

FRA

# Complementary Data Collection Contribution to the FRA Annual Report 2010

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# 1. Equality Bodies

- [1]. No new legislation relating directly to the Racial Equality Directive had been adopted. The new Criminal Code adopted on July 10th 2009<sup>1</sup> provides for the aggravating circumstances in cases of offences committed with discriminatory intent, in Art.77 (h) including ‘for reasons related to the race, nationality, ethnicity, language, religion, gender, sexual orientation, opinion or political affiliation, wealth, social origin, age, disability, un-contagious chronic illness or HIV/AIDS infection, or other similar circumstances which are considered by the perpetrator as the causes of the inferiority of a person compared to another.’
- [2]. The national equality body, Consiliul Național pentru Combaterea Discriminării [National Council for Combating Discrimination (NCCD)] went through a period of institutional turmoil beginning with August 2009 when four out of the nine members of the Steering Board finished their mandate and the lack of appointments paralyzed the institution. The risk of politicization of the appointment process and of the subsequent work of the NCCD was highlighted by the NGOs from the Anti-discrimination Coalition.
- [3]. New complaints were brought before Curtea Constituțională [the Romanian Constitutional Court]<sup>2</sup> challenging the constitutionality of some substantive and procedural provisions of the Anti-discrimination Law and the mandate of the NCCD. The Constitutional Court referred to its prior decisions<sup>3</sup> and rejected the objections as to the constitutionality of the provisions of the Anti-discrimination Law reaffirming the role of the national equality body as an autonomous specialized public administrative body with a jurisdictional mandate in combating discrimination.
- [4]. No official statistics on racial or ethnic discrimination related cases reported to the NCCD in 2009 are available. The NCCD responded to a FOIA request for information, reporting that in 2008 there were six petitions on grounds of ethnicity in the area of work relations, two on access to housing, one regarding access to health services and four on access to education. In 2009, until September 25th 2009,

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1 New Criminal Code available at [http://www.cdep.ro/pls/proiecte/upl\\_pck.proiect?cam=2&idp=10255](http://www.cdep.ro/pls/proiecte/upl_pck.proiect?cam=2&idp=10255) (09.09.2009).

2 Romanian Constitutional Court, Decision 444 of 31.03.2009 and Decision 711 of 7.05.2009. Available at <http://www.ccr.ro/cauta/DocumentAll.aspx?SearchDoc=true> (09.09.2009).

3 Romanian Constitutional Court, Decision 1096 of 15.10.2008 questioning the constitutionality of Articles 16-25 of the Anti-discrimination Law, defining the mandate of the NCCD. The plaintiff alleged that the NCCD was an extraordinary jurisdiction established by ordinary legislation, thus infringing the constitutional prohibition of establishing extraordinary instances. The Romanian Constitutional Court found that the NCCD is an administrative body with jurisdictional mandate, which presents the elements of independence required for administrative-judicial activities and which observes the constitutional provisions of Article 124 and Article 126 (5) on the prohibition of establishing extraordinary tribunals. See also Romanian Constitutional Court, Decision 997 of 07.10.2008 including a challenge of the constitutionality of Article 20 (3) of the Anti-discrimination Law, defining the mandate of the NCCD in which the Constitutional Court declared unconstitutional the mandate of the NCCD in relation to examining and sanctioning complaints regarding legislative provisions which are deemed as triggering discrimination on grounds of the constitutional principle of separation of powers. Available at <http://www.ccr.ro/cauta/DocumentAll.aspx?SearchDoc=true>.

the NCCD received two petitions on access to work and employment regarding ethnicity. See ANNEX 1.1.2.4

- [5]. A report published by the Presidential Commission for the Analysis of Social and Demographic Risks<sup>5</sup> including an analysis of topics such as risks, vulnerability and solutions for access to the labour market, social protection, social groups with a high risk of social exclusion and proposals to amend public policies contains a whole chapter on vulnerability of the Roma minority. The Report assesses the activity of the NCCD as positive while recommending a more pro-active approach in addressing discrimination in general and an institutionalized approach to continuing trainings for policemen, magistrates, lawyers, labour inspectors on anti-discrimination issues. The Report of the Presidential Commission also highlights the need for appropriate data collection which would allow adequate and efficient public policies responding to the needs of specific vulnerable groups.
- [6]. As a particularly positive practice one can notice the continuation of an initiative of the NCCD of contracting annually a comprehensive survey of practices and attitudes in relation to discrimination. The continuation of this survey allows a clear analysis of the trends and methods and areas of intervention for future policies. The Phenomenon of Discrimination in Romania- Perceptions and Attitudes<sup>6</sup> conducted in August 2009<sup>7</sup> showed that the groups considered as being most discriminated against in Romania are the persons living with HIV/AIDS, the sexual minorities and persons with disabilities as more than 50 per cent of the respondents thought that these groups are very discriminated against or discriminated against. The groups for which Romanians manifest the highest permeability (acceptance in family, close social circle, in work relations) are foreigners, Hungarian minority, persons of a different religion – more than 64 per cent would agree to have such persons in their family and more than 76 per cent would agree to have them as close friends. As for the perception of discrimination, 22 per cent of the respondents declared that they had been discriminated against at least once when trying to get employed, 13.4 per cent had been discriminated against when trying to access various public services while nine per cent considered that they had been discriminated against when accessing restaurants, pubs, clubs.
- [7]. The alternative report for Romania for European Network Against Racism (ENAR) found that in 2008 ‘the NCCD sanctioned discrimination cases in relation to language rights in access to public interest information in both Romanian and Hungarian language’ in the part of the country with a large Hungarian minority . ENAR’s Shadow Report highlighted that ‘it is imperative that the independence and competence guarantees of the equality body are maintained, including through the appointment of the new members of its Steering Committee based on competence grounds and not on political ones.’<sup>8</sup>

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4 Consiliul National pentru Combaterea Discriminării, response to request of information filed under FOIA, from September 25th, 2009 on file with RAXEN National Focal Point.

5 Presidential Commission for the Analysis of Social and Demographic Risks, *Riscuri și inechități sociale în România – Risks and social inequities in Romania*, Report of the Presidential Commission for the Analysis of Social and Demographic Risks, available at [http://www.presidency.ro/?\\_RID=det&tb=date&id=11426&\\_PRID=](http://www.presidency.ro/?_RID=det&tb=date&id=11426&_PRID=) (22.09.2009).

6 CNCD, INSOMAR, *Fenomenul discriminării în România- percepții și atitudini*, September 2009, available at [www.cncd.org.ro](http://www.cncd.org.ro) (23.09.2009).

7 The methodology used involved face to face interviews with 1201 persons, representative for non-institutionalised Romanian population over 18. Interviews took place in 44 cities and 52 villages. The survey has a maximum error of 2.9 per cent for a probability of 95 per cent.

8 ENAR, Delia Luiza Nita, *ENAR Shadow Report 2008, Racism in Romania*, available at <http://cms.horus.be/files/99935/MediaArchive/national/Romania%20-%20SR%202008.pdf> (20.09.2009).

- [8]. Another comprehensive study, the Inter-ethnic Barometer 2009: Roma and the Majority<sup>9</sup> analysed the dynamic of the relations and perceptions regarding the most important ethnic groups in Romania on themes such as social development, combating biases and stereotypes and improving inter-ethnic relations. The study found that 49.9 per cent of the interviewees agree to have a Roma neighbour and 44.5 per cent agree to have a Roma friend, compared to 78.3 and 74.8 in case of Hungarian neighbours, and respectively, friends. Also, 26 per cent of the interviewees would not object their children marrying a Roma person while 69.9 would disagree with such a marriage and 62.4 per cent would disagree if their child would marry a Chinese. The survey evidenced that 86.4 per cent of the interviewees believe that most Roma would rather live out of the social subsidies instead of looking for a job, 78.1 per cent believe that most Roma do not do anything to improve their situation, 77.7 per cent believe that most Roma violate the laws and 76.6 per cent believe that most Roma do not want to be integrated into society. Also, 44.6 per cent of the respondents strongly agree or agree that the state should take measures to control the increase in the number of Roma, while 55 per cent strongly agree or agree that Roma should not be allowed to travel abroad as they are damaging the reputation of the country. Finally, 43.7 per cent strongly agree or agree that they would not hire a Roma because most of them are lazy and are stealing.

## 1.1. Equality Bodies - complaints data on racial or ethnic discrimination

- [9]. In ANNEX 1.1.1 and ANNEX 1.1.2 are provided official statistics on racial or ethnic discrimination related cases as reported by the NCCD following a FOIA request in all the thematic areas of Employment, Housing, Healthcare and Education and their outcome (dismissal/negative/positive/pending). A comprehensive analysis for 2009 will be available in the annual report to be published in 2010. Disaggregation of petitions and decisions by gender and age is not available.
- [10]. As discernable trends one can notice the relatively large number of cases in the areas of employment and access to education. The analysis of the outcomes of the petitions evidences the limited number of findings of discrimination. From the data provided it seems that the preferred sanction of the NCCD remains the administrative warning which carries no financial penalties.
- [11]. While the response of the NCCD under FOIA is better structured and more complete compared to previous years, Romanian authorities are still far from developing mechanisms to collect data on racial discrimination in line with data protection legislation as an effective means of identifying, monitoring and reviewing policies and practices to combat racial discrimination and promote racial equality.

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<sup>9</sup> Secretariatul General al Guvernului, Barometrul interetnic 2009 – Romii și majoritarii (Inter-ethnic Barometer 2009: Roma and the Majority), research conducted by IMAS [http://www.sgg.ro/index.php?implementare\\_program](http://www.sgg.ro/index.php?implementare_program) (17.09.2009). The study entailed face-to-face interviews taken in June 2009 both with 608 Roma from 110 cities and villages and 820 non-Roma from 104 cities and villages, in order to ensure an adequate methodology.

## 2. Racist violence and crime – exemplary incidents

- [12]. Sânmartin and Sâncrăieni are two villages from Harghita, a county in Romania with a large Hungarian origin population. These two localities, close to the municipality of Miercurea Ciuc, are made of a Hungarian majority and a considerable Roma minority. In May 2009, tensions between the Roma population and the Hungarian majority population escalated.<sup>10</sup> On 25 May 2009, a meeting took place in Sânmartin's mayor's office between the Roma and the Hungarians. The latter complained about the increase of the crops stealing which the Roma were blamed of. On 31 May 2009, when six Roma were found grazing their horses on the villagers' property, the owners reacted; a non-Roma was hurt; the Roma fled into the woods while the horses were taken by the other villagers. A mob of 400 villagers<sup>11</sup> attacked all the houses of all the Roma in the village (who had fled into the woods a short while before the attack) and caused damages to around 42 households. A week after this incident the majority population was reported to have continued damaging the Roma households and for a month, every Monday, around 100 persons gathered in the Roma neighbourhood. According to a Roma rights NGO, the groups' leaders were the chief of the COMPOSESORAT<sup>12</sup> and the local ranger.<sup>13</sup> While some of the Roma returned home some time after the conflict, until 14 July 2009, around 20 persons continued living on the streets in Miercurea Ciuc and 25 persons, amongst which 20 children, were living in the woods.<sup>14</sup> Recent information from the Roma NGO from Bucharest monitoring the case and assisting the victims, reveals that the Roma who did not dare return to the village went to live, together with other Roma, in the Primaveraii neighbourhood in Miercurea Ciuc. This neighbourhood is famous because the Roma who initially came to live got here after having been evacuated from houses downtown, and, aside from the lack of access to utilities, the area represents an environmental hazard.<sup>15</sup>
- [13]. Starting with 1 June 2009, mediation meetings ("comisie de dialog") took place between the two groups, facilitated by the local authorities. A so-called "protocol", in fact a dictate putting the blame on the Roma and imposing them a series of discriminatory obligations, was signed under pressure. Among the discriminatory obligations there are: the obligation not to return with horses in the village if the owner of the horses does not also own a certain area of land, three houses and four

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<sup>10</sup> See RomaniCRISS Report, Conflict interetnic in localitatea Sânmartin, județul Harghita [Interethnic Conflict in the Village of Sânmartin, Harghita County] (on file with the NFP).

<sup>11</sup> These 400 villagers are reported to be of Hungarian origin representing the majority in the village.

<sup>12</sup> "COMPOSESORAT" is a form of permanent co-property owned by a group of people, usually forests, with the aim of joint exploitation of the forest and joint administration. The "composesorat" existed before the Communism and was recently given back to the previous owners or their heirs with the obligation to stay in the same form of permanent co-property. The Hungarian ethnics from Transilvania region used to own this kind of property. See Lege nr.1 din 11 ianuarie 2000 pentru reconstituirea dreptului de proprietate asupra terenurilor agricole și celor forestiere, solicitate potrivit prevederilor Legii fondului funciar nr.18/1991 și ale Legii nr.169/1997 [Law No.1/2000 to reconstitute the right to property on the agricultural or forest lands requested back according to the Law on landed property No. 18/1991 and Law No. 169/1997], Arts. 26, 27 and 28.

<sup>13</sup> See RomaniCRISS Report, Conflict interetnic in localitatea Sânmartin, județul Harghita [Interethnic Conflict in the Village of Sânmartin, Harghita County] (on file with the NFP).

<sup>14</sup> According to RomaniCRISS, at the moment, no persons are living into the woods anymore (discussions with RomaniCRISS representative).

