



European
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21/08/2012

RAP/RCha/ROM/XI(2012)Add

EUROPEAN SOCIAL CHARTER

REPLIES TO SUPPLEMENTARY QUESTION

11th National Report on the implementation of
the European Social Charter

submitted by

THE GOVERNMENT OF ROMANIA

(Articles 1§2
for the period 01/01/2007 – 31/12/2010)

Report registered by the Secretariat on 12 December 2011

CYCLE 2012

Questions and answers addressed to Romania

Article 1&2 (prohibition of discrimination in employment/forced labor/right to earn one's living in an occupation freely entered upon):

1. What is the length of, if any, compulsory minimum period of service required of those serving in the professional armed forces?

Starting with 01.01.2007 the compulsory military service in Romania was given up, during peacetime, and the full professionalization of the army has been initiated.

Consequently, the employment of the military in the armed forces is made only **on a voluntary basis**. Thus, any Romanian citizen, man or woman who meets the minimum conditions of age and study, may opt for active military profession.

2. Are there circumstances, such as specialized training or specific operational requirements, which entail a different compulsory minimum term of service in the professional armed forces and under what conditions may the persons concerned leave the service before the expiry of this term?

Entry into professional armed forces is realized by a contest/exam, only after graduation of a training program wholly financed from budgetary sources, which can last from five months for soldiers/graduation professionals (for training programs), up to 3-6 years for training officers (in case of military graduating university studies).

In these conditions, but also for ensuring the appropriate operational level of the army, each graduate of a training program concludes a first contract with the Ministry of National Defense, lasting between 4 and 8 years. If a soldier wants to give up this first contract he/she has to pay for his/her professional training.

After the first contract expires, any military may opt either to conclude a new contract or to leave the military system, without any financial obligations towards the Ministry of Defense.

SECRETARIAT GENERAL

**DIRECTORATE GENERAL
HUMAN RIGHTS AND RULE OF LAW**

DIRECTORATE OF HUMAN RIGHTS

*HEAD OF THE DEPARTMENT
OF THE EUROPEAN SOCIAL CHARTER
AND THE EUROPEAN CODE OF SOCIAL SECURITY,
EXECUTIVE SECRETARY
OF THE EUROPEAN COMMITTEE OF SOCIAL RIGHTS*

ESC 170
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Ms Roxana Iliescu
Superior Advisor, Directorate for External
Relations and International Organisations,
Ministry of Labour
Family and Social Protection
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Sector 1 Bucharest
Romania

Strasbourg, 14 June 2012

Dear Ms Iliescu,

The European Committee of Social Rights is currently examining the States' reports on the European Social Charter with respect to the thematic group on "employment, training and equal opportunities" and has instructed me to forward to you the enclosed questions.

The Committee would be grateful if you could reply to these questions before 27 July 2012 in order to allow the information to be taken into account in Conclusions 2012.

Yours sincerely,

Régis Brillat



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EUROPEAN COMMITTEE OF SOCIAL RIGHTS
COMITE EUROPEEN DES DROITS SOCIAUX

14 June 2012

Questions addressed to Romania

Article 1§2 (prohibition of discrimination in employment/ forced labour/ right to earn one's living in an occupation freely entered upon):

- *What is the length of, if any, compulsory minimum period of service required of those serving in the professional armed forces?*
- *Are there circumstances, such as specialised training or specific operational requirements, which entail a different compulsory minimum term of service in the professional armed forces and under what conditions may the persons concerned leave the service before the expiry of this term?*