



**ADVISORY COMMITTEE ON THE  
FRAMEWORK CONVENTION FOR THE  
PROTECTION OF NATIONAL MINORITIES**



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## **Fifth Report submitted by Romania**

**Pursuant to Article 25, paragraph 2 of the Framework  
Convention for the Protection of National Minorities –  
received on 8 November 2019**

## **THE FIFTH NATIONAL REPORT**

submitted by Romania pursuant to Article 25, paragraph 2f the Framework Convention for the Protection of National Minorities

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#### **I. Introduction**

**a.** Romania was the first state to ratify the Framework Convention for the Protection of National Minorities in April 1995, shortly after the adoption of this Multilateral Legal Instrument at the Council of Europe level (Strasbourg, February 1995). Since then, notable progress has been made both in terms of familiarizing the political and social environment with European concepts and norms, and in the effective implementation of these standards. Between 1995 and 2018, Romania has accumulated a rich experience with the implementation of the Framework Convention, with the direct participation and contribution of representatives of national minorities.

In 2008, when a decade after the entry into force of the Framework Convention was marked at the level of the member states of the Council of Europe, it was found that in a relatively short period this document had become the most important European legal instrument in the area of rights of persons belonging to national minorities. The number of states that have ratified the convention has increased year on year. The data and experience gained from the comprehensive monitoring process of the States Parties, a process set up by Articles 24 to 26 of the Framework Convention, currently allows us to speak of this document as one of the most dynamic and pragmatic legal instruments of the Council of Europe. Romania has the satisfaction of being actively involved in this process, demonstrating its active commitment to the principles of the Framework Convention.

This commitment was reflected in the important legislative measures and financial allocations in favor of persons belonging to national minorities living in Romania. The measures and commitments assumed by the Romanian authorities dedicated to persons belonging to national minorities were noted and underlined by the Advisory Committee of the Framework Convention in each of its opinions on Romania. In all of these opinions, from one monitoring cycle to another, it is stipulated that progress has been made in protecting and promoting the rights of persons

belonging to national minorities living in Romania. It can certainly be stated that the situation of the rights of persons belonging to national minorities has improved substantially, from one monitoring cycle to another, and Romania can be considered as an example of good European practices.

From the very beginning, the Romanian Government stresses that the approach of the Framework Convention on the rights of persons belonging to national minorities enshrines their individual character, together with the importance of the intercultural dimension of societies, a key element in building an inclusive and tolerant society.

The precondition of any policies in favor of persons belonging to national minorities is based on respect for diversity and intercultural dialogue, which is in fact the foundation of any modern society that creates the conditions for the expression, preservation and development of distinct identities. Romania has understood that diversity is an essential value of democracy, creating the appropriate framework for the manifestation and promotion of linguistic, cultural, religious, ethnic diversity, and at the same time encouraging persons belonging to national minorities to become active members of Romanian society as a whole.

Based on the solid principles of the Framework Convention and the internal legislative framework, Romania has succeeded in defining its own model for the protection of the rights of persons belonging to national minorities for all 20 historical minorities, which must be assessed on its own merits. This system, which preserves the cultural, linguistic, religious, and ethnic identity of persons belonging to national minorities, has been built with and for the benefit of persons belonging to national minorities, but also for the benefit of the Romanian society as a whole, for which cultural diversity and interculturality are an inestimable resource.

The structural dialogue between the majority and minorities, the effective participation of the persons belonging to the national minorities to the political and social-economic life of the country, the encouragement of mutual knowledge, were the essential elements of the Romanian state's policies in the field of national minorities. The tangible result is that the rights of persons belonging to national minorities are perceived as undeniable at the level of society as a whole.

The whole political philosophy of the modern Romanian state was built around the idea of dialogue and consolidation of consensus on policies for persons belonging to national minorities, fact reflected by the harmonious integration by Romania of the specific objectives regarding the protection and promotion of the identity elements of persons belonging to national minorities in the public policies developed for the benefit of all its citizens during a period which, at international level, was dominated by socio-economic seizures and recrudescence of intolerance and xenophobia. The Government of Romania strongly and categorically emphasizes that there are no relevant political groups or extremist, xenophobic or anti-Semitic phenomena in public space. Punctual situations are investigated and sanctioned in accordance with Romanian legislation in the field.

The interaction of the Romanian authorities with the organizations of persons belonging to the national minorities in Romania is based on the strict observance of the legislation in force and on the non-intervention of the authorities in their internal activities (internal choices, programs and

priorities). Enforcement of the law in this area is the best guarantee given by the authorities for the independence and representativeness of these organizations. Thus, organizations of persons belonging to national minorities have become a real and trustworthy partner in political, social, economic and educational fields.

The Government of Romania underlines that the submission of this document, in the absence of a Recommendation of the Committee of Ministers on the Fourth monitoring cycle, is by itself a further proof of the Romanian authorities' commitment to the fundamental principles of the Framework Convention.

The reporting period for the 5th cycle was largely covered by the material submitted in the first part of 2018, namely the Romanian Government Comments on the Fourth Opinion of the Consultative Committee. This document adds new data and facts as well as assessments by the Romanian authorities regarding the overall situation of persons belonging to national minorities in Romania, and takes into account the preliminary assessments of the FCNM experts set out in the Opinion on Romania in the 4th cycle monitoring.

In the context of the reflection process on the modification of the monitoring mechanisms at FCNM and ECRML, Romania reaffirms its firm support for the CoE dedicated instruments for the protection of the rights of persons belonging to national minorities (FCNM and ECRML) and considers that any improvement in the specific mechanisms for their application must set as a central objective the improvement of the respect for the rights of persons belonging to national minorities, including by strengthening the institutionalized political dialogue between the States Parties of these instruments and experts /secretariat.

b. On June 22, 2017, the Consultative Committee adopted its Fourth Opinion on Romania, after which it received on February 16, 2018, the comments of the Romanian Government on its behalf.

Collaboration with the Consultative Committee and the Secretariat of the Framework Convention for the Protection of National Minorities in the Council of Europe was especially occasioned by the last monitoring visit, which took place from 3 to 7 April 2017. The visit took place in Bucharest, Cluj Napoca, Suceava and Constanța.

During the visit, discussions with the leaders of the Council of National Minorities (CMN) organizations, visits to the Department for Interethnic Relations (DRI) within the Government and the Ministry of Foreign Affairs (MFA), discussions with central public authorities and parliamentary committees took place. In Suceava county the delegation met with members of the Ukrainian and Polish communities, as well as local authorities. In Constanta there were meetings with members of the Tatar, Turkish and Greek communities, but also with the local authorities. In Cluj-Napoca, members of the delegation had meetings with representatives of local public authorities, the Institute for the Study of National Minorities Issues and civil society.

It is important to underline that since 1999, when Romania submitted the first report to the Council of Europe, the monitoring system established by the Framework Convention has so far proved to be a progress instrument, a permanent process of consultation and collaboration between the

Council of Europe and the entities involved in Romania - both institutions and non-governmental organizations.

This document is in line with the recommendations of the Guideline for the national reports of Cycle no. IV adopted in April 2013 and reconfirmed in February 2018 by the Committee of Ministers. Therefore, this report drafted by the Romanian authorities, is structured as follows:

\* Part I. General information on legislative arrangements and practical measures taken in the field of protection of persons belonging to national minorities

\* Part II. Data on measures taken to resolve issues considered urgent

\* Part III. Relevant developments – article by article

### **Part I. General information on legislative arrangements and practical measures taken in the field of protection of persons belonging to national minorities**

The policy on interethnic relations has been an important and increasingly visible chapter of public life in Romania during the reference period, as evidenced by the existence of a chapter on the protection of minorities in all government programs in recent years.

The institutional forum charged with drafting, implementing and developing policies at governmental level continued to be the Department for Interethnic Relations (DRI), which - according to Government Decision no. 111/2005, through various initiatives and concrete measures, fulfilled its tasks. According to the chapter devoted to national minorities in the governmental programs corresponding to the period under review (Governance Program 2013 - 2016, Minorities Chapter 2017 - 2020), DRI continued its work in accordance with domestic legislation and international standards and standards. In its activity, DRI collaborates with public institutions that have sectoral attributions aimed at protecting people belonging to national minorities.

The interest of national minorities to be part of the political processes, both at national and local level, has been maintained. In the Romanian Senate, the UDMR parliamentary group (9 members following the elections in 2016) and at the level of Chamber of Deputies there are two distinct structures: the UDMR Parliamentary Group (21 members following the 2016 elections) and the Parliamentary Group of National Minorities (17 members in following the 2016 elections). UDMR - as an expression of the will of the electorate in Romania - is represented in the European Parliament by two MEPs.

Deputies belonging to national minorities and parliamentarians representing the Hungarian minority are organized into separate parliamentary groups that ensure their equality and relevance in relation to other political formations represented in Parliament and active involvement in parliamentary proceedings and debates. The functioning of these mechanisms in the current legislature demonstrates that the system of political representation of persons belonging to national minorities is viable and serves their fundamental interests.

Following local elections held in 2016, many representatives of organizations of persons belonging to national minorities were elected in different positions. The best results were obtained from the

formations of Hungarians, Roma, Lipovan Russians, Germans, Tatars, Bulgarians, Croats, Czechs, Slovaks, Poles, Serbs, Ukrainians and Ruthenians.

It is noteworthy that in the case of Roma and Hungarians and organizations other than those represented in Parliament and the Council of National Minorities, they succeeded in obtaining seats in local structures, which is eloquent for the possibility for minorities to participate in public life through their various organizations.

This fact contradicts- in the view of the Romanian Government, fact also highlighted by comments from the Fourth to Opinion of the Advisory Committee on the Framework Convention - the experts' statements<sup>1</sup> for organizations of national minorities in Romania and their role in all policies dedicated to national minorities.

A. Concerning practical measures taken in the protection of national minorities in the period 2015 - 2018, the most important were:

1. In order to raise awareness about the preparation of a new monitoring cycle of the Framework Convention, in March 2018, DRI submitted for consultation to organisations of persons belonging to national minorities the Fourth Opinion on Romania of the Advisory Committee, published on 16 February 2018, as well as the questionnaire on the application of the provisions of the Framework Convention for the Protection of National Minorities. On this occasion, DRI asked national minority organizations to fill in their questionnaire responses with information covering the period September 2017 - September 2018, as well as to indicate whether changes were made to those presented in the previous answer. Throughout the process of collecting these data, DRI has maintained an active and ongoing dialogue with national minority organizations involved in monitoring the Framework Convention for the Protection of National Minorities.

2. As regards the use of national minority languages in public life, the Department for Interethnic Relations started a data collection process in autumn 2017 on the application of the legal provisions on the right of citizens belonging to a national minorities to use their mother tongue in local government, in localities where the threshold of citizens belonging to a national minority exceeds 20% of the population. The questions contained in the questionnaire submitted to the local public administration bodies are formulated in the basis and structure of the provisions contained in the Government Decision no. 1206/2001 approving the Norms for the application of the provisions regarding the right of citizens belonging to a national minority to use their mother tongue in the local public administration, included in the Local Public Administration Law no. 215/2001.

The Department for Interethnic Relations is in a complex process of analyzing these questionnaires containing information and data communicated by local authorities. The result of this analysis will be the state of play about the way in which the legal provisions regarding the use of the mother tongue in relation to public institutions are implemented. The results of this analysis will be discussed with the competent authorities in order to tackle the issues identified as problematic.

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<sup>1</sup> The almost monopolistic position of national minority organisations participating in the work of the Council of National Minorities as regards access to funding, affects negatively the possibility of developing pluralism within each national minority community." Fourth Opinion, page 2.

3. The Government of Romania continued to provide financial support from the State budget to all organizations represented in the Council of National Minorities and Parliament (18 organizations representing 19 national minorities). The general budgets of organizations of persons belonging to national minorities are based on over 90% of the funds received from the State budget through the Government and the Department for Interethnic Relations. From the structure of spending by minority organizations in recent years, it appears that much of the funds have been invested in the purchase, construction or refurbishment of headquarters and workplaces, modern equipment, salaries, editing and publishing various works. Taking into account the specificity of each organization in linguistic, cultural and religious fields, which directly determines the decisions taken at their level regarding the necessary priorities, activities whose financial dimension is reflected in the budget proposals elaborated by the organizations, it results that, in order to maintain and preserve the ethnic, cultural, religious and linguistic identity, the perpetuation of values and their transfer from one generation to the next, as well as the preservation of cultural and linguistic heritage as part of Romania's cultural and linguistic heritage, the further granting of financial support from the State budget to organizations is required. In Annex 1 attached to this material, there are the budget credits allocated to the organizations of the citizens belonging to national minorities in the period 2015-2018, as well as a short description of how the organizations of the national minorities used the funds allocated from the state budget.