<sup>15</sup> "In August 2005 the National Council for Combating Discrimination (CNCD) fined the mayor's office in Miercurea Ciuc, Harghita county, approximately \$1,560 (4,000 new lei) for the 2004 forced eviction of approximately 140 Roma and their relocation to a hazardous area near a wastewater treatment facility. The Roma lacked alternative housing and continued to reside in that area. A lawsuit filed by Romani CRISS against the vice mayor of Miercurea Ciuc for restriction of rights was in progress. Following a further complaint by Romani CRISS to county officials, the Harghita county health directorate determined that living in that area represented a health hazard for the Roma." US Department of State, 2006 Country Report on Human Rights Practices for Romania, available at: <http://www.state.gov/g/drl/rls/hrrpt/2006/78834.htm> (30.09.2009)

sheds were demolished under unclear grounds and circumstances, a general offer from the majority population to buy the Roma's houses so that the latter leave the village. In response to the human rights organizations' protests against the discriminatory content of the protocol, the local officials replied that the protocol is legal, non-discriminatory and signed by the Roma.<sup>16</sup> The work of the local authorities during the mediation meetings was also commended by the Office of the President of Romania ("Administrația Prezidențială").<sup>17</sup> However, the Department for Interethnic Relations and the National Council for Combating Discrimination have condemned the violence that caused victims from different ethnic groups, the private justice initiatives, and the lack of sufficient intervention from the local authorities, the police, and the prosecutor's office.<sup>18</sup>

- [14]. Police reported increasing the number of police forces present in the village, continuous monitoring so that the conflict will not escalate, opened criminal investigations against 38 citizens for trespassing and destruction of goods, taking of fingerprints and pictures of 6 Roma citizens for "forensic purposes."<sup>19</sup>
  
- [15]. All local authorities denied the existence of an "interethnic conflict", while the civil society and the media presented it as an interethnic conflict between the Roma and the Hungarians.<sup>20</sup> Furthermore, the Harghita county Chief ("prefect"), Constantin Strujan, put the blame for the situation on the alleged Hungarians' inherent intolerance towards the Roma and any other ethnics, including the majority population. Strujan's declarations caused the reaction of two Hungarian origin MPs who publicly asked the prime minister for Strujan's removal from office.<sup>21</sup> Similarly to Strujan's declaration is the Acting Chief Officer of the Harghita County Police Inspectorate's.<sup>22</sup> Cotidianul, the only national newspaper which covered in detail the conflict, suggested a connection between the incidents and the extreme right wing organization "Jobbik" from Hungary which is allegedly acting in Romania, in the counties with prevalent Hungarian ethnics.<sup>23</sup>
  
- [16]. Similar incidents took place in Sâncrăieni, another village in Harghita County. The media reported that on 9 July 2009 a fight between a Roma and a Hungarian took place in the local bar. Criminal investigations were initiated against the Roma for

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16 See Response of the Instituția Prefectului Județului Harghita to the Centrul de Resurse Juridice, No.6949/DC of 08.09.2009 (on file with the NFP). See also Response of the Primaria Sânmartin to the Centrul de Resurse Juridice, No.2056/2009, of 14.09.2009 (on file with the NFP).

17 See Response of the Administrația Prezidențială to Romani CRISS, No. DSN 1/795, of 20.08.2008 (on file with the NFP).

18 See Press Release from the Department for Interethnic Relations, available at [http://www.dri.gov.ro/index.html?page=eveniment\\_160](http://www.dri.gov.ro/index.html?page=eveniment_160). See also Press Release from the National Council for Combating Discrimination, available at <http://cncd.org.ro/presa/Evenimentele-din-Sancraieni-28/>.

19 See Response of the Instituția Prefectului Județului Harghita to the Centrul de Resurse Juridice, No.6949/DC of 08.09.2009 (on file with the NFP). NGOs report 25 Roma being taken to the police station and fingerprinted. See Letter of protest of the Centrul de Resurse Juridice to the European Commission (on file with the NFP).

20 See RomaniCRISS Report, Conflict interetnic in localitatea Sânmartin, județul Harghita [Interethnic Conflict in the Village of Sânmartin, Harghita County] (on file with the NFP). See also Letter of protest of the Centrul de Resurse Juridice to the European Commission (on file with the NFP). See also Cotidianul, Conflictele interetnice continuă în Harghita: de veghe în lanul cu țigani, of 20.08.2009 [Interethnic Conflicts Continue in Harghita County: The Catcher in the Field with Gypsies], available at

[http://www.cotidianul.ro/conflictele\\_etnice\\_continua\\_in\\_harghita\\_de\\_veghe\\_in\\_lanul\\_cu\\_tigani-95854.html](http://www.cotidianul.ro/conflictele_etnice_continua_in_harghita_de_veghe_in_lanul_cu_tigani-95854.html) (last visit 30.09.2009).

21 See Cotidianul, Doi parlamentari UDMR îi cer premierului să-l demită pe prefectul de Harghita [Two UDMR MPs Are Asking the Prime Minister to Remove the Chief of Harghita County], of 22.08.2009, available at

[http://www.cotidianul.ro/doii\\_parlamentari\\_udmr\\_ii\\_cer\\_premierului\\_sa\\_l\\_demita\\_pe\\_prefectul\\_de\\_harghita-96045.html](http://www.cotidianul.ro/doii_parlamentari_udmr_ii_cer_premierului_sa_l_demita_pe_prefectul_de_harghita-96045.html).

22 See Cotidianul, Conflictele interetnice continuă în Harghita: de veghe în lanul cu țigani [Interethnic Conflicts Continue in Harghita County: The Catcher in the Field with Gypsies], of 20.08.2009, available at

[http://www.cotidianul.ro/conflictele\\_etnice\\_continua\\_in\\_harghita\\_de\\_veghe\\_in\\_lanul\\_cu\\_tigani-95854.html](http://www.cotidianul.ro/conflictele_etnice_continua_in_harghita_de_veghe_in_lanul_cu_tigani-95854.html) (last visit 30.09.2009).

23 See Cotidianul, Conflictele interetnice continuă în Harghita: de veghe în lanul cu țigani [Interethnic Conflicts Continue in Harghita County: The Catcher in the Field with Gypsies], of 20.08.2009, available at

[http://www.cotidianul.ro/conflictele\\_etnice\\_continua\\_in\\_harghita\\_de\\_veghe\\_in\\_lanul\\_cu\\_tigani-95854.html](http://www.cotidianul.ro/conflictele_etnice_continua_in_harghita_de_veghe_in_lanul_cu_tigani-95854.html) (last visit 30.09.2009).

stabbing the Hungarian who needed a few days of hospitalization, but the Roma was not placed into arrest. This heated the village which mobilized around 400 persons against the Roma and set on fire two stables and one hangar. A horse belonging to a Roma and some hay burned down.<sup>24</sup> The Roma took their children and fled into the woods for fear of the villagers' angry mob. The conflict ended by the signing of yet another protocol similar to the one from Sânmartin.<sup>25</sup>

- [17]. In July 2009, the Mayor of Constanta, one of the biggest Romanian cities and prominent leader of the Social-Democrat Party appeared at a fashion show in the Wehrmacht uniform with Nazi symbols on it accompanied by his son in a Nazi uniform. The mayor breached Romania/Ordonanta de Urgenta 31/2002 a Government act forbidding organizations and symbols with a fascist, racist or xenophobic character and the promotion of the cult of persons guilty of crimes against peace and humanity. The authorities did not start an ex-officio criminal investigation. The following day, the Center for the Monitoring and Combating of Anti-Semitism complained to the General Prosecutor's Office asking for an investigation to be commenced. The news went around the globe, while the mayor was declaring that one more criminal investigation does not disturb him and that he was actually inspired by Operation Valkyrie in wearing the uniform. He later on apologised for the gesture. A host of international Jewish organizations expressed their shock and asked for a resignation.<sup>26</sup> The resignation did not happen, while the Social-Democrat Party leaders did not condemn the incident. In its 2008 Activity Report notes an increase in anti-Semitic incidents which do not find a public condemnation on the side of public dignitaries.<sup>27</sup> This also comes in the context where there is a general lack of understanding in Romania as to what the Holocaust meant in human history in general and for Romania in particular.

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<sup>24</sup>See Cotidianul, Autoritățile din Harghita caută soluții pentru încetarea conflictelor dintre romi și maghiari, [The authorities from Harghita are looking for solutions for ending the conflicts between Roma and Hungarians], available at [http://www.cotidianul.ro/autoritatile\\_din\\_harghita\\_cauta\\_solutii\\_pentru\\_incetarea\\_conflictelor\\_dintre\\_romi\\_si\\_maghiari-91737.html](http://www.cotidianul.ro/autoritatile_din_harghita_cauta_solutii_pentru_incetarea_conflictelor_dintre_romi_si_maghiari-91737.html) (last visit 30.09.2009).

<sup>25</sup> Letter of protest of the Centrul de Resurse Juridice to the European Commission (on file with the NFP).

<sup>26</sup> 9am News, "Mazare, celebru pe plan mondial pentru uniforma nazista" ["Mazare, famous worldwide for the Nazi Uniform"], 22.07.2009, available at: <http://www.9am.ro/stiri-revista-presei/Politica/136738/Mazare-celebru-pe-plan-mondial-pentru-uniforma-nazista.html> (30.09.2009)

<sup>27</sup> CNCD, Raport de activitate 2008 [Activity Report 2008]

## 3. Employment

### 3.1. Racism and discrimination (incidents and practices)

#### 3.1.1. Statistical data and tables on incidents of discrimination and racism

- [18]. There are no specific data collection mechanisms aimed at recording incidents of discrimination and racism in employment. The national agency in charge with labour relations, *Inspekția Muncii* [Labour Inspectorate] based on a request of information filed under FOIA by the RAXEN National Focal Point requested county inspectorates to provide data and subsequently responded that ‘there were no petitions registered mentioning racial or ethnic discrimination or there were no such data available at the level of the county labour inspectorates.’<sup>28</sup>
- [19]. The last ECRI country report is from 2006,<sup>29</sup> while the third country report under FCNM was due on 01.02.2009 but it is not published so far.<sup>30</sup>
- [20]. The report published by the Presidential Commission for the Analysis of Social and Demographic Risks mentions discrimination and racism particularly in relation to the Roma minority in the context of work-related relations. However, the Report uses statistical data and reports produced prior to 2008. <sup>31</sup> The Report mentions previous studies showing that:
- [21]. 22 per cent of the population declared being discriminated against at least once when trying to get employed,
- [22]. more than 58 per cent consider that it is more difficult for Roma to find a job and to be promoted,
- [23]. only 53 per cent of Roma men and 23 per cent of Roma women are engaged in paid labour but just 36 per cent of the Roma men receive salaries for their paid work (compared to 77 per cent in the case of non-Roma men). Compared to the total of the adult population, just 19 per cent of Roma men and 11 per cent of Roma women are employed, contrasted by 40 per cent in the case of men of other ethnicities and 31 per cent in the case of women of other ethnicities.
- [24]. Lacking statistics regarding incidents on discrimination reported to official agencies and cases of racial/ethnic discrimination heard by courts or other agencies besides

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<sup>28</sup> *Inspekția Muncii*, Ministerul Muncii, Familiei și Protecției Sociale, response to request of information i32/8989/28.08.2009, on file with the National Focal Point.

<sup>29</sup> ECRI, Third Report on Romania, available at [http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Romania/Romania\\_CBC\\_en.asp](http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Romania/Romania_CBC_en.asp) (28.09.2009).

<sup>30</sup> FCNM, State reports information available at [http://www.coe.int/t/dghl/monitoring/minorities/3\\_FCNMdocs/Table\\_en.asp#Romania](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/Table_en.asp#Romania) (28.09.2009).

<sup>31</sup> Presidential Commission for the Analysis of Social and Demographic Risks, *Riscuri și inechități sociale în România – Risks and social inequities in Romania*, Report of the Presidential Commission for the Analysis of Social and Demographic Risks, available at [http://www.presidency.ro/?\\_RID=det&tb=date&id=11426&\\_PRID=](http://www.presidency.ro/?_RID=det&tb=date&id=11426&_PRID=) (22.09.2009).



the national equality body, in ANNEX 1.3 are provided available statistics on discrimination and racism in the area of Employment.

### 3.1.2. Exemplary incidents and cases

- [25]. In February 2009, hundreds of Chinese workers who came to work on construction sites in Romania camped outside their embassy trying to get home after several Romanian construction companies failed to pay them.<sup>32</sup> Some of the Chinese workers were brought illegally as their companies failed to get work permits for them, others were given lower wages than promised during the recruitment or not paid at all. The workers were squatting outside the Chinese embassy and some of them moved in improvised tents in Herăstrău Park for about four months until they had been repatriated.<sup>33</sup>
- [26]. In 2008 and early 2009, the media reported the situation of 34 taxi drivers from Congo whose passports had been taken by their employers, who were asked to sign contracts in Romanian without being explained the content of the contracts, who received lower salaries than previously agreed, who were accommodated in degrading conditions, isolated and imposed a harsh work regime of more than 14 hours of work per day, seven days a week.<sup>34</sup>
- [27]. These incidents indicated a failure in the institutional approach to foreign workers. Thus, while Oficiul Român pentru Imigrări [Romanian Office for Immigrations (ROI)] is responsible solely with issuing the work permits and the authorizations to the employer, ROI has no mandate in monitoring the observance of the conditions established in the labour legislation and in the employment contracts. On the other hand, Inspekția Muncii, the agency in charge with monitoring work conditions has a limited capacity and limited abilities in tackling the subject of foreign workers, the lack of coherence of the legal provisions being a further impediment.
- [28]. The Labour Inspectorate mentioned in its response under FOIA several incidents from 2008 reported by the county labour inspectorates three cases regarding ethnic discrimination in relation to Roma and two cases of discrimination reported in relation to Romanian and Hungarian nationals.<sup>35</sup>

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<sup>32</sup> The New York Times, Chinese workers stranded in Romania, from 06.02.2009, available at <http://www.nytimes.com/2009/02/16/world/europe/16iht-migrants.4.20224539.html> (29.09.2009).

<sup>33</sup> Chinese Embassy in Bucharest, Press release from 17.04.2009 available at <http://www.mfa.gov.cn/ce/cero/rom/xw/t557754.htm> (29.09.2009). See also Realitatea, Muncitorii chinezi care au stat în corturi, în fața ambasadei Chinei, au plecat acasă, from 16.04.2009 available at [http://www.realitatea.net/muncitorii-chinezi-care-au-stat-in-corturi--in-fata-ambasadei-chinei--au-plecat-acasa\\_497542.html](http://www.realitatea.net/muncitorii-chinezi-care-au-stat-in-corturi--in-fata-ambasadei-chinei--au-plecat-acasa_497542.html) (29.09.2009)

<sup>34</sup> Evenimentul Zilei, Andrei Craciun, Congolezi in sclavie pe taxiuri, 22.12.2008, available at [http://www.evz.ro/articole/detalii-articol/833340/Congolezi-in-sclavie-pe-taxiuri/\(20.09.2009\)](http://www.evz.ro/articole/detalii-articol/833340/Congolezi-in-sclavie-pe-taxiuri/(20.09.2009)).

<sup>35</sup> Inspectia Muncii, Ministerul Muncii, Familiei si Protectiei Sociale, response to request of information i32/8989/28.08.2009, on file with the National Focal Point.

