
ROMANIA

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Population: 22.4 million (4.8 million under 18)

Government armed forces: 97,200

Compulsory recruitment age: 20 (conscription being phased out)

Voluntary recruitment age: 18

Voting age: 18

Optional Protocol: ratified 10 November 2001

Other treaties ratified (see glossary):

CRC, GC AP I and II, ICC, ILO 138, ILO 182

There were no reports of under-18s in the armed forces. However, boys who were admitted for military training from the age of 15 were considered to be part of the armed forces.

Context

There were numerous reports of police torture and ill-treatment, sometimes amounting to torture, and of police shootings in disputed circumstances. Police resorted to firearms in circumstances prohibited by international standards. Many of the victims were Roma. Conditions in prisons were sometimes inhuman and degrading, and there were reports of ill-treatment of detainees.¹ On 29 March 2004 Romania became a member of NATO.²

Government

National recruitment legislation and practice

The constitution states that “Citizens have the right and obligation to defend Romania. Military service is compulsory for male Romanian citizens who have reached the age of 20, with the exception of cases defined by law. Citizens up to the age of 35 can be called up for training for active military service” (Article 52).³ The legal basis for military service is the Law on the Preparation of the Population for Defence, No. 46 of 1996, which requires men aged between 20 and 35 to be liable for military service (Article 11). At times of war they may be conscripted from the age of 18. Military service is for 12 months, or six months in the case of higher education graduates. Volunteers may be recruited at the age of 18.

The police force was in the process of being demilitarized, and conscription into the police force was being phased out.⁴

Military training and military schools

The Law on the Preparation of the Population for Defence provides for pre-military training for youths between the age of 15 and 20 on a voluntary basis (Article 45). Its aims include “providing adequate knowledge and orientation in the military and technical field, [and] ... cultivating ethical and civic values”. Students admitted to military education institutions are considered as enlisted in the armed forces (Article 34).⁵

Developments

The armed forces were undergoing structural reforms and conscription was being phased out; Romania stated that it plans to professionalize the armed forces by 2007.⁶

International Standards

Romania ratified the Optional Protocol on 10 November 2001.

- 1 *Amnesty International Reports 2002, 2003 and 2004*, <http://web.amnesty.org/library/engindex>.
- 2 NATO update, *Seven new members join NATO*, 29 March 2004, <http://www.nato.int/docu/update/2004/03-march/e0329a.htm>.
- 3 Constitution 1991, revised by Law 429/2003, Parliament of Romania, Chamber of Deputies, <http://diasan.vsat.ro/pls/dic/cd.home2>.
- 4 European Commission Regular Report on Romania's progress towards accession (2002); US Department of State, *Country Reports on Human Rights Practices 2003*, February 2004, <http://www.state.gov/g/drl/hr/c1470.htm>.
- 5 European Commission, op. cit.
- 6 Survey of Ministry of National Defence 2001-2003 and Future Goals, Ministry of National Defence, <http://english.mapn.ro>; Delegation of Romania to NATO, <http://www.nato.int/pfp/romania>.