**Reply by Romania**

1. **DISTRIBUTION OF RESPONSABILITIES RELATED TO THE RIGHT TO ADEQUATE HOUSING**

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|  | **National/****Federal**  | **Provincial/ state**  | **Municipal**  | **Explanatory notes** |
| **Housing programme**  | X | - | X | The responsibility of the local government respects the principles of decentralization and local autonomy. The implementation of housing policy at a local level is in compliance with the current legislation.The central level is responsible with the national housing strategy as well as the implementation of housing and local development national programs.  |
| **Income support**  | X |  | X |  |
| **Tenancy and security of tenure legislation** | X |  | X |  |
| **Infrastructure**  | X |  | X | There are national local development programs that are supporting infrastructure development or improvement works.For the housing programs public financed. The viability – meaning roads, technical infrastructure – is to be supported from the local budgets or from the budget of the specific autonomous administrations.  |
| **Prohibition of discrimination in housing**  | X |  | X |  |

**2. What are the primary bases for the allocation of the responsibilities among different levels of government? Please identify the appropriate provisions and provide a copy of a link if possible:**

The sharing of responsibilities between the central and local level of administration is generally stipulated in the Constitution, the Local Administration Act no. 215/2001, further modified and completed and in the Framework Decentralization Act no.185-2006 and more specifically in Housing Act no. 114/1996. Based on these acts, local council’s decisions are issued.

**3. What role does the national level government play in relation to housing and related programs?**

The Government through the National Center for Human Settlements, interministerial body, organized accordingly to Government Decision no 711/2001, further modified and completed, is responsible with the elaboration of the National Housing Strategy that is having as main objective „adequate housing for everybody”.

The Ministry of Regional Development and Public Administration (MRDPA) directly or through the institutions under its authority (National Housing Agency, National Investment Company, State Inspectorate for Buildings) is the central authority responsible with the application of the housing act and the quality building act and also the realization and implementation of investment or financing programs in the field of housing. Also MRDPA is responsible with developing technical regulation regarding housing construction and technical infrastructure which is contributing to the assurance of housing quality in terms of functionality, safety, resistance and stability, hygiene and environment, etc.

The framework law regarding housing is the Housing Act no. 114/1996, further modified and completed. Also the social assistance act no. 292/2011 is mentioning housing as a component of social inclusion and the prevention and fight against social exclusion.

Housing Act no. 114/1996 contains provisions regarding specific terminology, housing building process, conditions for housing rental, housing administration, social housing and minimum standard requirement in terms of quality.

**4. Where sub-national governments hold key responsibilities in relation to the right to adequate housing, please describe how programs and policies are co-ordinated nationally and what responsibilities remain with national level institutions**

Local councils can realize from special deposit housing units in order to facilitate the access to ownership for specific social categories. The housing units can be realized in areas that are forseen for housing in the urban planning documents. The realization of the social housing stock can be made by building new units or by rehabilitating existing ones.

Local councils control and respond regarding the social housing stock placed on their territory. They analyze and approve, if necessary, the requests for housing units from the eligible citizens, establishing also the priority order. Also, the local authorities are responsible with financing the viability of the land for housing.

Last but not least, the local councils are the beneficiary within national programs managed by MRDPA being eligible for financing. In order to ensure an adequate housing stock, in order to raise the accessibility of young people to housing or attract highly qualified labor force, the local authorities are applying for national programs, being responsible to participate with the land and with the viability.

**5. Where housing and related programs are administered by sub-national level governments, by who, and how are these programs funded?**

 **B. ACCOUNTABILITY OF SUB-NATIONAL GOVERNMENTS**

1. **Are sub-national governments legally accountable to the right to adequate housing on the basis of any of the following?**

• International human rights law? - yes

• Constitution - yes

• National or sub-national legislation - yes

• State level or municipal level bills of rights - yes

• Inter-governmental agreements - no

• Conditional financing - yes

**2. With respect to the above and where applicable, please identify**

1. **Are sub-national governments involved in State reporting to international human rights monitoring mechanisms and in implementing recommendations?**

The local authorities are permanently consulted through the associative structure of the local authorities are also represented in the national center for human settlements. In specific situations, for targeted issues, there is a direct dialog between the central and local level.

1. **Apart from the legal and international accountability described above, what political or institutional accountability mechanisms are in place in your country through which sub-national governments are held accountable to standards or requirements linked to the implementation of the right to adequate housing.**

The Romanian Ombudsman Institution is organized and functions at a national level, being an autonomous and independent public authority that was created according to the Romanian Constitution in force in 1991, together with the Constitutional Court, its main purpose is the protection of rights and freedoms of citizens in relation with the public authorities. The institution was created by Law no. 35-1997 regarding the organization and functioning of the Romanian Ombudsman. Information regarding Romanian Ombudsman is available at [www.avp.ro](http://www.avp.ro)

Also, at a national level, the National Council against Discrimination is functioning as an autonomous authority under parliamentarian control that represents the guarantee regarding the respect and application of non – discriminatory principles, according to national legislation and the international documents that Romania ratified.

**5. Please identify what in your view may be the three most significant challenges in your country to effective accountability of sub-national governments to the right to adequate housing as guaranteed under the international human rights law and identify key strategies or ideas for addressing these challenges.**

Providing adequate housing means that the local authorities have a stock of housing units or land reserve and financial resources for building them and the operational instruments for the improvement of existing housing stock for vulnerable people. In the context of economic crisis one can observe a general decrease of public financing at the same time with the increasing of the population being affected by poverty or finding themselves in vulnerable situations.

In this respect, currently the elaboration of the National Housing Strategy is in progress as well as the update regarding the specific legislation in the housing sector, in order to answer to the new socio-economic realities and to offer operational instruments for intervention to local authorities.

There is a need to develop evidence based policies and programmes for unhealthy housing , at apartment, building or area level, by using an objective methodology for the identification with clear indicators as basis for further actions. Also, the implementation of integrated urban regeneration projects that should lead to the socio-economic revitalization of urban areas is needed.

Last but not least, at national level there is a real need to strengthen the capacity of local authorities regarding the development, maintenance and management of social housing stock or for vulnerable people, especially for small and medium towns.