### 3.1.3. Research findings

- [29]. A study published by Fundația Soros Romania in October 2009<sup>36</sup> concludes that the best known measures of active occupation for Roma population is the jobs stock and the jobs caravane for Roma as well as the courses of qualification and requalification for Roma. The study finds that such measures have a very low efficiency and identifies as causes the inadequacy between the courses offered for qualification and the requirements of the market, the low level of education and professional formation of Roma, the fact that economic agents avoid participating in such job stocks, the high level of the qualification courses as compared to the formal education of the persons participating and the duration of the courses.
- [30]. A research contracted by Fundația Soros Romania and published in October 2008 shows that immigrant workers are confronted with a series of problems such as gaps in legal provisions protecting their rights, lack of representation in trade unions, lack of information regarding their rights and the adequate legal procedures. All these factors contribute to abuse and foreign workers find themselves caught in a different context than the one agreed to during the recruitment, in terms of working program, conditions of work, salary-related aspects. The study presents case studies regarding the challenges and difficulties of foreign workers who, for example, are forced to pay their accommodation and food from their salaries in spite of contrary promises made during their recruitment, receive lower salaries and are forced to observe harsher working conditions than previously agreed.<sup>37</sup>
- [31]. A study on working conditions of foreign workers in Romania published in 2009 identified several problems foreign workers are confronted with on the Romanian labour market. According to the study, the workers interviewed mentioned: abuses from recruiting agents (who charge them between 6.000 and 12.000 EUR for a work place in Romania), the fact that the initial contract is replaced by a different one when they arrive in Romania (the salary is lower, the working time is extended, etc.), abuses from the employer (keeping the work authorization or the passports, abusive and arbitrary work provisions and requests, non-payment of health leaves, etc.), lack of access to information in general because of language barriers and lack of adequate living conditions and the fact that the employer controls the possibility to obtain a work-permit upon which the right to work and all other social benefits depend. The report issued a warning that no authority checks as a matter of its responsibility the legality of documentation submitted in case of transfers of foreign workers to Romanian companies, that the Labour Code does not include express provisions on the protection of fundamental rights and the right to non-discrimination for foreign workers, and that the capacity of public institutions to control and monitor the activities of private employment agents is limited. The report also mentions that Romania has not ratified the Convention No. 181 on private employment agencies and the Convention No. 97 on migration for employment.<sup>38</sup>

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<sup>36</sup> Fundatia Soros, Cristi Mihalache, Mihnea Preotesei, Cristina Doboș, Incluziunea romilor pe piața muncii – percepții ale factorilor implicați, available at [http://www.soros.ro/ro/comunicate\\_detaliu.php?comunicat=103#](http://www.soros.ro/ro/comunicate_detaliu.php?comunicat=103#) (29.09.2009).

<sup>37</sup> Fundatia Soros, Simina Guga, Georgiana Toth, Delia Bobirsc, Ovidiu Voicu, Imigrant in Romania: Perspective si riscuri, available at [http://www.soros.ro/ro/program\\_articol.php?articol=124](http://www.soros.ro/ro/program_articol.php?articol=124) (08.01.2009).

<sup>38</sup> ARCA – Romanian Forum for Refugees and Asylum Seekers, the Group of Initiative for Dialogue, Pro WOMEN Foundation, Talk to Us! Study on the Working Conditions of Foreign Workers in Romania, (Bucharest: ARCA RFRA and Soros Foundation, 2009) available at <http://www.adosahrom.ro/proiecte.php>. (23.07.2009)

- [32]. A comprehensive survey contracted by Secretariatul General al Guvernului [the General Secretariat of the Government] in August 2009 shows that 43.7 per cent of the respondents strongly agree or agree that they would not hire a Roma because most of them are lazy and are stealing while 67.3 per cent believe that Roma are disadvantaged in finding a job. See ANNEX 1.3.1.<sup>39</sup>
- [33]. The annual survey of perceptions and attitudes on discrimination contracted by the NCCD also evidences discrimination in access to employment, particularly in relation to Roma. See ANNEX 1.3.2.<sup>40</sup>
- [34]. The ENAR 2008 Shadow report for Romania mentions that Roma are confronted with the same conditions as the non-Roma, while their quality of employment is lower. 'Roma women are even less engaged in the labour market due to their traditional role of main caretakers of the household. Furthermore, they also face multiple discrimination based on gender and ethnicity, although the ethnic component is much stronger when it comes to the labour market.'<sup>41</sup>
- [35]. A research published by Agenția de Dezvoltare Comunitară Impreună analyses the vulnerability of Roma women in accessing employment and the role of trade unions in supporting Roma employees and in promoting diversity. The research is based on interviews with Roma women and their co-workers and identifies problems as differentiated treatment, marginalization, difficulties in accessing salary-related rights. The report attempts to identify good practices in equal opportunities targeting Roma women.<sup>42</sup>

### 3.1.4. Additional information

- [36]. No information was available regarding substantiated instances of third-country nationals suffering differential treatment in employment based on their citizenship status or of EU Member State nationals being subjected to racist or xenophobic reactions or suffering discrimination due to their racial or ethnic background, of EU Member State nationals being subjected to discrimination on the grounds of their language or religion (possible indirect ethnic discrimination).
- [37]. There are no developments regarding the use of statistics of ethnic/national origin, or 'ethnic monitoring.'

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<sup>39</sup> Barometrul interetnic 2009 – Romii și majoritarii (Inter-ethnic Barometer 2009: Roma and the Majority, research conducted by IMAS. Press release announcing all documents produced within the survey available at [http://www.sgg.ro/index.php?implementare\\_program](http://www.sgg.ro/index.php?implementare_program) (17.09.2009).

<sup>40</sup> CNCD, INSOMAR, Fenomenul discriminării în România- percepții și atitudini, September 2009, available at [www.cncd.org.ro](http://www.cncd.org.ro) (23.09.2009).

<sup>41</sup> ENAR, Delia Luiza Nita, ENAR Shadow Report 2008, Racism in Romania, available at <http://cms.horus.be/files/99935/MediaArchive/national/Romania%20-%20SR%202008.pdf> (20.09.2009).

<sup>42</sup> Agenția de Dezvoltare Comunitară Impreună, Carmen Gheorghe, Cristina Mocanu, Ana Maria Zamfir, Sindicatele La Intersecția Dintre Gen Și Etnie - Studiu de cercetare , on file with the National Focal Point.

## 3.2. Good practice

### 3.2.1. Key policy and practical initiatives by civil society and government

[38]. Nothing to report.

## 4. Housing

### 4.1. Racism and discrimination (incidents and practices)

#### 4.1.2. Statistical data and tables on incidents of discrimination and racism in housing

[39]. There is no data on incidents of discrimination and racism in housing other than those collected by the Equality Body.

#### 4.1.2. Exemplary incidents and cases

[40]. Following the ECHR Decision No. 1 of 5<sup>th</sup> of July 2005 in the Cause Moldovan and others v. Romania<sup>43</sup>, the Romanian Government adopted Decision No. 523/2006 for the approval of the community development program in Hadareni, Mures county, for the period 2006-2008, modified and amended in 2007<sup>44</sup>. The G.D. 523/2006 also included housing components. In June 2009 a team of experts from NGOs and the equality body went on a monitoring visit in Hadareni following other actions signaling the deficient implementation of the G.D. After the monitoring visit, and using other public information from relevant institutions, several NGOs<sup>45</sup> member of the informal anti-discrimination coalition drafted and assumed the monitoring report which was translated and sent to the Department for the execution of judgments of the ECHR at the Council of Europe. The report<sup>46</sup> reached a host of conclusions, among which, the fact that the programme implementation has been consistently delayed by insufficient financial allocations which came in the last months of year with the obligation of returning the unspent money to the Government at the end of the year. In the area of housing, only 7 houses have been repaired deficiently, in haste and during winter. Housing construction for the Roma appeared to be the last priority on the agenda of authorities implementing the G.D. 523/2006. Furthermore, the programme implementation has focused on the

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43 Regarding the ethnic violence from 1993 in the community of Hadareni, Mures county, Romania, which resulted, following the murder committed by a Roma person, in the lynching of three Roma, the arson of 14 Roma houses and destruction of another four by the ethnic majority population.

44 Government Decision 734/2007 (11.07.2007)

45 The NGOs are: Pro Europe League, Romani CRISS, Accept Association, Center for Legal Resources and the independent expert Nicolae Gheorghe

46 Report available on the antidiscriminare.ro website, at: [http://www.antidiscriminare.ro/doc/raport\\_echr.doc](http://www.antidiscriminare.ro/doc/raport_echr.doc) (04.11.2009)

community as a whole and much less on the victims, with those who had left the village not being taken into account at all. In conclusion, however, the programme in the community of Hadareni cannot be considered to have been implemented, while the G.D. has not been extended to cover 2009 and the following years as well.

### 4.1.3 Research findings

- [41]. In the interviews conducted for the RAXEN Thematic Study Housing Conditions for Roma and Travellers, one of the MRDH representatives mentioned a study which had been commissioned and was in the process of being approved for the creation of an intervention methodology in disfavoured communities. This methodology, when the interview was taken, was in the process of evaluation. However, after seven months, it has not yet been published. Upon a phone conversation for the purposes of the study with the same MRDH representative, he mentioned that the study has not been yet published as they will take into account the recently released UN Economic Commission for Europe Study, ‘Self-made cities. In search for sustainable solutions for informal settlements in the United Nations Economic Commission for Europe region’<sup>47</sup>. One of the architects working on the MRDH methodology declared at a debate organised by a Romanian NGO on Roma issues<sup>48</sup> that the methodology called “*Rehabilitation of housing in areas affected by physical degradation and social exclusion. Methodology and pilot project – Valea Rece neighbourhood from the Targu Mures municipality*”<sup>49</sup> was stuck within the Ministry. Furthermore, he also declared that a few years back, another such study had been requested by a previous Government of a different political colour, and that study also got lost somewhere within the process of being approved, mainly because of the lack of interest on the issue of the actors involved.

### 4.1.4. Legal restrictions to access to housing

- [42]. Romania is party to the relevant human rights international protection instruments. Romania has signed and ratified the European Social Charter, but does not recognize the collective complaints procedure.<sup>50</sup> In addition, Romania does not accept the provisions of Art. 31 of the ESC, concerning the right to housing.<sup>51</sup>
- [43]. The main legal framework for housing in Romania is made of Law 114/1996, the housing law, with subsequent amendments and Law 50/1991 which regulates the authorization of constructions.

47 Available at: <http://www.unece.org/publications/oes/SelfMadeCities.pdf> (30.09.2009)

48 Policy Center for Roma and Minorities, Debate “Roma - a threat or a missed opportunity for the European Union” 17.09.2009, intervention of Mr. Catalin Berescu, one of the authors of the study: “Reabilitarea locuirii in zone afectate de deteriorare fizica si excluziune sociala. Metodologie si proiect pilot – cartierul Valea Rece din municipiul Targu Mures” [Rehabilitation of housing in areas affected by physical degradation and social exclusion. Methodology and pilot project – Valea Rece neighbourhood from the Targu Mures municipality]. The contract whereby the MRDH was attributing the drafting of the study to Asociatia pentru Tranzitie Urbana [Association for Urban Transition] where Mr. Berescu is Programmes Director [www.atu.org.ro](http://www.atu.org.ro) can be found at: <http://www.dgmarket.ro/tenders/np-notice.do~3084713#> (30.09.2009)

49 See footnote 48

50 See website of the Charter, Additional Protocol of 1995, available at: <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=158&CM=8&DF=&CL=ENG> (30.09.2009)

51 See website of the Charter, Acceptor Provisions, available at: [http://www.coe.int/t/dghl/monitoring/socialcharter/Presentation/ProvisionTableRev\\_en.pdf](http://www.coe.int/t/dghl/monitoring/socialcharter/Presentation/ProvisionTableRev_en.pdf) (30.09.2009)

- [44]. Law 114/1996 regulates the social, economic, technical and legal aspects of building and usage of dwellings.<sup>52</sup> The Law defines “social dwelling” as: ‘the dwelling which is allocated with a subsidized rent to individuals or families whose economic situation does not allow them to have access to a dwelling in their own property or to the renting of a dwelling under market conditions’.<sup>53</sup> Local dwellings control the building and allocation of such dwelling. The law gives examples of categories of persons who can have access to such dwellings, from married couples under 25, to other categories established by the local council. The Roma do not appear as a category and there is no information as to whether the Roma actually benefit from these provisions.<sup>54</sup>
- [45]. Law 50/1991 with subsequent amendments regulates the authorization of constructions. In order to build a dwelling legally, a host of authorizations are needed and these authorizations are generally quite expensive. Building without a construction authorization is against the law and may result in demolition which is decided by the local authorities if the construction is on the domain of the state<sup>55</sup> and after a court decision if on private land.<sup>56</sup>
- [46]. The Roma, because of their specific situation, seem to be in great difficulty when it comes to observing the provisions of these laws, which, in the opinion of the author, result in indirect discrimination because the law does not provide for specific provisions which take into account the specific situation of the Roma and offer a dignified alternative to evictions and demolition. For reasons which have to do with historical considerations as well as the economic effects of social exclusion, the Roma have had lower access to housing and land.<sup>57</sup> Many Roma today thus have an uncertain property status for the houses and land on which they live, or they lack proper documentation altogether, or valid lease contracts or they have their houses built on the land which does not belong to them, etc....<sup>58</sup> Furthermore, even the provisions of the law as it stands do not seem to always be respected while local authorities, seem to target Roma ethnics only when it comes to verifying the legality

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52 Romania/Romanian Parliament/Lege 114/1996 (11.10.1996), Art. 1

53 Romania/Romanian Parliament/Lege 114/1996 (11.10.1996), Art. 2, b) and c)

54 Romania/Romanian Parliament/Lege 114/1996 (11.10.1996), Art. 7

55 Romania/Romanian Parliament/Lege 50/1991 (29.07.1991), Art. 33

56 Romania/Romanian Parliament/Lege 50/1991 (29.07.1991), Art. 32. Building without a construction authorization, on private land, after the public authorities have made a findings report of the situation, is sanctioned with a fine, after which the building may either obtain the necessary authorization, or be demolished in a term established in the findings report. If the construction has been halted, but the offender has not entered legality under the term established by the findings report, the sanctioning body will bring the case in front of a court of law in order to dispose either the entering into legality or demolition in the time frame established by the court of law. The decisions of the court of law will be implemented by the mayor and the police at the expense of the offender. If constructions without a construction authorization are built on the public or private domain belonging to the state, these constructions may be demolished administratively, without having to go to a court of law, by the public authorities administering the respective domain at the expense of the offender.

57 Such a situation stood as a root cause of the social unrest which ended up in the interethnic conflicts in Sanmartin and Sancaieni described in the chapter on racial violence and crime.