4. Promoting intercultural dialogue, including through art (theater, film, fine arts), both nationally and internationally, strengthening collaboration between national minorities and the majority are issues that are increasingly addressed by the Department for Interethnic Relations (DRI). During the analyzed period, DRI organized and supported a series of interethnic and intercultural programs aimed at fostering knowledge and promotion of minority languages and cultures and bringing cultural minorities closer to the majority population.

As an example, DRI conceived in 2014 the project of the Danube Platform of Intercultural Dialogue - INTERCULT - in order to be implemented in the Transnational Danube Program, the strategic objective SO 2.2. - Sustainable preservation of natural and cultural heritage and resources related to the EU Strategy for the Danube Region, Priority Area 3 "Culture, tourism and human contacts", objective 5 - creation of the Blue Book of Cultural Identity of the Danube. In order to prepare this project, DRI launched a call for the partnership of the partner institutions in the Danube countries, non-governmental organizations active in this field and media entities, receiving positive responses from Croatia, Serbia, Germany and Austria. At the same time, an inventory of the cultural heritage of national minorities has begun. This inventory was carried out on two levels, complementing each other. On the one hand, it was asked to fill in questionnaires related to material cultural heritage, national minority organizations and on the other hand, starting with 2014, DRI organized annual documentary visits in various multiethnic regions in the country, with the main goal of promoting the cultural heritage of national minorities in Romania and testing its tourism potential for the benefit of local communities.

Together with experts in history and archeology, anthropology, patrimony, ethnography and folklore, local officials as well as representatives of the media and project partners within the Danube Transnational Program, the creation of an inventory of the most representative and

important objectives related to the history, culture and life of ethnic groups, a mosaic of the cultural - material and immaterial patrimony - of the ethnic groups and implicitly of the multiethnic areas in the countries of the Danube area is being pursued. Intercultural dialogue has been for several years among the priorities DRI has in mind to grant grants to projects initiated by NGOs. Regarding cultural programs, all organisations of persons belonging to national minorities, having the capacity of non-governmental organizations, have the opportunity to request DRI to fund their own cultural programs. According to Law no. 350/2005 on the regime of non-reimbursable public funding for non-profit activities of general interest, DRI organizes each year a project contest for the financing of interethnic programs and projects. This contest is open to all non-governmental organizations active in the field of multiculturalism. Each year, some of the national minority organizations are requesting funding for cultural programs, and many of these applications have been selected for funding.

In Annex 2 attached to this report, there are the projects carried out between 2015 and 2018, projects aimed at promoting the rights of persons belonging to national minorities in Romania in various fields such as education, culture, mass media, administration, justice, international cooperation, etc.

5. Regarding the media, we can generally notice a rapid evolution from the classic printed formula to the new media, especially the Internet and the social networks. They have become increasingly popular and more accessible, including at the level of persons belonging to national minorities. At the same time, measures have been taken to improve the professional level of press reports with and about national minorities.

Department for Interethnic Relations (DRI) intends to carry out a project that aims to involve young people in the digital media. The objectives of this project are: the involvement of young persons belonging to national minorities in the activities of promoting the organizations they represent; creation of a socialization platform that facilitates the communication of young people on interethnic and interest topics; creating an online environment that includes information on the legal instruments of the Council of Europe, as well as data on youth activity within national minority organizations; increasing the visibility of projects and activities of national minorities on social networks.

6. By Government Decision no. 18/2015, the Romanian Government's Strategy for the Inclusion of Romanian Citizens belonging to the Roma minority for the period 2015-2020, approved in accordance with the general framework established at European level, was adopted. The main objective of the Strategy is the socio-economic inclusion of Romanian citizens belonging to the Roma minority at a level similar to that of the majority population.

Extending the promotion and cultivation of Roma language, history and traditions in the pre-university and university education system is Measure 6 of the Education Chapter, for which DRI implementation is responsible with other institutions.

Thus, starting with 2015, DRI, in collaboration with the Ministry of National Education, organized the project "*Romani mother tongue, Roma history, traditions and customs in the intercultural*

*educational context of pre-university education*". The project is already in its 4th edition in 2018-2019 educational year.

## **B. Legislative measures**

During the reporting period, there has been some legislative amendments to strengthen the legal framework on the protection of rights of national minorities<sup>2</sup>. At the same time, legislative initiatives, which, without being directly devoted to persons belonging to national minorities, are currently in various stages of the parliamentary debate and contain provisions for the exercise of these rights.

## **C. Special situations.**

### Tatars

Currently, the Tatar minority in Romania has no parliamentary representation and no longer holds a seat in the Council of National Minorities. According to the Romanian legislation, a national minority is represented in the Romanian Parliament only if it participates in elections under the conditions regulated by the electoral legislation. During the electoral process for the election of the Chamber of Deputies and the Senate in November 2016, the Central Electoral Bureau and the judicial bodies found that the association " Democratic Union of Turkish-Muslim Tartars in Romania" (UDTTMR) does not meet the conditions regulated by the Electoral Law, conditions that any organization is required to meet in order to participate in the elections.

With regard to the local and parliamentary elections scheduled for 2020, it should be noted that the Electoral Law contains *special provisions that allow the participation of any organization of persons belonging to national minorities with has the status of public utility, even if such an organization is not a member of the Council of National Minorities*. Under these conditions, the UDTTMR or another organization representing the Tatar minority having public utility status, **have the opportunity to participate in the elections** and to be represented again in the Parliament of Romania and, subsequently, in the Council of National Minorities.

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<sup>2</sup> Law no. 110/2017 for completing the Law no. 95/2006 on health reform, as well as art. 41 of the Social Assistance Law no. 292/2011, which complements the existing legislation with provisions regarding the use of mother tongue in the provision of social and health services. In order to support pupils learning in schools with teaching in mother tongue, for better knowledge of the state language, through Emergency Ordinance no. 87/2018, the provisions of the Law on Education were amended, stipulating that teachers for primary education from classes with teaching in mother tongue teach the study subjects Communication in Romanian, as well as Romanian Language and Literature throughout the primary cycle. Except for these study subjects, all subjects are taught in mother tongue in these schools. Also, a series of symbolic legislative initiatives to establish the Day of Language and the Yiddish Theater (30 May), the Day of the Greek Language (9 February), the Ukrainian Language Day (November 9) and the Macedonian Language Day (December 8) ) at the proposal of the representatives of these national minorities. These are added to Bulgarian Language Day (May 24th), Czech Language Day (September 25th), Romanian Language Day (June 16th), Tasting Language Day (May 5th), Hungarian Language Day (November 13th), Slovak Language Day ), Turkish Language Day (5 June), and the establishment of 18 December as the National Minorities Day in Romania, celebrated in 1998, in accordance with Government Decision no. 881/1998, was legally established.

In this context, UDTTMR has continued its cultural activities either on the basis of partnerships with local municipalities and County authorities, or on the basis of volunteer actions by members of the community.

Considering the perception in the Romanian collective mentality, the Tatars in Dobrogea constitute a historical community with which the majority population has been interacting for centuries, integrated and adapted from the cultural and economic point of view in the Romanian society as a whole, and especially in the Counties of Constanta and Tulcea, regions where the Tatars in Romania traditionally live.

We also mention that the lack of membership in the Council of National Minorities of the UDTTMR did not lead to the loss of the rights of persons belonging to the Tatar minority in Romania or to a decrease in the representativeness of their organizations.

Placed on the UNESCO list of endangered languages, the Tatar language in Dobrogea, the Romanian region where the majority of the community is concentrated, is studied in primary schools in Constanța County, Romania, as an optional subject, at the Techirghiol education units (2 hours per week) and Lumina (1 hour per week). In addition, UDTTMR, in collaboration with County School Inspectorates Constanța and Tulcea, organizes Tatar language courses for all interested persons.

Additional data on the situation of Tatar mother tongue are included in the Opinion of the Romanian Government on the Second Committee of Experts' (COMEX) Report of the European Charter for Regional or Minority Languages.

In September 2018, DRI, in collaboration with the Institute for the Study of National Minorities Issues, with the support of the Constanța Museum of History and Archeology, organized a roundtable, occasioned by the publication of the volumes "*History and Identity in the Turks of Dobrogea* "And" *A Destiny in the Black Sea. The Tatars of Dobrogea* ". Both volumes provide a structured analysis of the Turkish and Tartar minorities in Dobrogea. The studies included in each of the two volumes follow a similar structure, providing a unitary and complete analysis of the past and the current situation of the two minorities in the Dobrogea region. Based on a variety of sources and constructed on in-depth structural research, the two volumes deal with pragmatic issues in an academic, interdisciplinary approach, but also accessible to general audience, not only fulfilling a scientific role but also a social role.

Through this project, DRI aimed to promote the two volumes both within the local Romanian academic and scientific environment and among the Turkish and Tatar minorities and launched the invitation to the local public to gain a better understanding of the cultural and linguistic historical contributions of the two national minorities to national culture.

Also, at the beginning of 2019, at the initiative of the Department for Interethnic Relations, a Working Group was set up in order to identify viable solutions for safeguarding the Tatar language. The working group is composed by representatives of the Department for Interethnic Relations, the Institute for the Study of National Minorities Issues and the Ministry of National Education. The aim is to include members of the Tatar community in the Working Group, which could

contribute to the revitalization of the Tatar mother tongue. There were two meetings of the Working Group, its members already outlining a starting base the revitalization project of the Tatar mother tongue in schools.

**Part II. Data on the measures taken to address the issues considered urgently by the Consultative Committee during the previous monitoring exercise<sup>3</sup>**

*- adopt without further delay and in consultation with representatives of national minorities a consolidated and coherent legal framework related to minority rights protection; take due care when examining draft legislation not to restrict the rights and freedoms guaranteed by the Framework Convention and ensure that effective participation of persons belonging to national minorities in discussions at local and regional levels is guaranteed;*

Strengthening the legal framework for the protection of rights of persons belonging to national minorities is a continuous process. Consultation with the organizations of the citizens belonging to national minorities is an important component of this process, these organizations being a permanent dialogue partner of the Romanian authorities with attributions in the field.

Regarding the need for a framework law on national minorities, the Romanian Government reiterates that there is no obligation under the Framework Convention to adopt such general legislation on the protection of the rights of persons belonging to national minorities. The Consultative Committee did not evaluate in its previous reports on Romania that the lack of a general law on the status of national minorities hampers the promotion and protection of the rights of persons belonging to national minorities in Romania (especially those considered as numerous in the total population).

The Government of Romania is also unaware of the existence of a general policy of the Advisory Committee to recommend to all States Parties the adoption of a general law in the field as a condition for the fulfillment of the obligations under the Framework Convention.

Relevant legislation on the protection of the rights of persons belonging to national minorities is of a general nature and applies without discrimination, and its implementation falls within the sphere of responsibility of all central and local authorities in Romania.

Any action or lack of action conducted by central or local authorities violating human rights, including the rights of persons belonging to national minorities, is subject to judicial control, access to justice being guaranteed by fundamental law. There are also mechanisms imposed by any system of law that ensure the uniform application and *erga omnes* opposed interpretation of any rule of law and legislation in the field of national minorities is not an exception to this principle.

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<sup>3</sup> Romania refers to these elements as an element of consideration and courtesy to the Advisory Committee and to the monitoring exercise covered by the Framework Convention on the Protection of National Minorities, which it considers important. The information provided by the Romanian Government in this context cannot involve in any way the Romania's acceptance of these recommendations, as Romania considers them unfounded (see comments of the Romanian Government in response to the Opinion of the Advisory Committee of the IV monitoring cycle).

