted by Romania under article 44 of the Convention, due in 2024 CRC/C/ROU/6-7, 15 July 2024, [Date received: 18 June 2024], paragraph 21, <https://documents.un.org/doc/undoc/gen/g24/120/16/pdf/g2412016.pdf>.

³⁵ Act No. 272/2004 on the Protection and promotion of the rights of the child, Article 14: <http://legislatie.just.ro/Public/DetaliiDocument/52909> (RO); Act No. 119/1996 on Civil Status Documents, Arts. 18: <http://legislatie.just.ro/Public/DetaliiDocument/8624> (RO); ENS, Ending Childhood Statelessness: A Study on Romania, Working Paper 01/15, 2015: <https://www.statelessness.eu/updates/publication/ending-childhood-statelessness-study-romania>.

³⁶ Methodological norms for the application of legislation on civil status, Official Gazette No. 151 of 2 March 2011, Arts. 34-37: <http://legislatie.just.ro/Public/DetaliiDocumentAfis/220201>

³⁷ Roma Civil Monitor Civil society monitoring report on the implementation of the national strategic framework for Roma equality, inclusion and participation in Romania, February 2025 <https://www.romacivilmonitoring.eu/wp-content/uploads/2025/09/RCM2-2024-C1-Romania-FINAL-Romanian.pdf>

³⁸ ENS, Ending Childhood Statelessness: A Study on Romania, Working Paper 01/15, 2015: <https://www.statelessness.eu/updates/publication/ending-childhood-statelessness-study-romania>; European Union Agency for Fundamental Rights, Second European Union Minorities and Discrimination Survey Roma – Selected findings, 2016: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2016-eu-minorities-survey-roma-selected-findings_en.pdf.

32. Although the Romanian Government introduced rules in 2016 to facilitate birth registration by undocumented parents, there have been no recent proactive action or campaigns by the Romanian authorities to reduce statelessness or promote birth registration of children at risk of statelessness.
33. In February 2026, representatives of the civil registry authorities emphasised that their primary objective is to ensure that all children are registered at birth, while the determination of nationality does not fall within their mandate. It was highlighted that birth registration is carried out by local authorities, and that challenges may remain in ensuring adequate training and awareness among civil servants on issues related to statelessness (as well as for refugees). There is currently no legal provision allowing for the rectification of birth certificates in cases involving stateless children, except in situations of material error, with other changes requiring judicial intervention. As a good practice, starting with March 2025, the General Directorate for Persons' Registry (DGEP) may intervene where local authorities refuse to issue civil status documents³⁹.

In light of the above, we urge the Committee to ask:

- a. Are there any awareness-raising campaigns and training programmes planned to ensure that parents of stateless children are informed of their rights to birth registration and nationality?
- b. What are the plans to ensure that birth registration officials register births in a non-discriminatory manner, in line with the ICCPR and the CRC?
- c. What measures are being taken to ensure universal access to birth registration for all children born in Romania, including those whose births were not registered within the 15-day timeframe, children of same-sex parents, and children with a migratory background?

RECOMMENDATIONS

34. The following recommendations are made, which we hope the Committee will consider in urging Romania to prevent and reduce statelessness and to protect the rights of all stateless people in Romania:
- I. Establish a fair, effective, and accessible statelessness determination procedure in law, applicable to all persons in Romania regardless of their status, that is fully aligned with international standards and good practices - including the procedural safeguards outlined in UNHCR's Handbook on Protection of Stateless Persons - in order to give full effect to the rights enshrined in the 1954 Convention, and ensure access to a dedicated protection status with corresponding residence and fundamental rights.
 - II. Enact legislation to ensure that all children born in Romania who would otherwise be stateless can acquire a nationality as soon as possible after birth, regardless of the status or identity of their parents.
 - III. Introduce a mechanism to determine the nationality of children born in Romania to non-Romanian parents, to guarantee the child's right to a nationality.
 - IV. Introduce measures to identify (risk of) statelessness of children born in Romania, children born to Romanian parents abroad, or children who arrive in Romania, to enable them to fulfil their right to acquire a nationality.

³⁹ Seminar "20 Years of Commitment to International Statelessness Standards" Bucharest, 17 February 2026

- V. Implement effective awareness-raising campaigns and training programmes to ensure that parents of stateless children are informed of their rights to birth registration and nationality; and birth registration officials register births in a non-discriminatory manner, in line with the CRC.
- VI. Take measures to ensure universal access to birth registration for all children born in Romania, including those whose births were not registered within the 15-day timeframe, children of same-sex parents, and children with a migratory background.

Annex I - The Co-Submitting Organisations

1. The [Jesuit Refugee Service \(JRS\) Romania](#)⁴⁰ was founded in February 2000 being officially registered as a foundation in Romania, as part of the JRS network. JRS currently works in more than 50 countries, including Romania, and aims to help refugees and other displaced persons regain their dignity. JRS Romania accompanies refugees and stateless persons in building their lives in Romania, including through activities such as taking them to appointments, offering counselling, and referring them to needed services.
2. The [European Network on Statelessness](#) (ENS)⁴¹ is a civil society alliance of NGOs, lawyers, academics, and other independent experts committed to addressing statelessness in Europe, with over 180 members in 41 European countries. ENS organises its work around three pillars – law and policy development, awareness-raising, and capacity-building. Promoting every child's right to a nationality in Europe is a thematic priority for ENS, including ensuring access to birth registration and promoting nationality law reform to end childhood statelessness. This submission partially draws on information and analysis from the Statelessness Index on Romania,⁴² maintained and developed by ENS and its members. The Index is an online comparative tool that assesses European countries' law, policy and practice on the protection of stateless people and the prevention and reduction of statelessness against international norms and good practice.

⁴⁰ For more information, see <https://jrs.net/en/home>

⁴¹ For more information about the European Network on Statelessness, see: www.statelessness.eu

⁴² See <https://index.statelessness.eu/country/united-kingdom>