58 For a description of the situation and a comparison over time which shows how the situation has not changed see: I. Zoon (2001) *On the Margins, Roma and Public Services in Romania, Bulgaria and Macedonia*, New York: Open Society Institute and I. Florea, M. Mandache, C. Manea, C. Rughinis, A. Vasile, D. Vasile (2007) *Metodologie pentru solutionarea problemei lipsei actelor de stare civila, de identitate si locative* study drafted within the Governmental SPER project for the Roma, available at: [http://www.sgg.ro/docs/File/UIP/doc/Metodologie\\_lipsa\\_acte\\_\(RO\).pdf](http://www.sgg.ro/docs/File/UIP/doc/Metodologie_lipsa_acte_(RO).pdf) (30.09.2009)

of ownership, although members of the majority populations may also not have all the necessary documentation.<sup>59</sup>

- [47]. The main legal documents affecting the status of asylum seekers, migrants and foreigners in Romania are Law 122/2006 regarding asylum in Romania, with subsequent amendments, the Government Emergency Ordinance 194/2002 regarding the regime of foreigners in Romania, with subsequent amendments. The asylum and refugee system in Romania is to a large extent deficient, and creates situations where basic human rights are not being respected.<sup>60</sup> One particularly vulnerable group remain the tolerated persons and those whose application to asylum has been rejected but the Romanian state has not removed them from its territory. Because of a legislative gap, these persons do not have access to basic rights, among them the right to housing, to employment or health care and become homeless and destitute.<sup>61</sup> Furthermore, those who have been granted asylum, continue to face difficulties in all areas of life, while the support system in place is not strong enough, also affecting the possibility of the refugee to cover the costs of decent housing.<sup>62</sup>
- [48]. In 2008, the Romanian Government adopted the Decision 1.237/2008 for the approval of the pilot programme “Social Houses for the Roma” which provides for the building of a “maximum of 300 houses” for the Roma. There is no obligation for the houses to be built in mixed areas and not in segregated ones and no time limit. The decision is described extensively in the RAXEN Thematic Study: Housing Conditions of Roma and Travelers. The Romania/ Ministerul Dezvoltării Regionale și Locuintelor [The Ministry of Regional Development and Housing (MRDH)] will be responsible for the building while the local administration will provide the land and build the infrastructure for public utilities.<sup>63</sup>
- [49]. The press has reported on the number of requests received by the Ministry<sup>64</sup>; on a case where the local authorities are in the process of finding land to build houses for the Roma whom they want to relocate from a historic site on top of which the Roma had built, on their own, dwellings, lacking another place to go<sup>65</sup>; on another case where the citizens of a city were protesting to the initiatives of the local authorities to built social houses for the Roma next to their own houses (these citizens simply did not want to be neighbours with the Roma because, according to them, of the social behaviour of the Roma who loot and abuse the private property of the non-Roma, have a bad cultural influence, do not work and will probably never work, and also because of a perceived unfairness of the initiative as compared to the non-Roma)<sup>66</sup>. The press also reported on situations which can be considered cases of

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59 The situation is largely described in the RAXEN Thematic study: Housing Conditions of Roma and Travellers, Romania, Center for Legal Resources – Delia-Luiza Nita.

60 For a detailed description of the situation see ENAR Shadow Report Romania 2008, p. 33-40, available at: <http://cms.horus.be/files/99935/MediaArchive/national/Romania%20-%20SR%202008.pdf> (30.09.2009)

61 Jesuit Refugee Service Europe (2007), Report of Destitute Forced Migrants, Brussels: Jesuit Refugee Service – Europe, p. 93

62 ENAR Shadow Report Romania 2008, p. 33-40, available at: <http://cms.horus.be/files/99935/MediaArchive/national/Romania%20-%20SR%202008.pdf> (30.09.2009)

63 Romania/ Romanian Government/ Hotarare 1.237/2008 (01.10.2008), Art. 1

64 1200 requests from the Eastern region according to Alina Stan, “Case pentru romi” [Houses for the Roma] in Adevarul, 09.03.2009, available at: <http://www.adevarul.ro/articole/case-pentru-romi/pagina-1.html> (30.09.2009)

65 Romaworld.ro, Pitesti – De pe sit arheologic, in case ANL, 26.07.2009, available at: <http://www.adevarul.ro/articole/case-pentru-romi/pagina-1.html> (30.09.2009)

66 Cora Muntean, “Locuitorii din Sighisoara protesteaza fata de construirea de locuinte sociale pentru omi” [“The inhabitants from Timisoara are protesting against the building of social houses for the Roma”], in Informatia de Mures [Information from Mures] 22.06.2009, available at: <http://www.infoms.ro/home/detalii-stiri/article/5031.html> (30.09.2009)

good practice. It is clear however, that the number of requests is much larger than 300 houses plus whatever may have been built through other programmes targeting the Roma<sup>67</sup> or the few NGO initiatives. (presented in section 4.2)

- [50]. The NFP sent a request for information to the MRDH asking for an update on the implementation of GD 1.237/2009. No response has been provided.
- [51]. The press reported on other cases<sup>68</sup> where local authorities started to build houses for the Roma under the PHARE 2006 – “The Acceleration of the Implementation of the National Strategy for the Improvement of the Situation of the Roma, the Small community infrastructure and housing component”. The projects involve the Roma in the building of the houses as well as Roma associations. They also give qualifications in constructions to the Roma involved and facilitate the compulsory registration with a family doctor. Unlike the Soros-Habitat project presented as a best practice, the Roma will sign a lease contract with the local administration which has certain compulsory principles: annulment of the contract at the third bill not paid, or if more than 2, 000 LEI (aprox. 465 EUR ) have gathered as back-payment, or if more than 20 absences from school/semester have been cumulated by each member of the family attending school, the obligation to be registered with a family doctor , to avoid any violence. Such provisions in a contract are abusive and show a discriminatory and superiority attitude despite the commendable initiatives of the local authorities. It also shows a lack of understanding of the problems faced by the Roma many times locked into a vicious circle of poverty where housing is connected to education, employment and health, and all four to equal opportunities and non-discrimination from the majority population. Only granting houses to the Roma, without parallel interventions to increase their capacity to produce the money necessary to pay their bills for example, upon which depends the keeping of the house, may easily result in a false promise of a house.

## 4.2. Good practice

- [52]. See Annex 2

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67 Such as the Phare 2006 Programme “The Acceleration of the Implementation of the National Strategy for the Improvement of the Situation of the Roma, the Small community infrastructure and housing component”

68 Ghiulseren Abduraman, ”Locuinte sociale pentru romii din Harsova” [“Social houses for the Roma in Harsova”] in Graiul Dobrogei 13.02.2009, available at: <http://www.graiuldobrogei.ro/articole/2037-locuinte-sociale-pentru-romii-din-harsova.html> (30.09.2009) and SibiuL.ro, “Opt case pentru comunitatea romilor” [“Eight houses for the roma community”] 09.06.2009, available at: <http://www.sibiuL.ro/stiri-locale/opt-case-pentru-comunitatea-romilor/26937/> (30.09.2009)



## 5. Health care

### 5.1. Racism and discrimination (incidents and practices)

### 5.2. Racism and discrimination (incidents and practices)

#### 5.1.1. Statistical data and tables on incidents of discrimination and racism in housing

- [53]. There is no official information on the number of complaints or allegations of racism and/or discrimination regarding health and social care, affecting migrants, refugees, asylum seekers or ethnic minorities.
- [54]. In Romania, the NCCD is the institution also responsible for the investigation of the complaints regarding the discrimination cases on the ground of health services, unless the complaint involves criminal matters.<sup>69</sup> Thus far, there is no public authority recorded data with respect to racism or discrimination in access to social services and health services.
- [55]. The Ministry of Public Health is responsible for the development and promotion of health care in Romania, and is allowed to receive and investigate allegations or complaints.<sup>70</sup>
- [56]. The National House of Health Insurance is empowered to receive petitions with regard to the system of public health insurance.<sup>71</sup>
- [57]. According to Law 46/2003, health care providers must print and post the patients' rights in medical units, and make a complaints book available to patients, while health authorities must "issue annual reports on compliance to patients' rights". Inspection of, for instance, GPs' medical units, is conducted by authorities such as the National Health Insurance fund, the Public Health Authority, the Physicians' College, the Ministry of Health, the city hall and the Fraud Squad.

#### 5.1.2. Exemplary incidents and cases

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<sup>69</sup> Art.10, point. 6 from the Romania/ Ordonanta Guvernului 137/ 2000, republished on 08.02.2007 states that: 'constitutes a contravention, (...), to refuse the access of a person or a group of persons at the public health services – to select a family doctor, health care, health insurances, emergency services or other health services.'

<sup>70</sup> Romania/Lege 95/2006 on the reforming the health system.

<sup>71</sup> Romania/Lege 95/2006 on the reforming the health system.

- [58]. Two Romanian NGOs, the association Romani Criss and Liga Pro Europa, have accused the municipality of Miercurea Ciuc, Harghita County of abusing the human rights of several families of Roma, after they were evacuated from a building and moved to a trailer caravan very close to a water purification station. Both NGOs have filled in an application to the European Court of Human Rights at the end of 2008. Representatives of the municipality have explained the fact that they were searching for a solution but that it was very hard to find a land were to build social houses for the Roma population as nobody wants them as neighbours because of their behaviour.<sup>72</sup> The case is still pending while, according to a Romani CRISS NGO representative (the NGO monitoring and supporting the case in the justice system), a Roma family from Sanmartin (the racist incident described in Chapter 2) which did not dare to go back to Sanmartin after the racist attacks on the Roma community there, joined this community from miercurea Ciuc in the environmentally hazardous area. No other cases could be found.

### 5.1.3. Research findings

- [59]. A 2008 survey on patients' satisfaction with public the public hospital physicians' behaviour and attitude shows that 20.8% of the patients thinks these need to be improved.<sup>73</sup>
- [60]. Discrimination and social stigmatisation of HIV+ people are still high: just 21% of men and 13% of women have a positive attitude toward HIV + people. The Working Group on HIV/AIDS Behaviour /change Communication organized campaigns to reduce stigma and discrimination, targeting teachers and health professionals.<sup>74</sup>

### 5.1.4. Additional information

- [61]. An example of recent measures for vulnerable groups is a project run by the Romanian Forum of Refugees and Migrants (ARCA) which informs Ressortissants about their rights, obligations and opportunities to integrate in Romanian society.
- [62]. Centrul Romilor pentru Politici de Sanatate [Roma Center for Health Policies] has documented three cases of possible discrimination in access to public sexual and reproductive services of three women that heve tried to received medical care in the ward of obstetrics and gynaecology at the Municipal hospital from Targu Neamt.
- [63]. At a meeting from April 28th 2009 at the Ministry of Health discussing the decentralization of the Helath system, the Romani CRISS NGO representative mentioned that Roma health mediators are encountering difficulties because of the decentralization proceess which created confusion as to who is supposed to pay them, the result being that no one paid them. She was also concerned with the fact

72 „Primăria Miercurea Ciuc, acuzată de încălcarea drepturilor omului”, in *Mures Info*, 19.01.2009, <http://www.muresinfo.ro/stiri/stiri.php?dt=2009-01-19>

73 [http://www.publicinfo.ro/library/sistemul\\_sanitar/5\\_raport\\_personal\\_medical\\_modul\\_asistente.pdf](http://www.publicinfo.ro/library/sistemul_sanitar/5_raport_personal_medical_modul_asistente.pdf)

74 SECS , Situational Analysis of Sexual and Reproductive Health and Rights in Romania, 2009 **This is an internal, not yet published working document of SECS organization. It also mentions that Roma women seem to prefer injectable contraceptives as they ensure privacy and only require a visit to the physician once every three months (the document does not offer specific data for these assertions). It also mentions that, due to high unemployment, women have less access to the health care system as they do not have state health insurance and money to travel to hospitals if in rural areas. The document also mentions that Roma women face resistance from their husbands in using contraceptives.**

that, following decentralization, without a clear control mechanism also to be established within the decentralization process, local discrimination would be left unchecked in the health system.<sup>75</sup>

## 6. Education

### 6.1. Statistical data and tables on racist incidents

- [64]. No statistical data or tables regarding racist incidents in education are available for the reporting period. From the 2008 Activity Report of the *Consiliul National pentru Combaterea Discriminarii* [National Council for Combating Discrimination], it can be inferred that the number of reported cases of discrimination in education is falling.<sup>76</sup>

### 6.2. Exemplary cases of discrimination

- [65]. Upon publishing its schooling plan for 2009-2010<sup>77</sup>, which included 60 classes of students for upper secondary education in Hungarian language, the Mures County School Inspectorate received a petition signed by over 10,000 people<sup>78</sup>, in which it was accused of limiting the access of Hungarian national students to education in their mother tongue. On 29 January 2009, the Management Board of the Mures County School Inspectorate rejected the petition as unfounded. Subsequently, the Ministry of Education, Research and Innovation approved, on February 5, 2009, 67 classes with instruction in Hungarian for the 2009-2010 school year as compared to the 60 classes allocated initially by the Mures County School Inspectorate, and communicated its decision to the inspectorate.

### 6.3. Restrictions to access to education

- [66]. No legal changes regarding access to education have been operated in the reporting period.
- [67]. The main conclusions of the research report *Monitorizarea aplicării măsurilor împotriva segregării școlare în România* [Monitoring the application of measures

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<sup>75</sup> Minute of the meeting available at: <http://www.ms.ro/pagina.php?id=386>

<sup>76</sup> The report was released in September 2009, and includes comparative data for 2007 and 2008. From 29 complaints received concerning access to education in 2007 to 18 complaints received in 2008, and from 5 cases admitted in 2007 to 3 cases admitted in 2008.

<sup>77</sup> Such a plan lays down the number of places in schools, including the number of classes disaggregated by language of instruction and type of education provision. This specific plan envisaged allocating 462 fewer places in classes with instruction in Hungarian in Mures County upper secondary schools than the real number of requests for places in such schools or classes. Information available at [http://www.divers.ro/eveniment\\_ro?wid=37453&func=viewSubmission&sid=9625](http://www.divers.ro/eveniment_ro?wid=37453&func=viewSubmission&sid=9625) (accessed on 27.09.2009)

<sup>78</sup> The petition was submitted by Uniunea Cadrelor Didactice Maghiare din Romania [Hungarian Teachers' Association in Romania]. [http://www.divers.ro/eveniment\\_ro?wid=37453&func=viewSubmission&sid=9625](http://www.divers.ro/eveniment_ro?wid=37453&func=viewSubmission&sid=9625) (accessed on 27.09.2009)

against school segregation in Romania]<sup>79</sup> are that 67% of a sample of 90 schools are segregated, and the Order of the Minister of Education, Research and Youth no. 1540/2007<sup>80</sup> is not enforced in 63% of a sample of 77 schools.