*- increase efforts to prevent and to combat inequality and discrimination suffered by the Roma; take further measures to eliminate all forms of segregation of Roma children and other forms of discrimination of Roma children at school with a view to including them fully into mainstream education; ensure that adequate alternative non-segregated accommodation is provided without delay to Roma inhabitants relocated from dwellings unsuitable for habitation;*

The Ministry of National Education (MEN) regularly asks the county inspectorates to monitor compliance with the provisions of Order no. 1540/2007 on the prohibition of school segregation of Roma children and the adoption of the Methodology on the prevention and elimination of school segregation of Roma children. Therefore, since 2007, MEN has requested the school inspectorates to strictly adhere to the aforementioned order for the formation of new classes in primary (lower secondary) classes (grades V-VIII) and high school (grades IX-XII -a). In addition, school inspectorates must ensure that any desegregation plans made by the authorities in case of identifying segregated classes or schools.

In order to strengthen the legislative framework on combating discriminatory practices in the educational system and focusing on the elimination of school segregation, the Ministry of National Education issued the following documents in 2016:

- Order no. 6134/2016 on the prohibition of school segregation in pre-university schools;
- Order no. 6158/2016 regarding the approval of the Action Plan for school desegregation and the increase of the educational quality in pre-university schools in Romania;

Specifically, through the implementation of Order no. 6134/2016, school inspectorates and educational units should promote inclusiveness, a democratic and welcoming school environment which cherishes social, ethnic and cultural diversity and in which all children are respected and integrated without discrimination and without exclusion on ethnic or maternal, gender, special educational needs, family and social economic backgrounds, residences or school achievements.

Implementation of the aforementioned orders commenced in 2017.

The action plan for school desegregation and the increase of the quality of education in pre-university schools in Romania will allow consolidation of the Romanian educational system in preventing and combating discrimination and school segregation, further promoting the principle of equity and increasing the inclusion of very young children, pre-school children and pupils belonging to vulnerable groups such as Roma children, children with special educational needs /disabilities, children residing in rural areas or poor families.

At the social level, the expected impact is to strengthen the gradual transformation of the Romanian educational system into an inclusive quality system, coupled with the reduction of the early school dropout rate, while providing the necessary conditions for increasing the education period for pupils belonging to vulnerable groups. These results will ensure better graduate qualification and better employment prospects in the labor market.

In order to achieve these results, the action plan is based on seven main objectives: reviewing the legal framework in the field, increasing the quality of educational services provided in educational

institutions at all levels (kindergartens, gymnasiums, lyceums) concerning children/students belonging to situation risk/vulnerable groups, training and motivation of all the human resources involved, establishing complementary measures to prevent and combat discrimination/ segregation phenomena, as well as to follow up and continuously review the envisaged measures.

As a result of this Action Plan, a working group was established in order to develop the Methodology to monitor school segregation in accordance with the new criteria set out in Order no. 6134/2016 and Methodology of prevention and intervention in segregation cases.

It is important to note that Order no. 6134/2016 extended the segregation criteria by including additional factors that may lead to segregation, such as special educational needs (SEN), socio-economic status of the family, school performance and residence, in addition to ethnicity. Moreover, it stipulates a series of legal obligations to be met by the different educational structures, appropriate sanctions, and the role of the future National Committee for Desegregation and Inclusion, as well as its relations with county school inspectorates, county committees and committees for combating violence, corruption and the elimination of discrimination.

Annually, the Ministry of National Education has called on school inspectorates (county levels) to develop Action Plans to prevent school segregation or desegregation, as well as to improve the quality of education offered in pre-university education institutions.

At the level of the educational system, the new Regulation for the organization and functioning of the pre-university schools approved by Order no. 5079/2016, introduces the establishment of the Commission for the Prevention and Eradication of Violence, Corruption and Discrimination and Promoting Interculturality to Prevent Racial Discrimination of Roma Students.

Between 2016 and 2017, 12 in-service training programs (proposed by different entities such as teachers' boards and NGOs) were accredited on issues such as equality in education, interculturality and inclusion in and through education. Within the themes addressed, these programs included elements on combating discrimination and segregation practices against Roma in education. In 2016, 1304 teachers participated in such programs, while 1817 teachers participated in 2017.

*- take targeted and effective action without delay to prevent, investigate and prosecute offences committed with racial or xenophobic motive; investigate promptly and in a transparent manner all cases of alleged police abuse and misconduct, so as to ensure that the public, including the Roma, have confidence in the impartiality and effectiveness of the complaints mechanism in such cases; take a robust stance against and condemn racist, xenophobic and anti-Roma language in political discourse and in the media;*

The Government of Romania emphasizes that the general manner in which these observations are formulated goes beyond the scope of the Framework Convention for the Protection of National Minorities, which is limited to the adoption of measures relating to the protection of the rights of persons belonging to national minorities, the application *rationae materiae* of the Convention being limited and not including any person who distinguishes himself or herself from persons belonging to the majority by any ethnic, religious, cultural, linguistic element (see also

Explanatory Report to the Framework Convention, paragraph 43). As a consequence, the Consultative Committee's monitoring competence is limited to matters directly affecting persons belonging to **national minorities** (in Romania 20 such national minorities are recognized), the recommendations being limited to findings in connection with measures concerning persons belonging to national minorities of these minorities. The Government of Romania also points out that, by virtue of its participation in international conventions on the protection of fundamental rights, as well as in specific international conventions in the field of combating all forms of discrimination, it systematically reports to monitoring mechanisms created based on these legal instruments. Considering these aspects, for the sole purpose of accurate information, the Government of Romania offers the following clarifications:

There is an effective legal framework for these cases, namely Art. 16 of the Constitution of Romania<sup>4</sup>, as well as the criminal law, art. 7 of the Law no.304 / 2004 regarding the judicial organization, republished, with the subsequent amendments and completions, according to which *"(1) All persons are equal before the law without privileges and without discrimination"*.

*(2) Justice shall be equal for all, irrespective of race, nationality, ethnic origin, language, religion, sex, sexual orientation, opinion, political affiliation, wealth, origin or social condition or any other discriminatory criteria. "* Therefore, in the application of this article, public authorities and courts, irrespective of the nature of the dispute, are obliged in the law enforcement process not to admit any discrimination based on one of the reasons set out in Article 7 of the Law, criteria which are not limited, but only exemplary.

Abusive and discriminatory behavior constitutes, beyond the sanctions imposed by the institutions with attributions in the field (national audiovisual council - CNA, national council for Combating Discrimination -CNCD), aggravating circumstances from the perspective of criminal law<sup>5</sup>.

*- review as a matter of urgency the legal and administrative provisions on elections with a view to creating conditions for free and fair competition in the electoral process between different organisations representing national minorities; review the procedure of appointment of national minority members to the Council of National Minorities with a view to making it more inclusive and genuinely representative of diversity within national minorities.*

The interaction of the Romanian state with the organizations of persons belonging to national minorities in Romania is based on the strict observance of the legislation in force and on the non-intervention of the authorities in their internal activities (internal elections/competitions, programs and priorities). Enforcing the law in this area is the best guarantee for the independence and representativeness of these organizations. Thus, organizations of persons belonging to national

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<sup>4</sup> ARTICLE 16 - Equality of rights

1) Citizens are equal before the law and public authorities, without privileges and without discrimination.

(2) No one is above the law.

<sup>5</sup> **Criminal Code, Art. 77** Aggravating Circumstances "(...) The following circumstances constitute aggravating circumstances: (...) h) committing the offense on grounds of race, nationality, ethnicity, language, religion, gender, sexual orientation, political opinion or affiliation, , social origin, age, disability, chronic non-contagious illness or HIV / AIDS infection, or other circumstances of the same kind considered by the perpetrator as causes of inferiority of a person in relation to the others. "

minorities have become real and trustworthy partners in political, social, economic and educational fields. This situation was clearly and categorically pointed out in the Comments of the Romanian Government on the 4th Opinion of the Consultative Committee of the CoE Framework Convention for the Protection of National Minorities, the **Government of Romania considers that the Opinion of the Consultative Committee, which implies that the Romanian authorities exercise a certain type of control over the representative organizations of the national minorities and interferes with the right to freedom of assembly and expression or to the interaction with other state institutions is without grounds.** It should be emphasized that there are many associations and organizations representing each national minority active in the main areas of social and economic life, all of which are eligible to receive funds from the state budget in accordance with the applicable law.

The provisions of the electoral legislation in Romania are in full compliance with the provisions of the Romanian Constitution, as well as with the relevant international norms. The establishment by law of conditions for participation in the Council of National Minorities or in elections is not against constitutional texts or international conventions. As the Constitutional Court of Romania established<sup>6</sup>, the text of the electoral law establishes certain conditions, without thereby interfering with the right of a representative organization for a certain national minority to participate in the elections. The Constitutional Court also states that the organizations of citizens belonging to national minorities represented in Parliament are not privileged in any way, they only fulfill the legal conditions to accede to Parliament.

#### **Data regarding other draft recommendations:**

*- examine, in consultation with those concerned, the possibility of including persons claiming specific protection as a national minority belonging to groups which currently are not afforded such rights, in the application of the Framework Convention, in particular as regards their linguistic and cultural interests;*

During the reporting period, no organization that represents the interests of such groups in Romania have requested the Department for Interethnic Relations - the specialized body of the Romanian Government – for the special protection that the law provides to national minorities or recognition of groups/entities as a national minority. No action has been taken in this regard. It was emphasized in the Opinion of the Advisory Committee as well as in the Comments of the Government of Romania comments that the application of the right to free self-identification is

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<sup>6</sup> Decision of the Constitutional Court no. 146 / 15.03.2005: "The text of the law regulates a segment of the electoral process, the one regarding the submission of candidatures by the organizations of the citizens belonging to the national minorities, establishing certain conditions without interfering with the right of an organization within the minority to participate in the election and formation of local authorities. Therefore, the condition of submitting a list of members of the national minority organization in order to be able to run for local elections is not such as to restrict the exercise of the right to be elected, since a list of members with 15% of the total number of citizens who declared themselves to belong to the respective national minority at the last census is required. This reduced number allows any national minority to form organizations with the possibility of submitting applications, which ensures the full application of the principle of political pluralism. Organizations of citizens belonging to national minorities represented in Parliament are not privileged in terms of submitting candidatures for local councils, as they have fulfilled much tougher conditions for accession to Parliament. "

circumscribed to the objective criteria; its application can not lead to absurd situations or an exaggerated fragmentation of a certain national minority. According to the Explanatory Report to Art. 5 par. 1, *"(this) provision does not imply that all ethnic, cultural, linguistic or religious differences necessarily lead to the creation of national minorities."*

The Government of Romania maintains its position expressed through the Comments on the Fourth Opinion of the Advisory Committee on the situation of the Aromanians, Csangos and Hutzuls. At the same time, we reaffirm the fact that the Romanian authorities have been concerned with ensuring, through appropriate funding, the promotion of the specific elements (identity, culture, language, religion) of these people; the situation has not changed with regard to Romania's position on the inclusion of these groups in the notion of national minority for well-grounded reasons (historical, scientific), which have been explained in detail to the Advisory Committee. **It certainly goes beyond the Advisory Committee's mandate to specify which groups within a state should or should not be classified as a national minority.**

*- regularly evaluate and review the implementation of the National Roma Inclusion Strategy and accompanying action plans for the inclusion of Roma, in close consultation with representatives of this community, with a view to assessing their impact in promoting the full and effective equality of Roma and strengthening them wherever necessary; make specific budgetary provision for the implementation of the current national, county and municipal action plans for the integration of Roma;*

The practical application of the National Strategy for Roma is a constant concern of governmental institutions with competence in the field. National Agency for Roma (ANR) has as its immediate objective the integrated and effective approach of the Strategy, together with the local authorities' projections on improving the situation of the Roma population and with the sectoral programs (education, education, social assistance, etc.) of the central authorities in Romania.

*- intensify efforts to promote respect and intercultural understanding among the different groups in society as a whole, including through comprehensive measures that target the majority population; engage actively in a dialogue with local representatives of the Hungarian minority from the Covasna, Harghita and Mureş counties on measures to be taken to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage;*

The constant concern of the Romanian authorities is to promote intercultural respect and understanding among the various groups in society as a whole, and the persons belonging to Hungarian minority living in all regions of Romania are enjoying an equal level of protection of religion, language, traditions and cultural heritage. **The limitation in the text of the draft recommendation to the counties of Covasna, Harghita and Mureş is unjustified and induces the intention to create a differentiated framework for these territorial administrative units in relation to the rest of the regions / localities where persons belonging to the Hungarian minority are living which is inconsistent with the principles of the Framework Convention and is inconsistent with the Constitution and the legislation of Romania in the field.** The

Government of Romania has exhaustively argued this situation in the Comments of the Fourth Opinion of the Advisory Committee.

In the field of concrete projects to promote respect and intercultural understanding among different groups in society as a whole, the Department for Interethnic Relations created beginning to 2014 the Danube Platform of Intercultural Dialogue - INTERCULT - project to be carried out within the Transnational Danube Program, SO 2.2. - Sustainable preservation of natural and cultural heritage and resources related to the EU Strategy for the Danube Region, Priority Area 3 "Culture, tourism and human contacts", objective 5 - creation of the Blue Book of Cultural Identity of the Danube. In order to prepare this project, DRI called for the partnership of the homologous institutions from the Danube countries, some non-governmental organizations active in this field and some media entities, receiving positive responses from Croatia, Serbia, Germany and Austria. At the same time, an inventory of the cultural heritage of national minorities has begun. This inventory was carried out on two levels to complement each other. On the one hand, questionnaires were filled related to material cultural heritage, national minority organizations. On the other hand, since 2014 DRI has organized annual documentary visits to various regions of the country inhabited by persons belonging to national minorities, whose main purpose is to promote the cultural heritage of national minorities in Romania and to test its tourist potential for the benefit of local communities.

Together with experts in history and archeology, anthropology, patrimony, ethnography and folklore, local officials as well as representatives of the media and project partners within the Danube Transnational Program, it is intended to create the journalistic inventory of the most representative and important objectives related to the history, culture and life of ethnic groups, a mosaic of the cultural - material and immaterial patrimony - of the ethnic groups and implicitly of the multiethnic areas in the countries of the Danube river basin.

In 2017, the project "*Diversity and cultural heritage through the mass media. Cultural tourism a sustainable tourism for local development in the Danube basin. Exchange of experience and best practices with project partners in the Danube region and documentary visit to Braşov, Harghita, Covasna and Mureş counties*" was done. It took place in Bucharest - Braşov - Sfântu Gheorghe - Tălişoara - Miercurea Ciuc - Gheorgheni - Satu Mare - Dârju - Odorheiu Secuiesc - Corund - Cristuru Secuiesc - Odorheiu Secuiesc - Ghimeş - Miercurea Ciuc - Sfântu Gheorghe - Târgu Secuiesc - Sfântu Gheorghe - Braşov - Bucharest.

*- facilitate the use of minority languages in relations with administrative authorities in those municipalities where persons belonging to national minorities live in substantial numbers, in particular by establishing standardized certified administrative forms and other printed documents in bilingual formats; take more proactive measures to ensure that the provisions of display of topographic indications in national minority languages are effectively implemented; encourage local authorities to take a flexible approach over the introduction of signs displaying street names in languages of national minorities; take the necessary legislative and administrative measures which would guarantee the possibility for local newspapers to be published in languages of national minorities with the support of local authorities;*

For a comprehensive analysis of the use of minority languages in local administration, see Annex II of the Comments of the Government of Romania to the Second Report of the Committee of Experts of the European Charter for Regional or Minority Languages and the Romanian Government comments to the Fourth Opinion of the Advisory Committee of the CoE Framework Convention for the Protection of National Minorities, as well as on pages 34-41 of this document.

DRI initiated in 2017 a data collection process on the application of the legal provisions on the right of citizens belonging to a national minority to use their mother tongue in these administrative-territorial units where the threshold exceeds 20% of the population. Following the responses received from local authorities, various practical solutions will be submitted to improve the local implementation of legal provisions on the use of minority languages in relation to public institutions/local government.

It must be mentioned that the process is under review. At the same time, we believe that the formula used by the Consultative Committee, respectively *“...take more proactive measures to ensure that the provisions of display of topographic indications in national minority languages are effectively implemented; encourage local authorities to take a flexible approach over the introduction of signs displaying street names in languages of national minorities”* **is elusive and does not take into account the provisions of relevant national legislation in this field.**

*- assess, in consultation with the representatives of national minorities, whether the existing legal framework for teaching in minority languages, and practical arrangements corresponds to actual needs and, where appropriate, take the necessary steps to address any shortcomings; take specific measures to support educational initiatives of less numerous national minorities*

The analysis of the legal framework is a permanent process in this situation because it is a dynamic evolution that the Romanian authorities must take into account. There is a regular dialogue between relevant public authorities and organizations of persons belonging to national minorities on this subject. Legal rules, including those relating to the establishment and operation of educational institutions, have general applicability, irrespective of other factors (ethnic, religious, linguistic or cultural identity). On the other hand, no derogation from the law is allowed on the basis of ethnic, religious, linguistic or cultural differences, failure to comply with the law can not be motivated by such differences.

The study of mother tongue by persons belonging to national minorities is a fundamental right guaranteed by the Constitution of Romania, by the National Education Law no. 1/2011 and other international treaties and conventions ratified by Romania.

The National Education Law provides for a solid framework for ensuring the right to education in mother tongue and the right to cultivate the mother tongue for every person belonging to any of the 20 national minorities living in Romania, including by regulating the possibility of these persons having the whole process of education in the mother tongue (except for Romanian language and literature) in dedicated public educational units.

According to the legal prescriptions, persons belonging to national minorities have the right to study in mother tongue, at all levels of pre-university education. The organization of education for

national minorities consists of: 1. educational institutions in which the teaching process is achieved in the mother tongue and in which the educational curricula is studied in the respective language, except for the school discipline *Romanian language and literature*; educational establishments in which education is provided in Romanian or in a language other than mother tongue; in these educational institutions students are offered, upon request, the following specific subjects: mother tongue and literature, history and traditions of the national minority and musical education (specific to the respective national minority).

In order to ensure the right and promotion the access of national minorities to education in their mother tongue, Law no. 1/2011 provides that students who do not have a school in mother tongue in the place/locality of residence are offered the opportunity to study in their own language in other localities with the reimbursement of transportation costs to the nearest school with mother tongue education or accommodation; also free meals at this type of facilities are provided in such schools.

### **Part III. Data on relevant developments article by article**

#### **Article 3. Data collection- census figures from 2011**

The latest Census of Population and Housing, carried out in 2011, realized in compliance with all European and international standards in the field, was the first census in Romania as a full member of the European Union.

The organizations members of the Council of National Minorities, through their parliamentarians, participated in all preparatory activities and the elaboration of questionnaires, codes and lists for census. The State Secretary of the Department for Interethnic Relations at that time was part of the Central Commission for the Population and Housing Census and was constantly consulted on issues related to the correct reflection of identity issues on national minorities in the census documents. In addition, especially among the Roma, many people were methodologically trained and participated as census operators.

According to the figures published on 4 July 2013 by the National Institute of Statistics, reflecting the final results of the Population and Housing Census carried out in 2011 ([www.ins.ro](http://www.ins.ro)), the current ethnic structure (data on national minorities) of Romania's stable population is the following :

Hungarians - 1,227,623

Roma - 621 573

Ukrainians - 50.920

Germans - 36 042

Turkish 27.698

Lipovan Russians - 23,487

Tatar - 20.282

Serbs - 18.076

Slovaks - 13.654

Bulgarians - 7336

Croatians - 5408

Greek - 3668

Italian - 3203

Jews - 3271

Czech - 2477

Poles - 2543

Armenians - 1361

Macedonians – 264

Albanians - 407

Ruthenian - 497

In comparison with the previous census (2002), with very few exceptions (it is the case of persons belonging to the Roma minority and persons of the Macedonians who have declared themselves in greater numbers), the number of persons belonging to national minorities decreased, the decrease being **in proportion with the decrease of the entire population of the country**<sup>7</sup>.

#### **Article 4 - Anti-Discrimination**

The legal basis of Romanian law on non-discrimination is art. 16 of the Romanian Constitution, republished; art. 30 of the Law no.287 / 2009 on the Civil Code; art. 8 of the Law no. 134/2010 on the Civil Procedure Code, as well as special legislation in this field.

In the context of the actions of rise awareness and professional development, at the level of the General Inspectorate of Romanian Police, the continuous training of the police is a permanent concern, being elaborated thematic ones such as: human rights and police, rights of persons belonging to national minorities, prevention of discrimination, good practices in strengthening trust and understanding between the police and the Roma minority, preventing hate crimes. This is an informational support for all officers/agents belonging to the central and territorial structures of crime investigation and crime prevention which are involved in unit-level training and informational activities of target groups (minors, teachers, elderly people, young people, etc.).

More than 100 police officers working for general Inspectorate of Romanian Police (IGPR) and General Police Directorate of Bucharest (DGPMB), belonging to crime prevention, public order, criminal investigations, special actions and traffic police were trained on the prevention of discrimination and hate crimes under the "No Discrimination" Project carried out by the Romanian

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<sup>7</sup> The total number of inhabitants of Romania, according to the 2002 census, was 21,680,974, and the 2011 census showed 20,121,641.

Police in partnership with the National Council for Combating Discrimination (CNCD). On this occasion officers and police agents received information on the internal and international legislation governing the field of reference, the European institutions and those in Romania working on human rights issues, the ECHR case law, inter-ethnic relations management, conflict resolution, etc. , police officers were involved, together with the CNCD expert in solving cases in the field of preventing and combating discrimination. As a follow-up to the organization of the courses, the partners developed the Practical Guidelines for Field Guards, which was subsequently transmitted electronically to all participants. At the same time, in order to support the development of continuous professional training of police officers, the guide was sent electronically through the internal network to all police units.

The project "Integrated Approach to Preventing Victimization in the Roma Communities", funded through the Norwegian Financial Mechanism, started in October 2014 with a 30-month implementation period - until 30 April 2017 - having as partner the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the National Institute of National Economy within the Romanian Academy and the Roma Center for Social Intervention and Studies - Romani CRISS.

The main objective of the project was to increase the level of awareness at the level of law enforcement institutions on the phenomenon of victimization in Roma communities as well as to prevent and reduce victimization among vulnerable people in Roma communities using scientifically validated tools.

Within the project, 15 training activities were carried out consisting of the training of 300 Romanian police officers in the field of preventing and combating hate crimes and in the field of special techniques for interviewing the victims of such crimes. The courses were held at the "Nicolae Golescu" Police Training Center in Slatina.

The IGPR's Institute for Research and Crime Prevention (ICPC) has been involved as a partner with the Foundation for Resource Centers for Ethnocultural Diversity Cluj and Police School "Septimiu Muresan" Cluj-Napoca within the "*Mission possible*" project which aimed at promoting ethnic diversity and ethnocultural equity by encouraging young people belonging to national minorities to pick a career in police structures. One of the activities aimed at the preparation of the "Police-Community Relationship in a Multicultural Environment" training course, attended by 22 students and 6 teachers from the "Vasile Lascăr" School of Police Agents - Câmpina. The course was accredited by the National Authority for Qualifications in the field of social and civic competences and was supported by specialists of the National Council for Combating Discrimination, the Faculty of Political and Administrative Sciences, the Center for Resource for Ethnocultural Diversity and the Institute for Crime Prevention and Research. The topics addressed were the prevention of all forms of discrimination, communication and conflict management in multiethnic communities, Romanian society in the global context of diversity, prevention of crime in multicultural communities.

Between 18-20 December 2017, in Bucharest, 20 police officers participated to the program Access to Justice of Roma Women - JUSTROME, organized by the Council of Europe.

The project "Strengthening the Capacity of Preventive Arrest and Arrest System to Align to Relevant International Human Rights Instruments", where the IGPR was a promoter and the Ministry of Justice was a program operator, aimed at organizing internships for training police officers in centers detention and pre-trial detention.

In 2016, the "Nicolae Golescu" Slatina Training Center for police forces in Slatina organized a course of initiation in Romanian language and culture, attended by 53 police officers.

At the same time, in 2016, three additional training sessions were held for police officers from the pre-trial detention and detention centers where 60 participants were present, both at the "Septimiu Muresan" Police School of Cluj Napoca, as well as at the Nicolae Golescu Police Training Center in Slatina

An anti-discrimination kit has been developed, which includes: internal legislation, competent institutions dealing with discrimination issues, preventive recommendations, cases, etc., which was sent for the exploitation of territorial police units on the occasion of specific activities.