- [68]. On 26 March 2009 state secretary in the Ministry of Education, Research and Innovation Oana Badea visited schools in Mures County, and found that there is segregation in these schools, in particular in Valea Rece School, Targu Mures.<sup>81</sup>

## 6.4. Special measures for persons belonging to national minorities

- [69]. National minorities have the right to set up and manage their own educational establishments, and they make use of this right.<sup>82</sup> There is no available research evidence regarding attainment and performance of students in comparison to those following the mainstream educational programme. There is evidence that persons belonging to minorities who demand so have adequate opportunities for being taught (in) their minority language.<sup>83</sup>
- [70]. There is no clear evidence that textbooks and teaching materials, in particular history books, are regularly checked to eliminate negative depiction of national minorities and stereotypes from these materials. A guidebook for teachers of history entitled Romania / “Istoria minorităților naționale din România” [The history of national minorities in Romania] was published in December 2008, with the joint effort of the Ministry of Education, PER Regional Centre and the Department for Interethnic Relations.<sup>84</sup>
- [71]. Subsequent to acknowledging the findings of the report *Monitorizarea aplicării măsurilor împotriva segregării școlare în România* [Monitoring the application of measures against school segregation in Romania]<sup>85</sup>, the Ministry of Education, Research and Youth demanded that school inspectorates<sup>86</sup> analyse the situation of segregation and report on the findings to the *Directia Generala Invatamant in Limbile Minoritatilor si Relatia cu Parlamentul* [General Direction for Education in Minority Languages and Relations with the Parliament] by 5 February 2009, detailing the measures of desegregation and concrete activities of desegregation in the 2007-2008 school year, the concrete situations of segregation and measures taken to eliminate them in the 2008-2009 school year, and the plans for the 2009-

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79 Prepared by Laura Surdu for Romani CRISS, published in the newsletter Romania/ Învățământul pentru romi, no. 33 of 16 January 2009 on [sarau\\_rromi@yahoogroups.com](mailto:sarau_rromi@yahoogroups.com). The report was prepared in July 2008 based on data collected in November 2007-May 2008. A total of 134 schools located in nine counties (Alba, Botosani, Brasov, Dolj, Galati, Hunedoara, Iasi, Neamt, Salaj) and in Bucharest were monitored.

80 Order 1540/2007 rules, in Article 1, paragraph 2, that beginning with the 2007-2008 school year, 1st and 5th grades shall not be formed with exclusively or predominantly Roma students

81 [http://www.divers.ro/actualitate\\_ro?wid=37455&func=viewSubmission&sid=9883](http://www.divers.ro/actualitate_ro?wid=37455&func=viewSubmission&sid=9883) (accessed on 20.09.2009)

82 See Romania/ “Monitorizarea implemmentării Cartei europene a limbilor regionale sau minoritare. Capitolul Învățământ” at [http://www.edrc.ro/docs/docs/carta/Raport-Carta\\_Capitol-educatie\\_final.pdf](http://www.edrc.ro/docs/docs/carta/Raport-Carta_Capitol-educatie_final.pdf) (accessed on 26.10.2009)

83 See Romania/ “Monitorizarea implemmentării Cartei europene a limbilor regionale sau minoritare. Capitolul Învățământ” at [http://www.edrc.ro/docs/docs/carta/Raport-Carta\\_Capitol-educatie\\_final.pdf](http://www.edrc.ro/docs/docs/carta/Raport-Carta_Capitol-educatie_final.pdf) (accessed on 26.10.2009)

84 See [http://www.divers.ro/actualitate\\_ro?wid=37455&func=viewSubmission&sid=9553](http://www.divers.ro/actualitate_ro?wid=37455&func=viewSubmission&sid=9553) (accessed on 26.10.2009)

85 Prepared by Laura Surdu for Romani CRISS, published in the newsletter Romania/ Învățământul pentru romi, no. 33 of 16 January 2009 on [sarau\\_rromi@yahoogroups.com](mailto:sarau_rromi@yahoogroups.com).

86 Letter bearing registration no. 43 395 of 16 January 2009, published in the newsletter Romania/ Învățământul pentru romi, no. 33 of 16 January 2009 on [sarau\\_rromi@yahoogroups.com](mailto:sarau_rromi@yahoogroups.com)

2010 school year regarding prevention of school segregation and accomplishment of desegregation. The responses of the county school inspectorates have not been made public.

- [72]. Subsequent to her visit to Mures County schools on 26 March 2009, state secretary in the Ministry of Education, Research and Innovation Oana Badea demanded that each school inspectorate prepare action plans specifically targeting Roma education.<sup>87</sup> Oana Badea<sup>88</sup> submitted a plan including deadlines for the Roma students in Valea Rece segregated school to be moved to other schools where they would be able to learn together with non-Roma students.<sup>89</sup>

## 6.5. Good practices

### Key policy and practical initiatives by civil society and government

- [73]. The Ministry of Education, Research and Innovation continued to set aside special places for Roma ethnics who meet the minimal requirements for entering higher education in the 2009-2010 academic year.<sup>90</sup>
- [74]. Schools training police officers operating under the Ministry of Administration and Home Affairs also set aside a total of 45 special places for Roma ethnics in the 2009-2010 academic year.<sup>91</sup>
- [75]. The Ministry of Education, Research and Innovation continued to allocate special places for Roma ethnics in upper secondary education in the 2009-2010 school year.<sup>92</sup>

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87 [http://www.divers.ro/actualitate\\_ro?wid=37455&func=viewSubmission&sid=9883](http://www.divers.ro/actualitate_ro?wid=37455&func=viewSubmission&sid=9883) (accessed on 20.09.2009)

88 State secretary in the Ministry of Education, Research and Innovation.

89 [http://www.divers.ro/actualitate\\_ro?wid=37455&func=viewSubmission&sid=9883](http://www.divers.ro/actualitate_ro?wid=37455&func=viewSubmission&sid=9883) (accessed on 20.09.2009)

90 Notification no. 29614 of 18 March 2009 of the Ministry of Education, Research and Innovation, [sarau\\_rromi@yahoo.com](mailto:sarau_rromi@yahoo.com), 18 March 2009. A total of 493 places were earmarked for Roma candidates.

91 <http://www.bitpress.ro/articole/educatie/3210/locuri-speciale-pentru-romi-in-licee-si-universitati.html> (accessed on 30.09.2009)

92 Notification no. 28 268 of 2 March 2009 of the Ministry of Education, Research and Innovation; see reference at [http://www.divers.ro/initiative\\_ro?wid=37619&func=viewSubmission&sid=9730](http://www.divers.ro/initiative_ro?wid=37619&func=viewSubmission&sid=9730) (accessed on 20.09.2009). The Notification stipulates that in each 9th grade there are two special places set aside for Roma ethnics, and that the number of places depends on the number of ninth grade classes formed in each school. The county school inspectorates and the schools are required to make known the provisions of Notification no. 28 268/02.03. 2009 and to collaborate with parents of Roma children, as well as all local Roma resources to encourage Roma students to occupy the specially allocated places.

## 7. Participation of minorities in public life

### 7.1. Respecting the right to identity and promoting mutual understanding

#### 7.1.1. Freedom of association, freedom of expression, and freedom of thought, conscience and religion

[76]. The recently adopted Law on freedom of religion and religious denominations<sup>93</sup> contains unjustified limitations of the right to establish religious denominations or religious associations which particularly impede on the minorities. In order to register a religious denomination the law requires a list with signatures from followers representing 0.1% of the population of Romania and 12 years of continuous activity in Romania, and for a religious association the list should contain minimum 300 signatures from followers and a consultative advice from the Ministry of Culture and Religious Denominations.<sup>94</sup> Thus the practical benefits of being a legal entity and special benefits for religious denominations and associations prescribed by the law are refused to religious denominations that don't fulfill these strict conditions.<sup>95</sup>

[77]. See Annex 2 for one case from the national equality body.

#### 7.1.2. Promoting minority cultures

[78]. The promotion of minority cultures is ensured by the Department of Interethnic Relations. The new ethnic groups or the ethnic groups that have not been recognized so far, apart from the 20 recognized national minorities, are not within the mandate of the Department, so they are not covered in its activities.<sup>96</sup> The means applied include the use of the languages of national minorities in 23 theaters and folk and dance ensembles, 21 TV shows, amongst which 600 minutes per week at the national public television, 55 of local radio shows in areas where the percentage of national minorities is higher. Furthermore, in 2009, a number of 62 organizations of national minorities have won funds from the Department for projects to promote minority cultures. However, the public information available does not indicate the amount of public funds allocated for these projects.<sup>97</sup> The latest information from the Department's website on public campaigns or projects implemented by the Department is from 2008.

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93 Legea Nr.489/2006 privind libertatea religioasă și regimul general al cultelor [Law No. 489/2006 regarding freedom of religion and the general regime of religious denominations], published in the Official Journal No.11 of 8.01.2007.

94 See Legea Nr.489/2006 privind libertatea religioasă și regimul general al cultelor [Law No. 489/2006 regarding freedom of religion and the general regime of religious denominations], published in the Official Journal No.11 of 8.01.2007, Arts. 40 and 41.

95 See Legea Nr.489/2006 privind libertatea religioasă și regimul general al cultelor [Law No. 489/2006 regarding freedom of religion and the general regime of religious denominations], published in the Official Journal No.11 of 8.01.2007.

96 For more information see information available at <http://www.dri.gov.ro/index.html?page=organizatii>.

97 The list of organizations and projects is available at [http://www.dri.gov.ro/index.html?page=proiecte\\_raport2009](http://www.dri.gov.ro/index.html?page=proiecte_raport2009).

- [79]. There are no institutionalized fora for communication and interaction between minority and majority communities.<sup>98</sup>

## 7.2. Promoting the public use of languages spoken by minorities

- [80]. There is no evidence that public authorities either interfere with the public use of lesser used languages or promote the public use or social acceptance of lesser-used languages in any way. The use of the mother tongue language in various areas of the public life from schools to the judiciary or the relations with the local public administration is only guaranteed for the people belonging to the 20 recognized national minorities under conditions prescribed by the law. The minorities, including migrants, which are not recognized the statute of national minorities are not ensured any of these rights.
- [81]. Schooling in the mother tongue (belonging to a national minority) is guaranteed by law at the closest school possible with the condition that there is a sufficient request from students.<sup>99</sup> The students who are not studying in their mother tongue are ensured the study of the respective Language and Literature and History and Traditions of the respective national minority.<sup>100</sup>
- [82]. The Romanian citizens belonging to national minorities have the right to use their mother tongue before courts. Interpretation should be ensured by the court. All requests and documents must be in the Romanian language.<sup>101</sup> The use of interpret is ensured for other foreign languages for free (for example in the case of migrants) only in criminal law cases.<sup>102</sup>
- [83]. The mother tongue of the national minorities can be used in relations with the public local administration, the institutions coordinated by the public local administration and the public services transferred from the central to the local level (“serviciile publice deconcentrate”) in the administrative-territorial units where the national minorities represent over 20% of the number of inhabitants.<sup>103</sup>
- [84]. According to the Department for Interethnic Relations, there are 21 TV shows, amongst which 600 minutes per week at the national public television and 55 of local radio shows in the language of national minorities in areas where the percentage of national minorities is higher. These broadcastings provide informational, educational, cultural and entertainment programming in order to meet also the needs of national minorities.

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98 More information is available at [http://www.dri.gov.ro/index.html?page=cultura\\_emisiuni](http://www.dri.gov.ro/index.html?page=cultura_emisiuni).

99 See Legea nr. 84 din 24 iulie 1995 republicată și actualizată Legea învățământului actualizată până la data de 15 iunie 2007 [Law No.84 of 24 July 1995 republished and updated Law of education updated until the date of 15 June 2007], Arts.8.(2), 26.(4).(c), 118, 122, 123. See also the Romanian Constitution, Art.32.(3).

100 See Legea nr. 84 din 24 iulie 1995 republicată și actualizată Legea învățământului actualizată până la data de 15 iunie 2007 [Law No.84 of 24 July 1995 republished and updated Law of education updated until the date of 15 June 2007], Arts.120.(4), 121.

101 See Legea nr. 304 din 28 iunie 2004 (republicată și actualizată până la data de 7 septembrie 2006) privind organizarea judiciară [Law No.304 of 28 June 2004 (republished and updated until the date of 7 September 2006) regarding the organization of the judiciary], Art.14. See also the Romanian Constitution Art.128.(2).

102 See the Romanian Constitution, Art.128.(4).

103 See Legea nr. 215 din 23 aprilie 2001 (republicată) administrației publice locale [Law No.215 of 23 April 2001 (republished) regarding the local public administration], Arts. 19, 39.(7), 42.(2), 50, 76, 94.(8).

## 7.3. Effective participation of persons belonging to minorities in public life

### 7.3.1. Political Representation

[85]. According to the electoral laws, a national minority is a minority that is represented in the National Minorities Council. There are only twenty minorities represented therein. All other minorities or ethnic groups do not benefit of the same rights neither in general nor in local elections.<sup>104</sup> In general or local elections, only the organizations of the national minorities which are represented in the Parliament can run, plus other organizations of the national minorities which fulfil a series of criteria, amongst which a relatively widespread representation country wide, which is “virtually impossible” to attain by national minorities which are usually concentrated in a certain region, and want to become a new national minority organization and participate in general elections.<sup>105</sup> Furthermore, third country nationals (migrants) do not have the possibility to vote and stand as a candidate in local elections, not even candidate for workers’ representation. According to the 2003 revisions of the Constitution, the EU citizens irrespective of their minority background can vote and stand as a candidate only in local elections.<sup>106</sup> We are not aware of such a case.

[86]. According to Article 62.(2) of the Constitution, each organization belonging to the recognized national minorities (only one organization per national minority) has the constitutional right to have one seat in the Romanian Parliament irrespective of the number of votes obtained in national general elections.<sup>107</sup>

### 7.3.2. Public Administration Representation

[87]. The representation of the recognized national minorities in the public administration (especially the executive) came as a direct consequence of the provisions related to the political representation of the national minorities and the use of mother tongue before the local administration authorities. This had a particular impact on the Hungarian minority which is larger, more concentrated territorially, more united, more educated, in comparison with the Roma minority which is also large but did not benefit from these legal provisions to the same extent.<sup>108</sup> There are no official advisory boards of Foreigners.

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104 See Lege nr. 373 din 24 septembrie 2004 (actualizată până la data de 20 august 2006) pentru alegerea Camerei Deputaţilor şi a Senatului [Law No.373 of 24 September 2004 (updated until the date of 20 August 2006) for the election of the Chamber of Representatives and the Senate], Art.4. See also Lege nr. 67 din 25 martie 2004 (republicată) pentru alegerea autorităţilor administraţiei publice locale [Law No. 67 of 25 March 2004 (republished) for the election of local public administration authorities], Art.7.