Regarding the professional training of police officers, especially the field of prevention, at the level of the Romanian Police, the project "*Promoting the concept of proximity police in rural areas, especially in Roma communities or other socially disadvantaged communities*", was realized funded by the Romania-Switzerland Cooperation Program. In 2016 a curriculum was developed for the Romani language and culture course, accompanied by the Analytical Program and the Methodological Guide of the course. On the basis of these documents, 80 police officers with leadership positions were trained in the "Nicolae Golescu" Police Training Center in Slatina during 4<sup>th</sup> sessions in the field of "Romanian language and culture". The police officers were recruited from all units of the Romanian Police, thus opening up training for police officers wishing to participate in missions abroad and requiring a minimum level of knowledge of the Romani language, the trainers being Romani-language teachers contracted within the project. Also in 2016, a study visit was held in Switzerland at the Savatan Police Academy of five experts involved in the project, thus exchanging best practices in the field of public order and safety as well as training initial training and continuous training.

Between 07 and 25 May 2018, the advanced level of Romani language and culture was organized at the Nicolae Golescu Police Training Center in Slatina, where 40 police officers participated.

Regarding specific cases of discrimination, including cases with a high public impact and profile the following remarks are required:

1. The democratic Federation of Germans in Romania (FDGR) announced, in a press release<sup>8</sup>, that the court had decided in its favor in the case filed versus prof. Dr. Ioan Scurtu, for the violation of

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<sup>8</sup> Following civil litigation triggered by F.D.G.R. for the damage to its image rights, the courts competent in Bucharest found guilty prof. dr. Dr. Ioan Scurtu and decided to stop any violation of these rights to delete the article from the virtual web page of the newspaper, respectively from his personal blog, to publish the courts verdict in the printed edition of the newspaper Cotidianul, forcing the defendant at the same time to pay a sum of

the right to image by publishing, the article "The Transfiguration of the German ethnic group". FDGR won the lawsuit, after prof. Dr. Ioan Scurtu published the article in 2017 in the newspaper Cotidianul (print version and online edition), *"launching in the public space a series of unfounded, tendentious and deeply denigrating statements against F.D.G.R., who legitimized a press campaign directed against F.D.G.R. and the German ethnic minority, deployed in the pages of Cotidianul, in the online environment at www.cotidianul.ro and amplified on a national television station at one hour of maximum audience."*

2. Following statements by the State Councilor Darius Vâlcov and the former Minister of Education, Liviu Pop, referring to the Democratic Forum of the Germans in Romania (FDGR)<sup>9</sup> the CNCD sanctioned them with a fine of 2,000 lei (about 430 EUR) contraventional citation.

3. After the vandalism of the Elie Wiesel Memorial House in Sighetu Marmăției, Maramureș County, a criminal investigation was launched and ongoing investigations are being carried out to identify the perpetrators and take them to criminal responsibility. CJ Maramures President Gabriel Zetea<sup>10</sup> said the institution he represents condemns such anti-Semitic manifestations and shows his full readiness to support law enforcement authorities to identify and punish the perpetrators for their deeds.

#### **Art. 5. State funding for maintaining and developing the culture and identity of national minorities**

The financial support granted by the Romanian Government from the State budget to all organizations represented in the Council of National Minorities and Parliament (18 organizations representing 19 national minorities<sup>11</sup>) has been maintained, with increases in terms of financial allocations.

For the fiscal year 2015 the Annex 3/13/02a, to the budget of the General Secretariat of the Government, approved by the State Budget Law 2015 no. 186/2014, the amount of 91,443 thousand lei (20,595,270 EUR) was provided for the support of the 19 organizations of the citizens belonging to the national minorities, members of the Council of National Minorities. By Government Decision no. 117/2015 was approved the allocation and use of this amount, mentioning the categories of expenditures that organizations could make. As a result of the budgetary rectification (Government Decision No. 814 of 30 September 2015), it was approved to supplement the amount to support organizations up to a total of 102,401 thousand lei (23,063,288 EUR). By Government Decision no. 814/2015, the allocation and use of this amount has been approved, and in respect of programs made from European and international funds with impact on

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money (6,000 lei) to the FDGR as a result of moral damages. The solution became definitive on the 10.04.2018 (<https://www.agerpres.ro/comunicate/2018/10/09/comunicat-de-presa-fdgr--190121>)

<sup>9</sup> FDGR was publicly labeled a fascist organization, with the swastika as insignia.

<sup>10</sup> <https://www.cjmaramures.ro/activitate/comunicare/comunicate-de-presa/autoritatile-judetene-condamna-manifestarile-antisemite-de-la-sighetu-marmatiei>

<sup>11</sup> Budget allocations were no longer granted to the Democratic Union of Turkish-Muslim Tatars in Romania (UDTTMR), as it was no longer represented in the CNM after the failure to participate in the electoral process. However, UDTTM has benefited from alternative financial allocations, including financing from the state budget of projects dedicated to Tatar culture.

citizens belonging to national minorities, in addition to the co-financing costs, they have also approved expenditure on participation to these programs.

For fiscal year 2016 it was allocated for the same purpose the sum of 105 401 thousand LEI (EUR 23.47461 million) to support organizations of persons belonging to national minority members in CMN (Government Decision no. 58 of February 10, 2016).

For the fiscal year 2017, the sum of 105,000 thousand lei (23,026,316 EUR) was allocated to support the organizations of national minorities in the CMN (Government Decision No. 209 of 13 April 2017). The amount was increased as a result of a budgetary rectification to 110,250 thousand lei (24,177,632 EUR).

In 2018 this amount was approved (Government Decision No. 128 of 21 March 2018) in the amount of 115,763 thousand lei (24,895,269 EUR).

In addition, of this amounts the Government of Romania has allocated, through the same normative acts, grants intended to finance activities and interethnic projects, to promote cultural, linguistic, religious identity and the rights of citizens belonging to national minorities, as well as to combat intolerance (see also Article 6, below) as follows: for the year 2015 the sum of 4,036 thousand lei (909,009 EUR), for the year 2016 the amount of 4,000 thousand lei (890,868 EUR), for the year 2017 the sum of 2,500 thousand lei (548,246 EUR) for 2018, the amount of 4,000 thousand lei (860,215 EUR).

According to the attributions conferred by Government Decision no. 111/2005, but also in accordance with the annual Decisions on how to allocate and use the amounts through annual budget laws, the Department of Interethnic Relations (DRI) carries out the following types of projects and activities:

A. Projects developed at the DRI initiative or in partnership with other institutions or organizations requesting DRI organizational and financial support;

B. Projects funded by non-reimbursable funds according to the provisions of Law no. 350/2005, initiated by NGOs.

All these projects aim to promote the rights of persons belonging to national minorities in Romania in different fields, such as education, culture, mass media, administration, justice, international cooperation, etc.

In addition to funds received from the State budget through the Department for Interethnic Relations, some organizations have specified that they also receive other funds from the Ministry of National Education or Ministry of Culture.

Expenditure on cultural projects:

2015:

- The ratio of the amounts spent by organizations for various cultural programs, differs greatly from one organization to another, depending on the decisions of the management of each organization, being within the 0% minimum limit (Federation of Jewish Communities in Romania carrying out this activity from other sources) and a maximum limit of 57.04% (the Democratic Union of Turkish-Muslim Tartars in Romania).

- For the mass media/press, books and other publications, the proportion in which expenditures were made ranges between 0.64% (the Roma Pro Europe Association) and 35.57% (Democratic Forum of Germans in Romania).

## 2016

- for press, books, school textbooks and publications, between 0,99% and 28,94%; all organizations have registered expenses for this purpose;

- for expenses for the production and broadcasting of multimedia materials and for radio and TV broadcasting, between 0.13% and 13.42%; ten organizations have incurred expenses for this purpose;

- for expenses for organizing / participating in cultural, scientific, symposium, educational, sports, membership meetings according to the statute and other such events organized in the country and abroad, between 0.87% and 48.51%; 18 organizations have incurred expenses for this purpose;

- for expenditures on organizing / participating in exchanges of experience, camps, training courses, study and study visits in the country and abroad, in the fields of promotion of ethnic and cultural identity, and in the field of operational management, between 0,25% and 7.66%; 15 organizations have incurred expenses for this purpose;

- for expenditures on co-financing and participation in programs and projects made from European and international funds, no organization has expended for this purpose.

## 2017

- for press, books, school textbooks and publications between 0,85% and 21,40%; all organizations have incurred expenses for this purpose;

- for expenditures on the production and broadcasting of multimedia content, as well as the expenses for radio and TV broadcasting, between 4,40% and 5,10%; only 7 organizations have incurred expenses for this purpose;

- for expenses for organizing/participating in cultural, scientific, educational activities, sports, membership meetings according to the statute and other such events organized in the country and abroad; expenditure on organizing/participating in exchanges of experience, camps, training courses, study and study visits in the country and abroad, in the fields of promoting ethnic and cultural identity, as well as in the field of operational management, between 12,05% and 39, 9%;

## 2018

- 22.5% expenditures on organizing/participating in cultural, scientific, symposium, educational, sports, exchanges of experience, camps, trainings, documentation and study visits in the fields of protection and promotion of ethnic, linguistic and cultural identity, as well as in the field of operational management, organized in the country and abroad;
- 6,4% expenditure on the production, publication and dissemination of multimedia and print media, expenditure on the production and broadcasting of radio and television broadcasts, as well as expenditure on their broadcasting on media channels;
- 0,01% expenditure on co-financing and participation in programs and projects made from national, European and international funds.
- 1.7% expenses for organizing / attending members' meetings, according to the statute and other such events, organized in the country and abroad;

#### **Art. 6. Tolerance and intercultural dialogue**

See the description of the general principles of the Romanian state policies in this field listed in Part I.

According to the commitments included in the Governmental Program, the Government of Romania through DRI continues its efforts to support the initiatives of citizens belonging to national minorities, as well as to stimulate communication and intercultural dialogue in Romania. Following an efficient management of ethnocultural diversity, with positive effects on the entire Romanian society, DRI has continued to focus its efforts on two main directions, through an activity-centered and results-oriented concrete projects, namely:

- facilitate and stimulate communication, dialogue and collaboration between all ethnic groups in our country, between the majority and minorities, contribute to preserving common values and strengthening social cohesion, combating xenophobia, cultivating tolerance and respect;
- to participate in international programs and collaborations in the field of national minority rights and intercultural dialogue, to promote on a European and international level the positive experience acquired by Romania in this field.

Most of the activities supported by the Government of Romania through DRI granting non-reimbursable funds have as theme the education in different languages for pupils belonging to national minorities, non-formal education, culture expressed in the mother tongue, organizing common cultural events, multiethnic, stimulating the civic spirit of children belonging to various national minorities, promoting the cultural heritage of minorities, etc.. Each year about half of the DRI total budget allocated to interethnic actions, programs and projects and to combat intolerance is spent on this type of funding.

The attached annexes to this report contain information on projects carried out in the period 2015-2018 by DRI at its initiative in partnership with other non-governmental institutions or NGOs as well as by non-reimbursable funding.

Annex 3/13 / 02a, paragraph b, to the budget of the General Secretariat of the Government, approved by the State Budget Law 2015 no. 186/2014, an amount of 4,036 thousand Lei (909,009 EUR) was earmarked for the financing of some interethnic actions, programs and projects and the combating of intolerance carried out by the Department for Interethnic Relations at its initiative or in partnership with structures in the country and abroad (public institutions, non-governmental organizations, associations and foundations, international bodies, etc.), as well as for non-reimbursable financing according to the provisions of Law no. 350/2015 on the regime of non-reimbursable grants from public funds allocated to non-profit activities of general interest, with subsequent amendments and completions.

In 2015, from the budget allocated for interethnic actions, programs and projects and the fight against intolerance, according to the Government Decision no. 117/2015, 22 interethnic programs and projects were carried out. At the same time, DRI organized in partnership 32 programs and projects in partnership with various NGOs or institutions.

A significant part of the projects initiated and carried out by DRI in 2015 were included in the participation of the institution in two programs, namely the Alliance of Civilizations, respectively the EU Strategy for the Danube Region.

Another theme tackled in 2015 was intercultural education, including the training of teachers to teach this discipline. Also, according to the DRI's tasks in implementing the Second Revised Strategy for Roma (approved by the Government in January 2015), a special program was organized to support teachers in promoting Romani language in schools, teaching themes on the history and traditions of the Roma.

In 2015, DRI organized projects with international cooperation, including:

- The Art Exhibition titled *Intercultural Connections*, presented by DRI, the Inter - Art Association in Aiud and the Mission of Romania to the UN - Geneva; the exhibition was opened on April 23 at the United Nations Palace in Geneva, Switzerland.
- Graphic Exhibition *On the footsteps of Dimitrie Cantemir*, organized by Romanian Cultural Institute (ICR) Istanbul and National Commission for UNESCO, March 31 - April 3, in Istanbul - Turkey. The program was conducted under the auspices of the Alliance of Civilizations.
- The Danube Funding Forum, held in Zagreb, Croatia, on April 22-25. The program was carried out under the auspices of the EU Strategy for the Danube Region.
- Cultural Forum of the Alliance of Civilizations, Baku - Azerbaijan, May 17-20.

2016:

Annex 3/13 / 02a, paragraph b to the budget of the General Secretariat of the Government, approved by the State Budget Law 2016 no. 339/2015, the amount of 4,000 thousand Lei (EUR 890,868) earmarked for the financing and realization of interethnic activities and projects, promotion of cultural, linguistic, religious identity and rights of citizens belonging to national minorities, as well as combating intolerance (public institutions, non-governmental organizations, associations and foundations, international bodies, etc.) as well as for non-reimbursable financing

according to the provisions of the Law no. 350/2005 on the regime of non-reimbursable grants from public funds allocated for non-profit activities of general interest, with subsequent amendments and completions.

In 2016, DRI's activity focused specifically on:

- promoting intercultural education through non-formal methods and collaboration with the public education system, which is the responsibility of the Council of Europe's latest recommendations on compliance with European conventions, as well as the revised Governmental Strategy for Roma, adopted in January 2015 (chapter Education);
- promoting intercultural dialogue at national and international level (through DRI participation in international projects), strengthening cooperation between national minorities and the majority population, prioritized by the European Commission's Recommendation against Racism and Intolerance (ECRI) - the Council of Europe in the latest monitoring report on Romania (*Fostering a climate of tolerance between minority groups and the majority population*);
- promotion of the material and immaterial cultural patrimony of the national minorities in Romania and valorisation, on a national and international level, of the objective assumed in the context of DRI participation in two international projects, namely two interministerial working groups; the two projects are the EU Strategy for the Danube Region and the Alliance of Civilizations.

From the budget allocated for the financing and realization of interethnic activities and projects, promoting the cultural, linguistic, religious and cultural identity of the citizens belonging to the national minorities, as well as the fight against intolerance, according to the HG. no. 58/2016, a total of 18 interethnic programs and events were made in 2016.

At the same time, 22 interethnic programs and projects were held in partnership with other NGOs and institutions.

Regarding the projects initiated by NGOs for which non-reimbursable funds from the state budget were requested (through the DRI budget), two sessions for the selection of interethnic projects, promoting cultural, linguistic, religious identity were organized in 2016 and the rights of citizens belonging to national minorities. Following the first session, 44 projects were selected for funding and approved, and after the second session 21 such projects were selected for funding and approved. By the end of 2016, 61 projects initiated by NGOs from the selected projects were funded by non-reimbursable funds.

2017

According to Government Decision no. 209/2017 for the approval of the distribution and use of the amounts stipulated in paragraphs a) and b) of Annex no. 3/13 / 02a to the budget of the General Secretariat of the Government, approved by the State Budget Law 2017 no. 6/2017, the amount of 2,500 thousand lei (548,246 EUR) allocated for the financing and realization of interethnic activities and projects, promoting the cultural, linguistic, religious and national identity of the citizens belonging to the national minorities was foreseen, as well as the projects dedicated to fight

against intolerance by the Department for Interethnic Relations at its initiative or in partnership with structures in the country and abroad (public institutions, non-governmental organizations, associations and foundations, international bodies, etc.) as well as for non-reimbursable financing according to the provisions of Law no. 350/2015 on the regime of non-reimbursable grants from public funds allocated to non-profit activities of general interest, with subsequent amendments and completions.

From the budget allocated for the financing and realization of interethnic activities and projects, promoting the cultural, linguistic, religious and cultural identity of the citizens belonging to the national minorities, as well as the fight against intolerance, according to the HG. no. 209/2017, 10 interethnic programs and events (at the DRI initiative) and 9 inter-ethnic programs and projects in partnership with other institutions or NGOs were made in 2017;

Regarding the projects initiated by NGOs for which the state budget was requested from the state budget (through the DRI budget), in the year 2017 a number of 40 interethnic programs and projects were financed.

In the context of European cooperation, the Romanian Government (through DRI) has been involved in various programs aimed at promoting culture and contacts.

Thus, the program "Multicultural Identity of the Danube Region in a Regional Context" was carried out in Brasov. Exchange of experiences and best practices "under Priority 3 - Culture, tourism and direct contacts between people of the EU Strategy for the Danube Region (SUERD). Among the participants were representatives of the national minority departments in Vojvodina - Serbia, Croatia, Hungary.

At the same time, at the initiative of the Romanian authorities, the Danube Platform of Intercultural Dialogue INTERCULT developed since 2014, is carried out with the aim of developing the Transnational Danube Program, the strategic objective SO 2.2. - *Sustainable preservation of natural and cultural heritage and resources related to the EU Strategy for the Danube Region*, Priority Area 3 "Culture, tourism and human contacts", objective 5 - creation of the Blue Book of Cultural Identity of the Danube.

In order to prepare this project, DRI has called for the partnership of the partner institutions in the Danube countries, non-governmental organizations active in this field and media entities, receiving positive responses from Croatia, Serbia, Germany and Austria. At the same time, an inventory of the cultural heritage of national minorities has begun. This inventory was carried out on two levels, complementing each other. On the one hand, questionnaires were filled related to material cultural heritage, national minority organizations. On the other hand, since 2014, DRI has organized annual documentary visits to various multiethnic regions in the country, with the main purpose of promoting the cultural heritage of national minorities in Romania and testing its tourism potential for the benefit of local communities.

2018:

The General Secretariat of the Government allocated to DRI, from the State budget, the amount of 4,000 thousand Lei (860,215 EUR) for paragraph b) of Annex no. 3/13 / 02a, activities and projects

interethnic promotion of cultural, linguistic, religious and rights of persons belonging to national minorities and combating intolerance, at the initiative of the Department for Interethnic Relations or in partnership, as well as grants, according to the provisions of Law no. 350/2005 on the regime of non-reimbursable grants from public funds allocated for non-profit activities of general interest, with subsequent amendments and completions.

In addition, we underline some of the on-line campaigns initiated by DRI - as a specialized structure of the Government of Romania in the field of national minorities - between 2016 and 2018:

Online campaign dedicated to celebrating the International Day of Mother Language- on February 21, the International Day of Mother Language is celebrated. Celebrating this day aims to raise public awareness of linguistic and cultural diversity and traditions based on mutual understanding, tolerance and dialogue. Mother tongue contributes to preserving and perpetuating the identity of each minority.

Since 2016, the DRI website has been hosting a platform that contains information on the linguistic richness and diversity of cultures of national minorities in Romania. The same information can be found on the dedicated websites of the organizations of persons belonging to national minorities.

In 2017, in the context of marking the International Day of Mother Tongue, the campaign "Speak and cherish the native language" was launched. The online campaign aims to promote the mother tongues of persons belonging to national minorities, giving each ethnic group the right to express themselves in their mother tongue by posting an animated cartoon /children's cartoon, a children's song along with the translation in the Romanian language of the text of that song, as well as expressions, proverbs and other maxims in the mother tongues of national minorities in Romania, translated *ad literam*, but also the correct explanation of the meaning and cultural symbolic of the respective song.

The campaign continued in 2018, being posted information on the legislation on education in the mother tongue, the documents must be provided by parents, enrolment periods, information on the number of children enrolled for the last five years in schools with curricula in mother tongue, the number of teaching units and educational centers in the mother tongue for the period 2017-2018, as well as any other important information that parents need to know in order to enroll their children in classes in mother tongue.

#### Campaign M2018

Its aim is to address a call to all that it is time to learn to live with differences, but also to convey the message of unity in diversity and appreciation of shared values. This campaign is part of a series of campaigns initiated by the DRI to promote intercultural dialogue and cultural diversity, to raise awareness about the contribution of national minorities to the development of the Romanian modern state. The overall objective of the campaign is not to be just a festive one, but has a rich educational and cultural content, the campaign proposing to draw attention to the role that cultural diversity plays within a state, concerning respecting the other exponent of a national

minorities distinct from the majority and other national minorities through culture, language, religion.

The M2018 campaign aimed to gather together people, ideas, facts, values that have contributed to the building of modern Romania and will contribute to the edification of Romania for the next 100 years. Organizations of persons belonging to national minorities were invited to participate in this campaign and to submit:

- some essential data (about 300 words, plus 2-3 representative photos) about the life of five illustrious personalities for the community, whose work has contributed to the development of Romania:

- a few phrases from which the words of your mother tongue may be translated into Romanian;

- a proposal for the title of "*Ambassador of Diversity*" for a representative of the organization, which has been outstanding in promoting diversity and intercultural dialogue over the last 20 years;

During the campaign, a series of projects aimed at promoting the culture of minorities and facilitating access to minority culture were carried out: publishing works by Hungarian poets and translating them into Romanian on the occasion of the Hungarian Poetry Day; publishing the works of 3 Roma poets in 3 languages of national minorities on the International Roma Day.

The M2018 campaign was also broadcasted by the central and regional studios of the Romanian Radio Society and the Romanian Television Society.

The vision of promoting intercultural dialogue, ethnic diversity and interdisciplinary interaction in affirming ethnic identity by capitalizing on the material and immaterial cultural heritage and using the tools of contemporary and traditional expression is united creatively and is present in the many events that are carried out with the support of the Romanian authorities:

### **Interethnic Contemporary Art Camp**

Starting with 2016 DRI, in collaboration with the *Inter-Art Foundation Aiud*, is organizing an ample intercultural project, called the Interethnic Contemporary Art Camp, which aims at highlighting the multiethnic and multicultural segment in Romania in an event which has as a basic principle the intercultural collaboration. The promotion of contemporary art in Romania through the eyes of national minorities, represented for the first time in a single manifestation of visual art, is an important step from the cultural and social point of view. It is an approach of interethnic relations from the artistic point of view, which allows enriching the cultural life of the country by presenting to the art-loving public works of different cultures and traditions, but also connections between them.

The project takes place on two levels - national and international - comprises several components: the creative component, consisting of a biennial contemporary art camp; the component of intercultural promotion of contemporary art, through event-type exhibitions organized between the two consecutive editions of the camp. The inter-ethnic camp of contemporary art is organized in the country, and the exhibitions with the works made in the camp are presented both in the country

and abroad. This initiative benefits from the support of various actors within each component: central, local authorities, diplomatic missions, cultural institutions.

The inter-ethnic camp of contemporary art is the first artistic manifestation in which all the historical minorities in Romania were represented. The diversity of language, culture, ethnicity represented and promoted by the participating artists emphasized the importance of mutual understanding and respect. The camp has proved to be a good practice model in strengthening good inter-ethnic relations.

The first edition of the Interethnic Camp was held in Aiud in October 2016, with 34 artists representing 21 ethnicities (the 20 historic minorities and artists belonging to the Romanian ethnicity) taking part in it. The selection of the participants was carried out within a few months, based on the recommendations sent by the organizations of the citizens belonging to the national minorities and on the basis of the works submitted in the individual application of the recommended artists. A series of paintings, graphic works, sculptures and photographs was made at the end of the camp two works by each artist were selected. The camp was completed through a local exhibition attended by representatives of local, central, presidential, civil society and the public.

The second edition of the Inter-Ethnic Camp of Contemporary Art took place in 2018 under the High Patronage of Mr. Klaus Iohannis, President of Romania.