105 See European Commission Against Racism and Intolerance, Third report on Romania, Adopted on 24 June 2005, CRI(2006)3, pp.11-12, 15.

106 See the Romanian Constitution, Art.16.(4).

107 See the Romanian Constitution, Art.62.(2).

108 Up until 2004, the Hungarian minority was present in all coalitions of the Government based on political negotiation.



### 7.3.3. Elections - Catalyst for Xenophobic Attitudes

- [88]. Elections in Romania function as a catalyst for xenophobic attitudes. One reason is because the candidates do not address anti-discrimination and inclusion positively in their campaigns but rather use populist messages for nationalist groups. For example, before the EP 2009 elections, the most widely read quality daily newspaper, started an anti-Roma, highly populist media campaign, with the proposal to change the name Roma to Gypsy so as to no longer be confused with Romanian outside the borders.<sup>109</sup> Negative stories about the Roma were also encountered in another newspaper's frequent articles about the Romanians outside the borders, and thus reinforcing the stereotype according to which it is because of the Roma that Romanians have a bad image in the EU.<sup>110</sup> Although violent attacks against the Roma took place at the end of May (as reported in Chapter 2), with the situation still not having been solved, and many Roma living as displaced persons, the Romanian newspapers did not cover the topic.
- [89]. Another issue which appeared during the EP elections campaign and continued onwards as Romania has entered the Presidential election campaign, is that of autonomy for minorities, and minority rights. This topic is connected to the requests from the Hungarian minority to be granted cultural autonomy and also to a Government Emergency Ordinance which politicizes a series of public offices, thus directly affecting the Hungarian minority which is concentrated in a specific region of the country. Romanian politicians play on old grudges of Romanians against revisionist claims of Hungarians, grudges highly cultivated during communism.<sup>111</sup>

## 7.4. Trends and good practices

- [90]. The persistence of xenophobic attitudes and prejudice against certain minorities within Romanian society, including in the media, is still reported as a trend. Particularly worrying is the continued unacceptable prevalence of the negative and stereotyped image of the Roma minority in the rest of the society, as reported by the latest public opinion surveys.<sup>112</sup> An exemplary incident is the public booing at Madonna's concert in Bucharest when she made an appeal to non-discrimination of the Roma and homosexuals. The part where she spoke of homosexuals did not make the object of public debates as much as the Roma part did. Politicians considered that Romania does not have discriminatory practices against the Roma<sup>113</sup>, while many television shows on the topic had extreme right-wing xenophobic and racist guests at the table.<sup>114</sup>

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109 The newspaper is Jurnalul Național. For more information, see Rapid Response Report "Human rights issues and debates during the 2009 EU parliament election campaign".

110 The newspaper is Adevărul. For more information, see Rapid Response Report "Human rights issues and debates during the 2009 EU parliament election campaign".

111 For more information, see Rapid Response Report "Human rights issues and debates during the 2009 EU parliament election campaign".

112 See UN Committee on the Elimination of Racial Discrimination, Concluding observations of the Committee on the Elimination of Racial Discrimination: Romania. 12/04/2001, CERD/C/304/Add.85, ¶¶ 10-11. See also INSOMAR, Fenomenul discriminării în România - percepții și atitudini [The phenomenon of discrimination in Romania – perceptions and attitudes], August 2009.

113 See for example the Press release of the Center for Legal Resources condemning the reaction of the Romanian President available in English at: <http://www.crj.ro/Uploads/CRJAdmin/Press%20Release%20-%20Reactions%20to%20Madona%27s%20appeal.pdf> (30.09.2009)

114 See for example the show Q&A, by Alessandra Stoicescu, at Antena3 television station on 29.08.2009 starting with 8 p.m., available at <http://85.9.12.243/a3/watch3.php?year=2009&month=8&day=29&show=qa> (30.09.2009), where Mr. Corneliu Vadim Tudor, famous extreme right wing politician, today MEP, was one of the guests condemning Madonna's gesture in specific derogatory language.

- [91]. The efforts for facilitating access to mother-tongue education for members of national minorities and the legislative measures to increase the number of persons belonging to national minorities who are members of the organs of the Legislature and the Executive, and also of local administrative bodies have been welcomed by international monitoring bodies.<sup>115</sup> A good practice is the use of mother-tongue before the local public administration (see above).

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<sup>115</sup> See UN Committee on the Elimination of Racial Discrimination, Concluding observations of the Committee on the Elimination of Racial Discrimination: Romania. 12/04/2001, CERD/C/304/Add.85, ¶¶ 6-7.

## Annex 1 – Statistical Data and Tables – education

**Annex 1.1.1.** Please complete the table below

	2008	2009
<b>Complaints regarding ethnic discrimination received by Equality Body</b>	13	2
<b>Number of ethnic discrimination established by Equality Body</b>	1	1
<b>Follow up activities of Equality Body, once discrimination was established (please disaggregate according to type of follow up activity: settlement, warning issued, opinion issued, sanction issued etc.)</b>	1 warning	1 warning
<b>Number of sanctions and/or compensation payment in ethnic discrimination cases (please disaggregate between court, equality body, other authorities or tribunals etc.) in your country for the thematic areas of Employment, Housing, Healthcare, Education etc. (if possible, disaggregated by gender and age).</b>	1 administrative warning issued by NCCD	1 administrative warning issued by NCCD
<b>Range of sanctions and/or compensation in your country (please disaggregate according to type of sanction/compensation)</b>	Administrative warning carries no financial penalties.	Administrative warning carries no financial penalties.

## Annex 1.1.2. Petitions and decisions on grounds of ethnicity in 2008 and 2009 with the NCCD

Source: Consiliul National pentru Combaterea Discriminării, response to request of information filed under FOIA, from September 25th, 2009 on file with RAXEN National Focal Point.

File no	Grounds	Area			Findings	Plaintiff
2008						
326	6127/23.04.2008	Ethnicity	Access to employment/work relations	830/02.12.2008	no evidence	G.M.
416	7534/28.05.2008	Ethnicity	Access to employment/work relations			I.N.
471	8567/17.06.2008	Ethnicity	Access to employment/work relations	579/13.11.2008	petition withdrawn	M.C.
484	8854/24.06.2008	Ethnicity	Access to employment/work relations	268/28.04.2009	discrimination	R.G.
496	9098/01.07.2008	Ethnicity	Access to employment/work relations	533/15.10.2008	no discrimiantion	B.S.
666	12364/24.09.2008	Ethnicity	Access to employment/work relations			A.M.R.

214	3964/10.03.2008	Ethnicity	Access to housing	38/15.01.2009	filed, lateness	T.J.
456	8437/13.06.2008	Ethnicity	Access to housing	591/15.10.2008	no discrimination	V.C.

30	1386/17.01.2008	Ethnicity	Access to health services	873/15.10.2008	no discrimination	R.C.
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234	4334/18.03.2008	Ethnicity	Access to education	705/04.12.2008	filed, no identification data	G.I.
377	6748/12.05.2008	Ethnicity	Access to education	172/19.03.2009	no discrimination	C.M.
520	9432/09.07.2008	Ethnicity	Access to education	537/15.10.2008	no discrimination	C.D.
714	13348/20.10.2008	Ethnicity	Access to education	71/03.02.2009	no discrimination	S.G.

### 2009

145	3399/25.03.2009	Ethnicity	Access to employment/work relations			P.P.R.P.
187	4506/29.04.2009	Ethnicity	Access to employment/work relations	393/02.07.2009	1- discrimination, warning; 2-no discrimination;3- lateness	M.S.

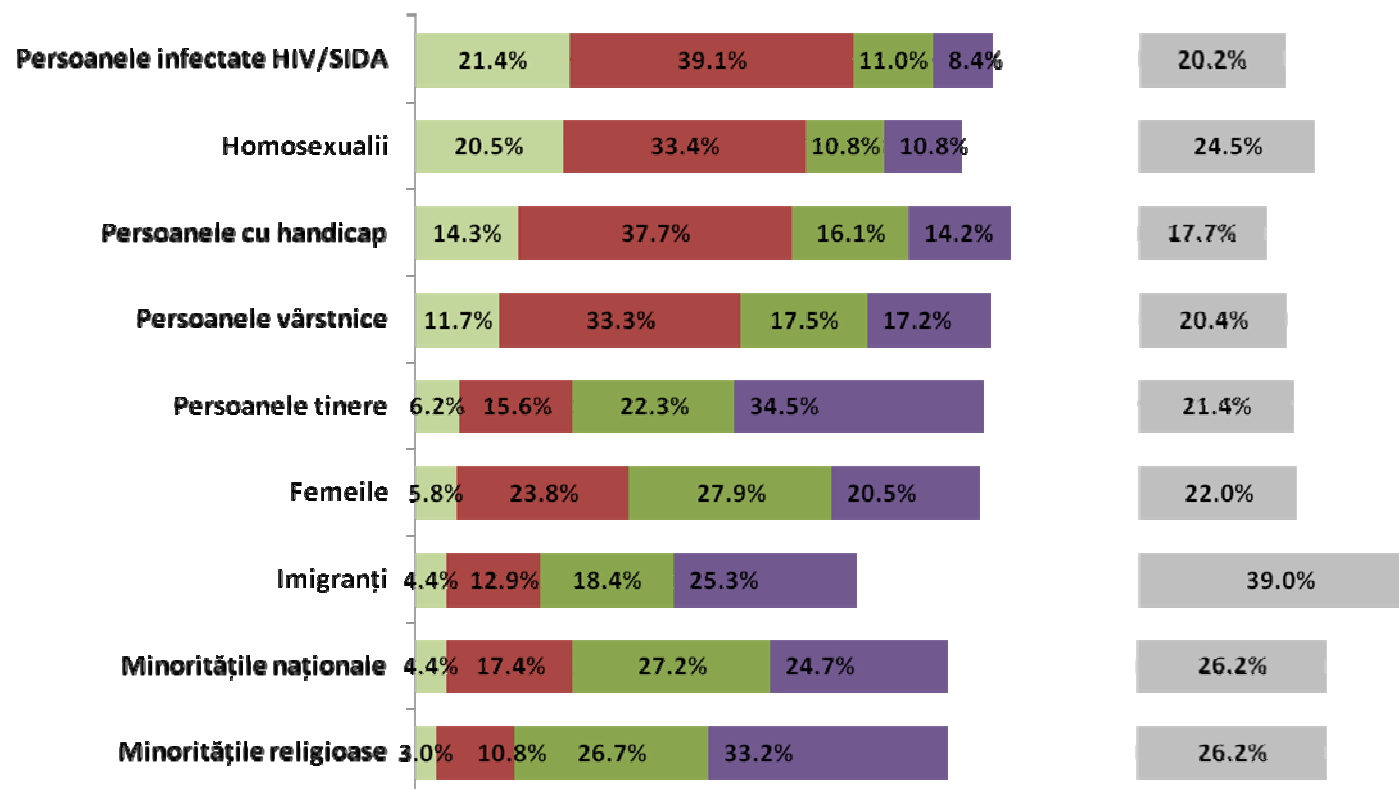
## Annex 1.1.3.

Source: CNCD, INSOMAR, Fenomenul discriminării în România- percepții și atitudini, September 2009, available at [www.cncd.org.ro](http://www.cncd.org.ro) (23.09.2009).

### a. How discriminated are in the society the following groups:

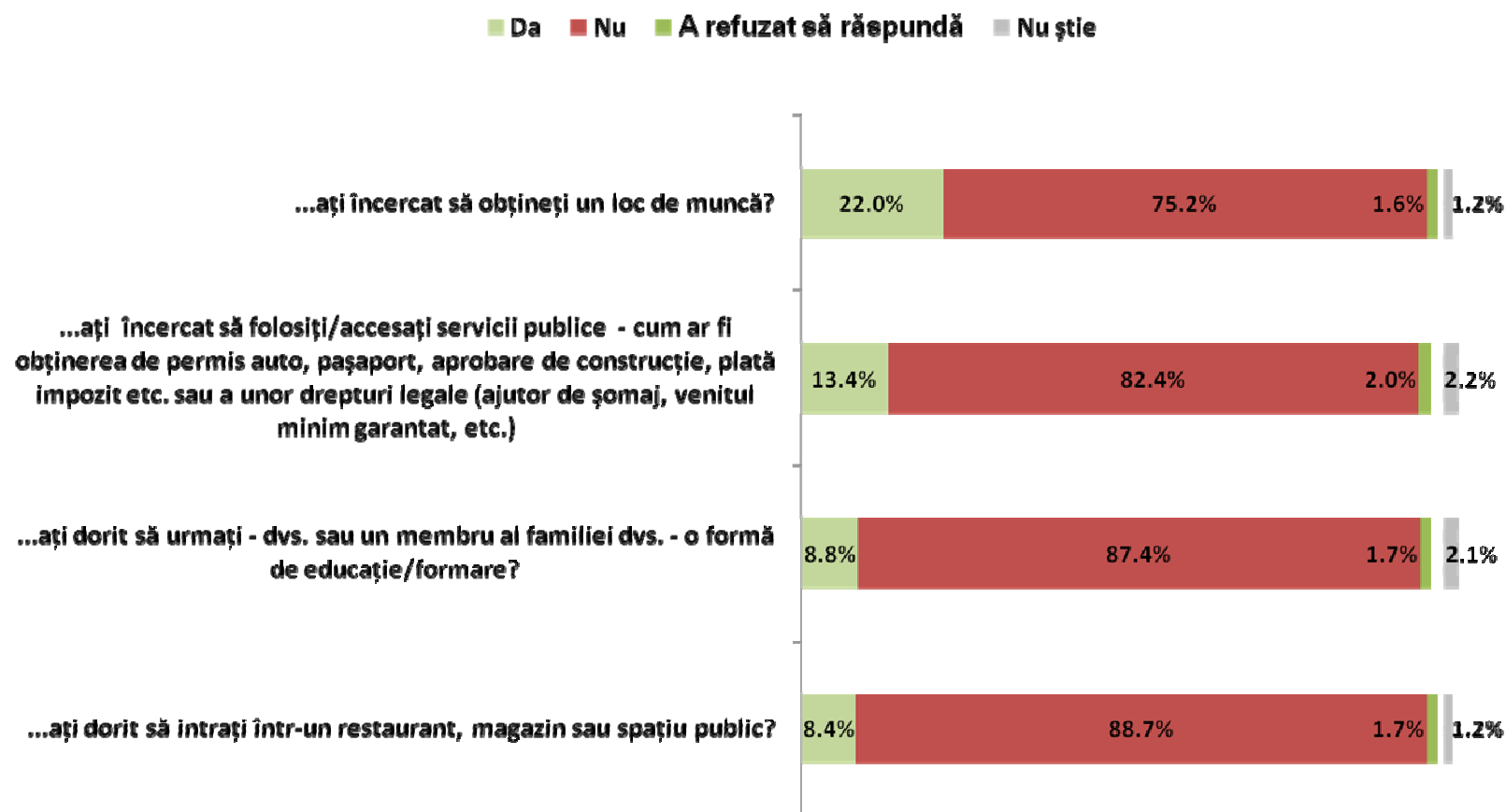
1. persons living with HIV/AIDS, 2. LGBT, 3. Persons with disabilities, 4. Older persons, 5. Younger persons, 6. Women, 7. Immigrants, 8. National Minorities, 9. Religious minorities

■ Foarte discriminate   
 ■ Destul de discriminate   
 ■ Destul de puțin discriminate   
 ■ Deloc discriminate   
 ■ NS/NR



**b. You personally felt discriminated against when:**

1. you tried to get employed, 2. you tried to use /access public services, 3. in access to education, 4. tried to enter a restaurant, shop etc.