The works realised during the two editions of the camp were exhibited and promoted during several events.

a. December 2016, with the support of the Presidential Administration, the Cotroceni National Museum hosted the Inter-ethnic Contemporary Art Exhibition "*Images of Diversity*", marking on the same occasion the Day of National Minorities.

b. September 2017, the Inter-Ethnic Art Exhibition "*Images of Diversity*" – exhibited at Memorial of the 1989 Revolution in Timișoara and hosted in the presence of Members of Parliament representing national minorities and the representatives of the diplomatic corps accredited in Romania.

c. In December 2017, the Department for Interethnic Relations, in collaboration with the Inter-Art Foundation and with the support of the Permanent Mission of Romania to the United Nations Office in Geneva, presented the exhibition on the UN Forum on Minorities. The exhibition offered a wide international exposure, with official and non-governmental representatives from over 50 countries attending the Forum;

d. In June 2018, the interethnic art exhibition "*Images of Diversity*" with the works of the first edition of the camp was exhibited in the European Parliament in Brussels and in Sighisoara, within the *ProEtnica* festival.

e. In September 2018, in Tulcea, within the National Art Museum, the opening of the Inter-Ethnographic Exhibition of Contemporary Art "*Images of Diversity*", 2nd edition. Representatives

of the organizations of citizens belonging to national minorities, local and central officials, artists/authors of the exhibited works, and representatives of the media attended the event.

The next edition of the Inter-Ethnic Camp of Contemporary Art is programmed to be held in 2020.

**The Diversity Cup** Starting with 2015, the Government of Romania, through the Department for Interethnic Relations (DRI), in partnership with the Romanian Football Federation (FRF), organizes the event named "Diversity Cup". This project responds to the need to combat racism and discrimination in sports and beyond. Sport, by its very nature, encourages diversity in a cultural world. Therefore, the two components of the event - sports and culture - aim to promote the fight against racism, discrimination, and ethnic diversity in Romania, encouraging people to appreciate and enjoy the variety of intercultural society. The project includes a series of cultural and sports events - the "*Minority Football Championship*", aiming to promote the fight against racism, discrimination, promotion of ethnic and cultural diversity in Romania and to encourage people to appreciate and enjoy diversity intercultural society. In 2018, the "Diversity Cup " fourth edition was held in Oradea, Bihor County.

### **Diversity and cultural heritage through media. Visits and exchange of good practices in multiethnic regions of the Danube basin"**

Together with experts in history and archeology, anthropology, patrimony, ethnography and folklore, local officials as well as representatives of the media and project partners within the Danube Transnational Program, was created the journalist inventory of the most representative and important objectives related to the history, culture and life of ethnic groups, a mosaic of the cultural - material and immaterial patrimony - of the ethnic groups and implicitly of the multiethnic areas in the countries of the Danube basin.

Each visit conducted to a series of journalistic documentaries and productions: tv shows presented by TVR, Directorate for Minorities, Radio Romania News, Radio Romania International, Deutsche Allgemeine Zeitung, National Courier, Romanian Journalists Association, Erdelyi TV , Transindex and various local publications and publications in the visited regions.

Documentary visits were conducted in the form of annual projects:

- In 2014, the project "*Diversity and cultural heritage through the media. Visits and exchange of good practices in multiethnic regions of the Danube basin*" took place in northern Dobrogea, Tulcea county on the route Bucharest - Slava Cercheza - Babadag - Tulcea - Greci - Măcin - Murighiol - Dunavăț - Tulcea - Bucharest route;

- In 2015, the project "*Diversity and cultural heritage through the media. Visits and Exchange of Good Practices in Multiethnic Regions in the Danube Basin*" took place in Alba and Bihor counties (Alba Iulia, Beiuș, Tarcaia, Oradea, Alesd, Palota) including a visit to the General Consulate of Romania in Gyula, Hungary;

- In 2016, the project "*Diversity and cultural heritage through the media. Visits and exchange of good practices in multiethnic regions of the Danube basin*" took place in the counties of Dolj, Mehedinți and Caras-Severin, on the route Bucharest - Craiova - Drobeta Turnu Severin - Baile

Herculane - Orșova - Eșelnița - Dubova - Svinița - Moldova Nouă - Carașova - Reșița - Oțelu Roșu - Sebeș - Sibiu - Bucharest;

- In 2017, the project "*Diversity and cultural heritage through the mass media. Cultural tourism a sustainable tourism for local development in the Danube basin. Exchange of experience and good practices with project partners in the Danube region; documentary visit to Brașov, Harghita, Covasna and Mureș counties*", took place in the cities of Bucharest - Brașov - Sfântu Gheorghe - Tălișoara - Miercurea Ciuc - Gheorgheni - Satu Mare - Dârju - Odorheiu Secuiesc - Corund - Cristuru Secuiesc - Odorheiu Secuiesc - Ghimeș - Miercurea Ciuc - Sfântu Gheorghe - Târgu Secuiesc - Sfântu Gheorghe - Brașov - Bucharest;

- In 2018, the project "*Diversity and cultural heritage through media. Cultural heritage of national minorities in the context of the European Year of Cultural Heritage. Documentary visit and exchange of best practices for journalists and experts in the Danube Region*" took place in the counties of Brasov, Mures, Sibiu, on the route Bucharest - Brasov - Harman - Prejmer - Cloasterf - Viscri - Cris - Meșendorf - Sighisoara - Dumbrăveni - Mediaș - Alma Vii - Axente Sever - Valea Viilor - Sibiu - Cisnădioara - Cisnădie - Cârța - Făgăraș - Bucharest.

After each documentary visit, the materials that appeared in the *Allgemeine Deutsche Zeitung* (ADZ), accompanied by photographs of the most visited cultural heritage objectives, were edited and printed in the form of brochures, the author of the ADZ journalist and patrimonial expert cultural, author of photographs. Here are the booklet titles:

- On the Trail of Minorities in Dobruja (Pe urmele minorităților din Dobrogea)

- Auf der Sparen der Miderheiten in Alba und in Kreischgebiet (Pe urmele minorităților din Alba and Crișana)

- On the Trail of Minorities at the Iron Gates (Pe urmele minorităților la Porțile de Fier)

- On the Trail of National Minorities through Transylvania (pe urmele minorităților în Transilvania)

### **Changing discourse, changing practices: Roma as a human resource – RARE**

The Government of Romania, through the Department for Interethnic Relations (DRI), develops as a partner the transnational project "*Change of discourse, change of practices: Roma as a human resource - RARE*"<sup>12</sup>. The project runs from 1 January 2017 to 30 June 2019 within the framework of the Transnational Danube Program 2014-2020 and is financed by the European Regional Development Fund (ERDF). The project is being developed in partnership with 21 other partners in six countries in the Danube Region, among them the Hungarian Charity Service of the Order of Malta being the main partner. The main objective of the RARE project is to increase institutional capacity and cooperation among the main players in the employment (labor market) for the Roma, in order to better capitalize on their economic potential in the Danube region, followed by monitoring and evaluating the results of the intervention. In 2017, documentation visits and

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<sup>12</sup> Code of project: DTP1 – 1 – 320 – 4.1

exchange of best practices between partners from different countries involved in the project were carried out and pilot projects were launched, bringing together the main actors involved in the development of the Roma labor market. In Romania, the pilot project will be rolled out in Sfântu Gheorghe, Orko neighborhood.

#### **Art. 7. Freedom of peaceful assembly, freedom of association and freedom of expression**

The organizations of the citizens representing the national minorities are registered and operate according to the common law - Government Ordinance no. 26/2000 on Associations and Foundations, as amended and supplemented. The lack of a special procedure for the establishment, registration and functioning of an organization of citizens representing national minorities does not hinder their right to participate in the electoral process. All the more so since the legislator has created a favorable framework to enable these organizations to participate in elections and, implicitly, to participate in public life at the highest level.

#### **Article 8 Protection of Religious Freedom**

##### **Restitution of properties**

Significant progress has been made in this area, and Romania has had good results in resolving property restitution claims.

Over 50% of the total number of restitution resolutions concerning religious denominations refers to the churches representative of the Hungarian minority. A large number of buildings with significant architectural, cultural or historical value have already been restituted. The process is in progress, the slow pace due to the fact that the restitution files are incomplete due to the lack of documents proving the title of property. The Special Return Commission provides assistance to applicants in developing accurate and complete documentation.

Romania has embarked on an extensive property restitution process, with the desire to surrender landowners the right to property on buildings confiscated during the communist regime (remedial effect). The legal regime of restitution has changed over the years, and a comprehensive restitution process has been carried out with the support of the Council of Europe. Given its magnitude and ambition, this process is an unprecedented one, with no other state recognizing anything like it.

In Annex 4, there is a complete situation of the restitutions to religious denominations, including minority religious cults in Romania and organizations of persons belonging to national minorities.

#### **Art. 9. Access of persons belonging to national minorities to mass media**

For a comprehensive analysis of the use of national minority languages in the media, see Annex II - The comments of the Romanian authorities, the Second Report of the Committee of Experts of the European Charter for Regional or Minority Languages.

Regarding the publications in the mother tongue, it should be noted that each national minority holds at least one publication in the mother tongue or bilingual, but the circulation and coverage varies according to the financial resources and the number of members of the respective minority.

There are over 40 publications of national minorities other than Hungarian. Their content has diversified over the past few years, covering a range of topics of interest to members of respective minorities. Substantial investments have also been made to improve the graphic format of publications, most of which are color printed. The distribution area of these national and regional publications has expanded and is now being received by all persons belonging to minorities from Romania living currently abroad. Being primarily interested in preserving and promoting language and culture, several minorities focus their attention on cultural publications: the Lipovan Russians have a socio-cultural newspaper and a culture magazine (both in bilingual editions), the Polish community publishes a quarterly journal for children in Polish, while the Ukrainians have five publications (four in Ukrainian and one in Romanian): political, social, cultural, literary and children. Several minorities have created online editions of publications (Armenians, Bulgarians, Jews, Lipovan Russians, Turks, Hungarians, Germans, etc.) and post on the websites selections of articles in the main publications. The financial and logistic support was mainly provided by the Government of Romania.

#### **Art. 10. Use of minority languages in relations with administrative authorities and before the judiciary**

Regarding the use of minority languages in the courts of justice, we underline that the situation is well-regulated in the national legislation in the field, art. 23, paragraph 8, art. 128, paragraphs 2 and 3 of the Constitution of Romania, as well as art. 12, art. 83, art. 209 and art. 223 of the Code of Criminal Procedure. Express provisions are also found in art. 14 of Law no.304 / 2004 on judicial organization, republished, as subsequently amended and supplemented:

(2) Romanian citizens belonging to national minorities have the right to express themselves in their mother tongue, before the courts, under the terms of this law.

(3) If one or more parties request to express themselves in their respective mother tongue, the court must ensure, free of charge, the use of an authorized interpreter or translator.

(4) Where all parties require or agree to express themselves in their mother tongue, the court must ensure the exercise of this right and the proper administration of justice, with due regard for the principles of contradictoriness (partem), orality, and publicity."

For a detailed situation, please see the text of the Opinion of the Government of Romania on the second Report of Committee of Experts (COMEX) of the European Charter for Regional or Minority Languages (2017).

The use of regional or minority languages in relations with public authorities and justice.

#### **1. In the Institution of Prefect**

The prefect institutions of Bihor, Bistrita Nasaud, Brasov, Cluj, Covasna, Harghita, Maramures Mures, Satu Mare and Salaj, Timis counties have hired Hungarian-speaking officials in the public relations department.

The prefect institution in Sibiu has a German-speaking employee in the national minority department.

The prefect institutions in the counties of Arges, Botosani, Brăila, Buzău, Gorj, Ialomița, Iași, Suceava, Timiș, Vaslui, Vâlcea and Bucharest have employed Romani-speaking officials.

Prefect institutions from Maramureș and Suceava counties hired Ukrainian-speaking people who can take requests and also respond to requests from citizens.

The prefect institutions in the counties of Arad, Bihor, Sălaj and Timiș hired Slovak-speaking persons who can take requests and also answer questions to citizens.

The prefect institutions in Caraș-Severin and Timiș counties hired Serb-speaking people who can take requests and also respond to requests from citizens.

The prefect institution in Caraș-Severin county has a Croatian-speaking staff who can take on requests and can also answer responses to citizens' requests.

The prefect institution in Constanța county has Turkish and Tatar speakers who can take requests and can also respond to requests from citizens.

The prefect's institutions in Covasna and Harghita counties also have Hungarian-language websites containing information of public interest in this language (eg for simple passports, information on the activities carried out within the institution, the audience program, etc.).