## Annex 1.3.1.

Source: Barometrul interetnic 2009 – Romii și majoritarii (Inter-ethnic Barometer 2009: Roma and the Majority, research conducted by IMAS. Press release announcing all documents produced within the survey available at [http://www.sgg.ro/index.php?implementare\\_program](http://www.sgg.ro/index.php?implementare_program) (17.09.2009).

### a. Importance of ethnicity in finding a job for Romanians, Hungarians, Roma (frequency and percentage) as defined by Roma respondents:

1. Advantaged, 2. Disadvantaged, 3. Ethnicity doesn't matter, 4. Not relevant, 5. I don't know, 6. Total

*Importanța etniei în ocuparea unui loc de muncă în cazul ...*

*Baza: 608 (total eșantion)*

	Românilor		Maghiarilor		Romilor	
	Frecv.	%	Frecv.	%	Frecv.	%
Avantajați	398	65.1	157	25.8	9	1.5
Dezavantajați	5	0.8	41	6.7	409	67.3
Nu contează naționalitatea / etnia	173	28.5	151	24.8	159	26.2
Nu e cazul	22	3.6	148	24.3	21	3.5
NS/NR	12	2.0	111	18.3	10	1.6
<b>TOTAL</b>	<b>608</b>	<b>100.0</b>	<b>608</b>	<b>100.0</b>	<b>608</b>	<b>100.0</b>



**b. Importance of ethnicity in finding a job for Romanians, Hungarians, Roma (frequency and percentage) as defined by non-Roma respondents:**

1. Advantaged, 2. Disadvantaged, 3. Ethnicity doesn't matter, 4. Not relevant, 5. I don't know, 6. Total

*Importanța etniei în ocuparea unui loc de muncă în cazul ...*

*Baza: 820 (total eșantion)*

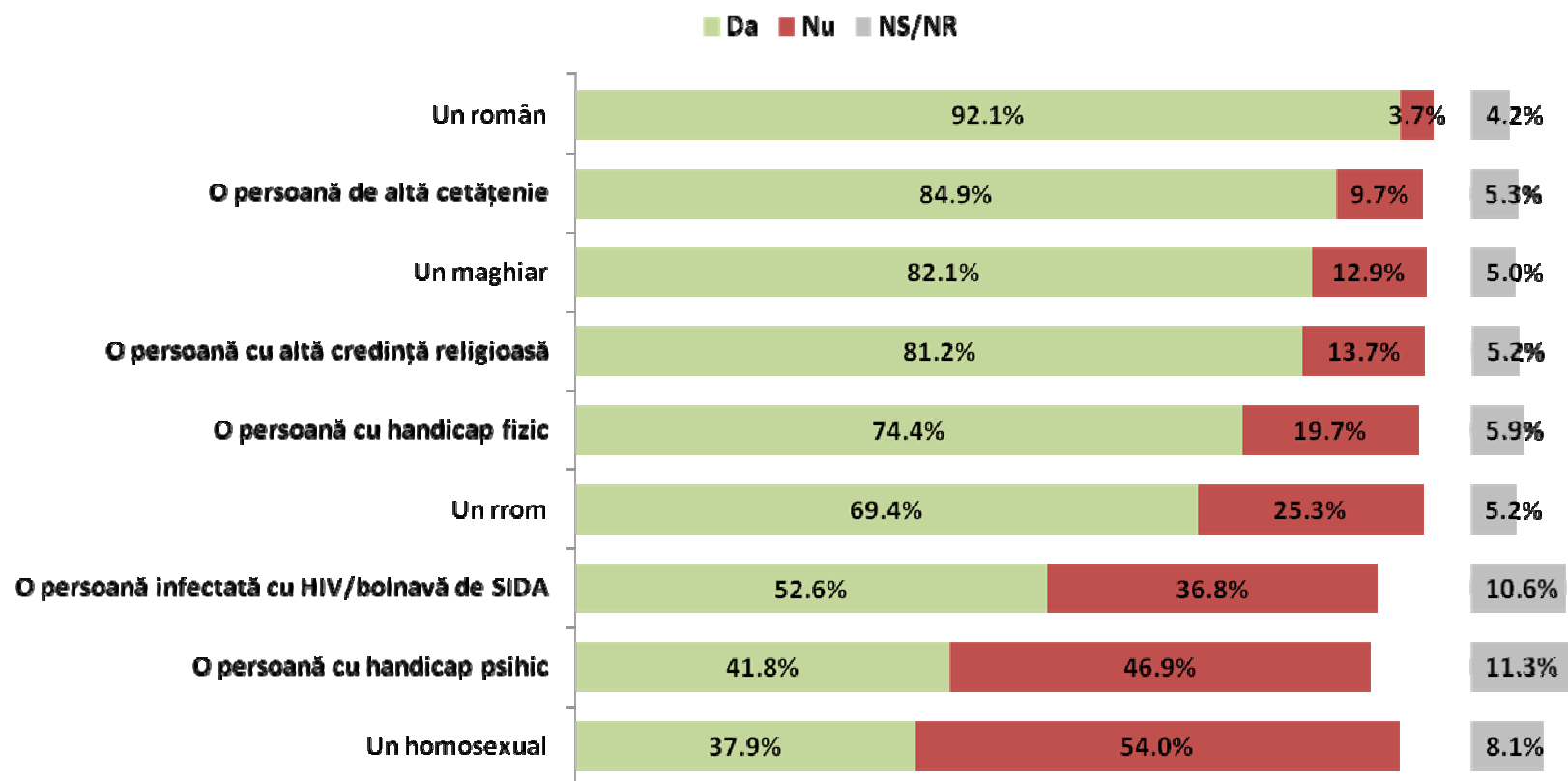
	Românilor		Maghiarilor		Romilor	
	Frecv.	%	Frecv.	%	Frecv.	%
Avantajati	234	28.5	64	7.8	21	2.6
Dezavantajați	13	1.6	59	7.2	258	31.5
Nu contează naționalitatea / etnia	487	59.4	444	54.1	430	52.4
Nu e cazul	54	6.6	175	21.3	55	6.7
NS/NR	32	3.9	78	9.5	58	6.8
<b>TOTAL</b>	<b>820</b>	<b>100.0</b>	<b>820</b>	<b>100.0</b>	<b>820</b>	<b>100.0</b>

## Annex 1.3.2.

Source: CNCD, INSOMAR, Fenomenul discriminării în România- percepții și atitudini, September 2009, available at [www.cncd.org.ro](http://www.cncd.org.ro) (23.09.2009)

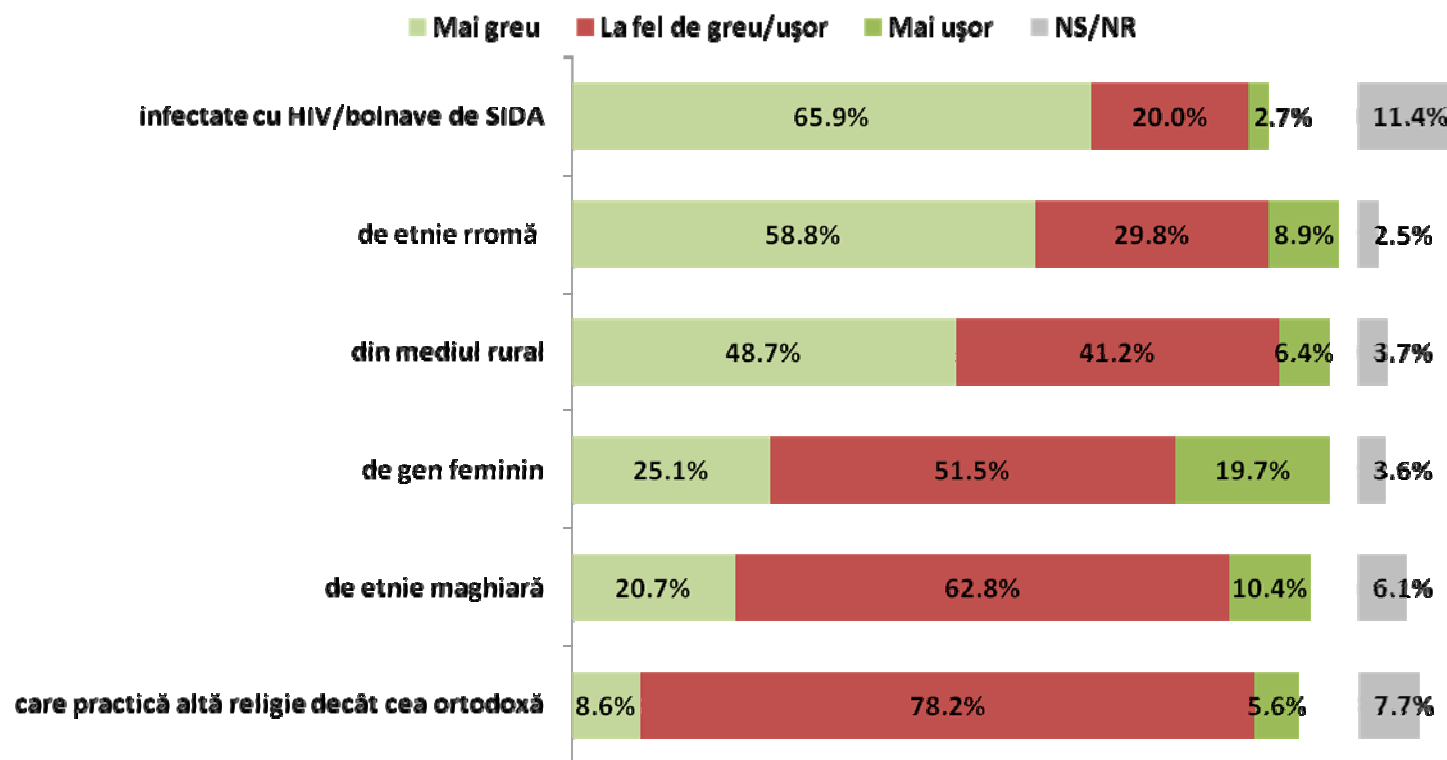
### **a. Would you agree to have as colleague at work:**

1. a Romanian, 2. a person of a different citizenship, 3. a Hungarian, 4. a person of a different religion, 5. a person with a physical disability, 6. a Roma, 7. a person living with HIV/AIDS, 8. a person with a mental disability, 9. a homosexual



**b. Do you consider that having the same professional formation/ background it would be easier/ more difficult/ just as easy or as difficult for the following groups to be employed and get promoted:**

1. persons living with HIV/AIDS, 2. Roma, 3. from rural areas, 4. women, 5. Hungarian, 6. of another religion than Orthodox



## Annex 1.5.1. – Health care

The importance of ethnicity in accessing medical services in the case of Romanians, Hungarians and the Roma, on a 608 sample along the variables: Advantaged, Disadvantaged, Nationality/Ethnicity does not matter, This is not the case, DN/ NA(Don't know/No answer) TOTAL from IMAS for OLDK (2009), *Barometer of interethnic relations May-June 2009*, Bucharest, p. 11

### **Importanța etniei pentru accesul la servicii medicale în cazul ...**

*Baza: 608 (total eșantion)*

	Românilor		Maghiarilor		Romilor	
	Frecv.	%	Frecv.	%	Frecv.	%
Avantajați	235	38.7	96	15.8	23	3.8
Dezavantajați	6	1.0	20	3.3	218	35.9
Nu contează naționalitatea / etnia	339	55.8	270	44.4	338	55.6
Nu e cazul	24	3.9	142	23.4	25	4.1
NS/NR	4	0.7	80	13.2	4	0.7
<b>TOTAL</b>	<b>608</b>	<b>100.0</b>	<b>608</b>	<b>100.0</b>	<b>608</b>	<b>100.0</b>

## Annex 1.6.1. - Education

	2008	2009
Complaints regarding ethnic discrimination received by Equality Body	18	Not available
Number of ethnic discrimination established by Equality Body	0	Not available

<b>Follow up activities of Equality Body, once discrimination was established (please disaggregate according to type of follow up activity: settlement, warning issued, opinion issued, sanction issued etc.)</b>	Not applicable	Not available
<b>Number of sanctions and/or compensation payment in ethnic discrimination cases (please disaggregate between court, equality body, other authorities or tribunals etc.) in your country for the thematic areas of Employment, Housing, Healthcare, Education etc. (if possible, disaggregated by gender and age).</b>	Not applicable	Not available
<b>Range of sanctions and/or compensation in your country (please disaggregate according to type of sanction/compensation)</b>	Not applicable	Not available

## Distribution of cases of segregation by counties<sup>116</sup>

County	Total no. schools	Integrated schools	Segregated schools	Segregated classes in mixed schools	High risk of segregation by classes	Lack of data about segregation by classes
Alba	7	3	0	3	1	0
Botosani	2	1	0	0	1	0
Brasov	12	0	10	1	0	1
Bucuresti	8	4	0	2	1	1
Dolj	15	2	5	7	0	1
Galati	12	2	6	3	1	0
Hunedoara	15	2	2	3	1	7
Iasi	23	9	7	7	0	0
Neamt	9	0	3	6	0	0
Salaş	31	6	10	15	0	0
TOTAL	134	29	43	47	5	10

<sup>116</sup> From Monitorizarea aplicării măsurilor împotriva segregării şcolare în România [Monitoring the application of measures against school segregation in Romania], prepared by Laura Surdu for Romani CRISS, published in the newsletter Romania/ Învăţământul pentru romi, no. 33 of 16 January 2009 on sarau\_rromi@yahoo.com



## Annex 2 – Positive initiatives

<b>Area<sup>117</sup>:</b>	All areas- Employment, Education, Housing, Health and social care, Services and Goods, and Participation of minorities in public life.
<b>Title (original language)</b>	CNCD, INSOMAR, Fenomenul discriminării în România- percepții și atitudini, September 2009,
<b>Title (EN)</b>	Phenomenon of Discrimination in Romania- Perceptions and Attitudes.
<b>Organisation (original language)</b>	Consiliul National pentru Combaterea Discriminarii
<b>Organisation (EN)</b>	National Council on Combating Discrimination
<b>Government / Civil society</b>	Government
<b>Internet link</b>	available at <a href="http://www.cncd.org.ro">www.cncd.org.ro</a> (23.09.2009).
<b>Type of initiative<sup>118</sup></b>	<ul style="list-style-type: none"> <li>• <b>awareness raising</b></li> </ul>
<b>Main target group<sup>119</sup></b>	<ul style="list-style-type: none"> <li>• <b>general public</b></li> <li>• <b>public authorities</b></li> </ul>
<b>Brief description (max. 1000 chars)<sup>120</sup></b>	continuation of an initiative of the NCCD of contracting annually a comprehensive survey of practices and attitudes in relation to discrimination. The continuation of this survey allows a clear analysis of the trends and methods and areas of intervention for future policies.

<sup>117</sup> Please indicate: Employment, Education, Housing, Health and social care, Services and Goods, and Participation of minorities in public life.

<sup>118</sup> Please select one or more from the list of categories below

<sup>119</sup> Please select one or more from the list of target groups below

<sup>120</sup> Please indicate here whether the initiative is a governmental or non-governmental action.

<b>Area<sup>121</sup>:</b>	Media Education
<b>Title (original language)</b>	Ura virtuala vs. responsabilitate reala- Cod etic online
<b>Title (EN)</b>	Virtual hate vs. real responsibility -= Ethic code online
<b>Organisation (original language)</b>	Agentia de Monitorizare a Presei, SPER
<b>Organisation (EN)</b>	Active Watch: Media Monitoring Agency, SPER – Stop Biases regarding Roma Ethnicity
<b>Government / Civil society</b>	Government/Civil society
<b>Internet link</b>	<a href="http://www.sper.org.ro/blog">www.sper.org.ro/blog</a>
<b>Type of initiative<sup>122</sup></b>	<ul style="list-style-type: none"> <li>• <b>awareness raising</b></li> </ul>
<b>Main target group<sup>123</sup></b>	<ul style="list-style-type: none"> <li>• general public</li> <li>• bloggers</li> </ul>
<b>Brief description (max. 1000 chars)<sup>124</sup></b>	The project entailed a debate and a draft code regulating online reporting regarding vulnerable groups.

<sup>121</sup> Please indicate: Employment, Education, Housing, Health and social care, Services and Goods, and Participation of minorities in public life.

<sup>122</sup> Please select one or more from the list of categories below

<sup>123</sup> Please select one or more from the list of target groups below

<sup>124</sup> Please indicate here whether the initiative is a governmental or non-governmental action.

<b>Area</b> <sup>125</sup> :	Housing
<b>Title (original language)</b>	O casa, un viitor
<b>Title (EN)</b>	A house, a future
<b>Organisation (original language)</b>	Fundatia Soros Romania si Habitat for Humanity Romania
<b>Organisation (EN)</b>	Soros Foundation Romania and Habitat for Humanity Romania
<b>Government / Civil society</b>	Civil society
<b>Internet link</b>	<a href="http://www.soros.ro/ro/program_articol.php?articol=160#">http://www.soros.ro/ro/program_articol.php?articol=160#</a>
<b>Type of initiative</b> <sup>126</sup>	Community cohesion – social integration
<b>Main target group</b> <sup>127</sup>	48 Roma families from the communities Baltesti (Prahova county) and Vanatori (Neamt county)

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125 Please indicate: Employment, Education, Housing, Health and social care, Services and Goods, and Participation of minorities in public life.

126 Please select one or more from the list of categories below

127 Please select one or more from the list of target groups below

<b>Brief description (max. 1000 chars)</b> <sup>128</sup>	<p>The project is part of the Soros Foundation Integrated Community Development Programme and lasts for three years. The families will build their own houses in teams with local and international volunteers and 30 adults will also get a qualification in constructions following the project. The houses are simple but decent using the Habitat method, and the beneficiaries will pay around 50-100 LEI/month (aprox. 12- 24 EUR) over 20 years to become owners, but they will become owners right after the houses are finished, if the land is theirs. There is also an intention for the model to be taken over by the local authorities.</p> <p>In Baltesti and Vanatori the Roma live in very poor conditions, sometimes three or four families in a single dwelling made of clay, ready to collapse at any moment, without electricity or running water. The harsh living conditions cause health problems to the children and parents while the lack of education contributes to a life on the margins of society, in poverty. The main income of the Roma comes from the social aid or from the child allowances, plus the income coming from copper work (Baltesti) and selling old iron (Vanatori).<sup>129</sup></p>
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<b>Area</b> <sup>130</sup> :	Health Care
<b>Title (original language)</b>	„Leadership Roma in sanatate: O generatie de profesionisti in domeniul sanatatii”
<b>Title (EN)</b>	“Roma Leadership in Health: A Generation of Health Professionals”
<b>Organisation (original language)</b>	Institutul pentru o Societate Deschisa, Sastipen, Agentia de Monitorizare a Presei,

<sup>128</sup> Please indicate here whether the initiative is a governmental or non-governmental action.

<sup>129</sup> For background information of the initiative please see Center for Legal Resources, Delia-Luiza Nita, FRA Thematic Study: Housing Conditions for Roma and Travelers, Romania

<sup>130</sup> Please indicate: Employment, Education, Housing, Health and social care, Services and Goods, and Participation of minorities in public life.

	Centrul de Resurse pentru Comunitatile de Romi, Ministerul Sanatatii, Ministerul Educatiei, Agentia nationala pentru Romi
<b>Organisation (EN)</b>	Open Society Institute, Media Monitoring Agency, Resource Center for Roma Communities, Ministry of Public Health, Ministry of Education, Research and Youth and National Agency for Roma
<b>Government / Civil society</b>	Civil society and Government
<b>Internet link</b>	<a href="http://www.soros.org/initiatives/health/focus/roma/news/roma_20081215">http://www.soros.org/initiatives/health/focus/roma/news/roma_20081215</a> (30.09.2009)
<b>Type of initiative</b> <sup>131</sup>	training, education; awareness raising; support, advice to minorities; media; grants
<b>Main target group</b> <sup>132</sup>	Roma students in medicine
<b>Brief description (max. 1000 chars)</b> <sup>133</sup>	This is not a new initiative, but it develops new components every year. Under the auspices of Open Society Institute, a programme of scholarships for Roma students in medicine and pharmacology was launched. The programme is called: "Roma Leadership in Health: A Generation of Health Professionals". The idea behind it is to tear down the barriers of discrimination and limited resources which prevent access to health care for the Roma. 35 Roma students received tuition scholarships. The selection of candidates was based on their academic merits and professional motivation as well as on their leadership skills. In addition to paying tuition fees, the "Roma Leadership in Health" scholarship program provided the selected students with supplementary support in areas such as foreign language tutoring and participation in professional conferences. A Tutoring and Mentoring Program was offered throughout the academic year in cooperation with the

<sup>131</sup> Please select one or more from the list of categories below

<sup>132</sup> Please select one or more from the list of target groups below

<sup>133</sup> Please indicate here whether the initiative is a governmental or non-governmental action.

	Romanian Association of Resident Physicians. The Media Monitoring Agency covers the media part of the Programme Before receiving their scholarships, the candidates participated in an advocacy training delivered by NGO Sastipen, coordinated by OSI. The first advocacy training, organized in September 2008 was designed to foster the students' personal, communication and advocacy skills and enable them to raise awareness of the right of Roma to health care services. The programme continued in 2009 when other NGOs joined, and an application for EU structural funds was advanced.
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<b>Area<sup>134</sup>:</b>	Education
<b>Title (original language)</b>	Diversitatea – o șansă în plus pentru viitor
<b>Title (EN)</b>	Diversity – an additional chance for the future
<b>Organisation (original language)</b>	Centrul Regional PER pentru Europa Centrală, de Est și de Sud-Est și cu Asociația “Divers”, Ministerul Educației, Cercetării și Inovării
<b>Organisation (EN)</b>	PER Regional Center for Central and Southeastern Europe, “Divers” Association, Ministry of Education, Research and Innovation
<b>Government / Civil society</b>	Civil society in partnership with Government
<b>Internet link</b>	<a href="http://www.per.org.ro/?page_id=6">http://www.per.org.ro/?page_id=6</a>

<sup>134</sup> Please indicate: Employment, Education, Housing, Health and social care, Services and Goods, and Participation of minorities in public life.

<b>Type of initiative</b> <sup>135</sup>	Intercultural dialog; training, education; cultural activity;
<b>Main target group</b> <sup>136</sup>	students
<b>Brief description (max. 1000 chars)</b> <sup>137</sup>	This event was initiated by a non-governmental organization, and is currently organized in partnership with the Ministry of Education, Research and Innovation. It is at its third edition, involving thousands of students from all counties, and school inspectorates in preparing students organized in multiethnic groups to compete with peers in knowledge about ethnic groups in Romania (quiz) and promotion of intercultural learning (cultural production). The main criterion for judging the value of the cultural production is the extent to which it reflects an intercultural dimension. The teams of students receive a variety of awards and prizes. There are three stages of the competition: county, regional and national levels. The jury of the national edition comprises representatives of PER, the Department for Interethnic Relations, the Ministry of Education, Research and Innovation, the Ministry of Culture and Cults and Divers Association.

<b>Area</b> <sup>138</sup> :	Education
<b>Title (original language)</b>	Istoria minorităților nationale din România

<sup>135</sup> Please select one or more from the list of categories below

<sup>136</sup> Please select one or more from the list of target groups below

<sup>137</sup> Please indicate here whether the initiative is a governmental or non-governmental action.

<sup>138</sup> Please indicate: Employment, Education, Housing, Health and social care, Services and Goods, and Participation of minorities in public life.

<b>Title (EN)</b>	Introduction to the History of National Minorities from Romania
<b>Organisation (original language)</b>	Centrul Regional PER pentru Europa Centrală, de Est și de Sud-Est, Ministerul Educației, Cercetării și Inovării
<b>Organisation (EN)</b>	PER Regional Center for Central and Southeastern Europe, Ministry of Education, Research and Innovation
<b>Government / Civil society</b>	Civil society in partnership with Government
<b>Internet link</b>	<a href="http://www.per.org.ro/english/?p=37#more-37">http://www.per.org.ro/english/?p=37#more-37</a>
<b>Type of initiative</b> <sup>139</sup>	training, education; awareness raising
<b>Main target group</b> <sup>140</sup>	teachers
<b>Brief description (max. 1000 chars)</b> <sup>141</sup>	This project involved the preparation of a valuable resource for history teachers including a book and a DVD (published in 2009) presenting sources and recommended methodology for teaching the history of national minorities in Romania either as an elective course, or as part of the national history curriculum. The publication includes chapters on: the origin and settlement of the minority group on the current territory of Romania; elements of national identity; the history of each group and its evolution in relation with other communities; each group's contribution to the culture of the space they have inhabited; mutual

<sup>139</sup> Please select one or more from the list of categories below

<sup>140</sup> Please select one or more from the list of target groups below

<sup>141</sup> Please indicate here whether the initiative is a governmental or non-governmental action.



	perceptions of various groups, as well as self-perception.
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Area <sup>142</sup> :	Participation of minorities in public life
Title (original language)	Calendarul intercultural
Title (EN)	Intercultural Calendar
Organisation (original language)	Institutul Intercultural Timișoara
Organisation (EN)	Intercultural Institute Timișoara
Government / Civil society	Civil society supported by the Government
Internet link	<a href="http://www.calendarintercultural.ro/">http://www.calendarintercultural.ro/</a>
Type of initiative <sup>143</sup>	training, education awareness raising cultural activity community cohesion – social integration intercultural dialogue
Main target group <sup>144</sup>	general public

142 Please indicate: Racist Violence, Employment, Education, Housing, Health and social care, Services and Goods.

143 Please select one or more from the list of categories below

Brief description (max. 1000 chars) <sup>145</sup>	The general aim of the project is to answer the need of reciprocal awareness among various ethnic minorities in Romania. The website offers information regarding all relevant days for each of the 20 national minorities recognized in Romania. The information is relevant for the minority cultures, religions, history etc. The project has been implemented with the financial support of the Department for Interethnic Relations.
Area <sup>146</sup> :	Participation of minorities in public life
Title (original language)	Aplicarea legislatiei cu privire la drepturile minoritatilor nationale in Romania - Drepturi lingvistice în administratia publica locala
Title (EN)	The application of the legislation regarding the rights of the national minorities in Romania – The right to use the mother-tongue before the local administration
Organisation (original language)	Departamentul pentru Relații Interetnice și Centrul de Cercetare a Relațiilor Interetnice
Organisation (EN)	The Department for Interethnic Relations and the Center for the Study of Interethnic Relations
Government / Civil society	Civil society supported by the Government
Internet link	<a href="http://www.dri.gov.ro/cd-2006/frontpage/introductere.htm">http://www.dri.gov.ro/cd-2006/frontpage/introductere.htm</a>
Type of initiative <sup>147</sup>	awareness raising encouraging political participation
Main target group <sup>148</sup>	general public

<sup>144</sup> Please select one or more from the list of target groups below

<sup>145</sup> Please indicate here whether the initiative is a governmental or non-governmental action.

<sup>146</sup> Please indicate: Racist Violence, Employment, Education, Housing, Health and social care, Services and Goods.

<sup>147</sup> Please select one or more from the list of categories below

	ethnic minorities public authorities
Brief description (max. 1000 chars) <sup>149</sup>	The research is a substantive analysis of the efficiency of the public policies in the field of using the mother-tongue of the national minorities in Romania. The analysis is done at two levels: the degree of implementation of the legal provisions and the degree of fulfilment of the political project – how the relations, phenomena (economic, social, cultural, related to identity, etc) have changed in the direction aimed by the political stakeholders.

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148 Please select one or more from the list of target groups below

149 Please indicate here whether the initiative is a governmental or non-governmental action.