Within the regional community public services, namely the Vehicle Driving License and Vehicle Registration Directorates are employed and speakers of Hungarian to ensure good communication with minorities, as (1), Bistrița - Năsăud (1), Brașov (1), Brăila (1), Bihor (5), Cluj (1), Covasna Harghita Mureș Sălaj (1) and Satu Mare (7). In addition, the theoretical test of the driving license examination can be supported in the following languages: Romanian, English, German, French and Hungarian, depending on the candidate's express option, to all Community public services, driving license and vehicle registration.

When recruiting or transferring vacancies, most of the above-mentioned Prefect Institutions do not impose, as a pre-condition the proficiency in Hungarian language, but in some cases the knowledge of this language can be an advantage over other candidates.

## 2. In deconcentrated public services

Within the public relations departments of the deconcentrated public services in the counties of Covasna, Bihor and Harghita, Hungarian speakers are also employed to ensure communication with persons belonging to Hungarian ethnicity; also Mureș, Sălaj and Satu Mare counties have such employees, predominantly in the fields of agriculture, health, education, finance, customs, social protection, the environment, water and forestry.

Some decentralized public services (predominantly in the fields of agriculture, education, culture, finance, customs, and social protection) in the counties of Arad, Bihor, Bistrița - Năsăud, Brașov, Caraș - Severin, Maramureș, Sălaj and Timis received oral or written applications, addressed in Hungarian, and most of them can provide answers to Hungarian-language citizens in Hungarian when they speak in that language. Concerning the Mureș, Covasna and Harghita counties, all

decentralized public services can provide answers in Hungarian at the request of Romanian citizens belonging to Hungarian minority.

Some decentralized public services in Caras - Severin, Maramures, Suceava and Timis have employees who can take requests submitted in German and can formulate answers to requests from Romanian citizens belonging to this minority.

Some of the deconcentrated public services, mainly from the educational field, from Arges, Botosani, Brăila, Iași, Suceava, Teleorman, Timiș, Vaslui, Tulcea, Vrancea counties, employed Romani speakers who can process written or verbal requests from Romanian citizens belonging to this ethnic group or can make answers in the Romani language.

Some of the deconcentrated public services in Bihor, Brasov, Caraș - Severin, Constanța, Maramureș, Suceava, Teleorman, Timiș, Tulcea, Teleorman, Timiș and Tulcea have employed persons proficient in minority languages (German, Russian, Ukrainian, Serbian, Croatian, Bulgarian, Polish, Turkish, Italian ) that can ensure communication with Romanian citizens belonging to these ethnic groups predominantly in the fields of health, education, labor, social protection, etc.

### 3. The territorial structures of the General Inspectorate for Emergency Situations

Within the structures of the General Inspectorate for Emergency Situations, 523 persons belonging to different national minorities are employed. The largest share is held by Hungarian public servants (487), who ensure communication and drafting of answers in Hungarian. There are also Slovak-speaking (8), Serbian (5), German (4), Tatar (4), Romani (3), Turkish (3) and Ukrainian (2) speakers.

### 4. Within the territorial structures of the Romanian Gendarmerie

The Romanian Gendarmerie pays particular attention to the rights of persons belonging to national minorities by continuously monitoring the attitudes of their own staff in order to ensure compliance with the national legislation on the rights of Romanian citizens belonging to minorities and by organizing courses on equal opportunities (157 school officers ), as well as in improving anti-discrimination measures (75 gendarmerie officers).

Also in the territorial structures, persons belonging to various national minorities were employed. The distribution of minority language speakers is as follows:

Bulgarian language - 3 officers;

- German language - 32 officers;
- Greek language - 4 officers;
- Italian language - 52 officers;
- Hungarian language - 323 officers;
- Romani language - 11 officers;

- Russian language - 31 officers;
- Serbian language - 9 officers;
- Slovak language - 1 officer;
- Turkish language - 13 officers;
- Ukrainian language - 5 officers.

Within the educational institutions of the Romanian Gendarmerie, special places are provided annually for the representatives of the national minorities, the representatives of the Hungarian and Roma ethnic groups having reserved places within the educational institutions of the Ministry of Interior (Schools of Non-commissioned Gendarmes from Drăgășani and Fălticeni), resulting in a total of 50 cases for the period 2015-2018.

#### 5. Within the territorial structures of the National Archives of Romania

Within the territorial structures in the counties where the Hungarian population exceeds 20%, the public relations activities, namely the Study room and the settlement/reconstruction of the citizens' requests regarding some individual rights based on archive documents, are provided by the officials who know, along with Romanian, the Hungarian language.

Requests for the reconstruction of individual rights based on archive documents, written in Hungarian, are registered in the original form submitted by the citizens, then translated into Romanian, after which the resolutions are applied on the original submitted by the citizen. Since the documents issued by the National Archives in response to citizens' requests for the reconstruction of individual rights have legal value in relation to other institutions of the Romanian State throughout its territory, the responses to the requests are formulated in Romanian so that the petitioners do not have to ensure authenticated translation of the released official documents.

Information of general interest regarding the program of the public relations office, the Study room, the list of services provided by the National Archives, the information on the drafting of the requests, the information on the Treasury account where the payment for the provided archival services is provided, the information on the tax free phone line of the Ministry of Internal Affairs where corruption acts can be reported and the list of archive collections offered for research in the Study room are available both in Romanian and in Hungarian at the information panel in the respective territorial units.

In the local services of the National Archives are employed persons speaking minority languages in Bihor (1 Hungarian and 1- German), Cluj (2-Hungarian, 1 German), Maramures (1 Hungarian) Covasna (5- Hungarian), Mureș (2 - Hungarian, 2 German), Sălaj (2-Hungarian) and Harghita (3 Hungarian).

#### 6. The structures of the General Inspectorate of Romanian Police (IGPR)

a) Measures taken at the Centers for Preventive Arrest

Starting to 1 February 2014, Law no. 254/2013 regarding the execution of the sentences and the measures ordered by the judicial bodies during the criminal trial, and on 11 April 2016 came into force the Government Decision no. 157/2016 for the approval of the Regulation for its implementation, normative acts that require the judicial bodies to inform the persons deprived of their liberty of their rights and obligations, in the language they declare that they understand. The new Code of Criminal Procedure also states in Article 209 "*the detained person shall be immediately informed in the language he / she understands, the offense of which he / she is suspected and the reasons for the detention.*"

At the same time, the Regulation on the organization and operation of pre-trial detention centers stipulates that in case of persons belonging to national minorities the initial information on rights, obligations and prohibitions, rewards and disciplinary sanctions and interrogation can be done in their native language. In the case of persons deprived of liberty who do not speak or understand the Romanian language or have communication deficiencies, the information is provided through a person who can communicate with him or by handing over a document containing this information, drafted in the mother tongue or in an international language. Thus, the information brochure on rights, obligations and prohibitions, as well as on the rewards that may be granted, disciplinary measures and sanctions under the Law no. 254/2013, including the provisions of article 228, paragraph (2) to (5) of the Code of Criminal Procedure is available at the level of detention and pre-trial detention centers translated into seven languages.

#### **b) Use of minority languages in the IGPR's territorial structures**

Within the territorial structures are employed 634 people speaking minority languages, as follows: Hungarians (346), Roma (199) Ukrainians (20), Turks (17), Tatars (15), Slovaks (11), Germans (6), Russians (5), Serbs (5), Bulgarians (4), Lippovans (3), Poles (2) and Greeks (1).

#### **c) Preparing police officer to interact with citizens belonging to national minorities**

Thematic issues such as Human Rights and Police, Rights of persons belonging to National Minorities, Prevention of Discrimination, Good Practice in Strengthening Trust and Understanding between the Police and the Roma Minority, Preventing Hate Crime, are being considered in the process of continuous training for police officers. This is an informational support for all officers/agencies in the central and territorial structures of crime analysis and crime prevention that participate in unit-level training and information activities of target groups (minors, teachers, elderly people, young people, etc.).

In this context, it should be mentioned the following training programs for police, detailed in Chapter II, Article 4:

- The "*No discrimination!*" project, conducted by the Romanian Police in partnership with the National Council for Combating Discrimination (NCCD), in which were trained over 100 officers from within the crime prevention, public order, criminal investigation, special actions and traffic from IGPR and DGPMB to the prevention of discrimination and hate crimes.

- Within the framework of the Project "*Promoting the concept of proximity police in rural areas, especially in Roma communities or other socially disadvantaged communities*", financed by the Romania-Switzerland Cooperation Program, the following:

- ✓ In 2016 a curriculum for the Romani language and culture course was developed, accompanied by the Analytical Program and the Methodological Guide of the course.
- ✓ On the basis of these documents, at the "Nicolae Golescu" Police Training Center in Slatina, 80 police officers were recruited from all Romanian police units, during 4 sessions in the field of "language and Romani culture".
- ✓ Also, at the Romani Language and Culture Initiation Course, organized in 2016 at the Nicolae Golescu Police Training Center, Slatina, participated 53 police officers.
- ✓ In the year 2016, a study visit was also held in Switzerland at the Savatan Police Academy of 5 experts involved in the project, thus exchanging best practices in the field of public order and safety as well as initial training and continuous training.
- ✓ On May 7-25, 2018 took place the advanced level of Romani language and culture, organized at the "Nicolae Golescu" Police Training Center, Slatina, with 40 police officers.

- The project "*Integrated Approach to Preventing Victimization in Roma Communities*", funded through the Norwegian Financial Mechanism, started in October 2014 with a 30-month implementation period - until April 30, 2017 – in partnership with Office for Democratic Institutions and Human Rights (ODIHR) within the OSCE, the National Institute of National Economy of the Romanian Academy and the Roma Center for Social Intervention and Studies - Romani CRISS.

- The "Mission Possible" project, aimed at promoting ethnic diversity and ethnocultural equity by encouraging young people belonging to national minorities to opt for a career in police structures. One of the activities aimed at the preparation of the "Police-Community Relationship in a Multicultural Environment" training course, attended by 22 students and six teachers from the "Vasile Lascăr" School of Police Agents - Câmpina. The course was accredited by the National Authority for Qualifications in the field of social and civic competences and was supported by specialists of the National Council for Combating Discrimination, the Faculty of Political and Administrative Sciences, the Center for Resource for Ethnocultural Diversity and the Institute for Crime Prevention and Research. The topics addressed were the prevention of all forms of discrimination, communication and conflict management in multiethnic communities, Roma society in the global context of diversity, prevention of crime in multicultural communities.

- The program "*Access to Justice of Roma Women – JUSTROME*", organized by the Council of Europe on 18-20 December 2017, in Bucharest, attended by 20 police officers.

- The project "Strengthening the capacity of the Pre-trial detention facilities (2016) to align with relevant international instruments on human rights". Within this project, in 2016, 3 (three) additional training sessions for police officers in detention and pre-trial detention centers were organized. There were 60 participants, both at the "Septimiu Muresan" Police School of Cluj Napoca, and at the "Nicolae Golescu" Police Training and Training Center in Slatina.

## **7. In the Romanian Border Police structures**

The situation within the territorial structures of the Romanian Border Police is the following: out of the total number of border guards, 192 persons belonging to the national minorities are included 100 ethnic Hungarians, 34 ethnic Ukrainians, 16 ethnic Serbs, 11 ethnic Turkish, 8 ethnic Roma, 6 ethnic Germans, 5 ethnic Slovaks, 3 ethnic Tatars, 3 ethnic Russians, 2 ethnic Lippovans, 1 ethnic Bulgarian and 2 belonging to other minorities, as well as police officer proficient in the Aromanian dialect of the Romanian language.

In educational institutions of the Romanian Border Police are provided annually special seats for representatives of national minorities (for school / university year 2019-2020 were proposed at the Police Academy "Alexandru Ioan Cuza" two places for Roma, 2 seats for ethnic Hungarians and 2 seats for other minorities, and at the Training School of Border Police Agents "Avram Iancu" Oradea 3 places for Roma and 5 for other minorities).

In the initial training program, at the border police, the level 5 Professional Curriculum, the thematic units are selected and ordered for the formation of values and attitudes centered on assuming responsibility for performing the duties, adopting an integral conduct in the exercise of the service publicly, cultivating respect for human rights and human dignity. In this respect, there are topics that ensure compatibility with European training standards: protection of human rights, respect for diversity, fight against torture and ill-treatment, analysis and fight against trafficking in persons etc.

The curriculum of training courses was provided with specific issues of anti-discrimination and human rights in the work of the border police. Thus, throughout the theme "*The right not to be subjected to torture, inhuman or degrading treatment. The right to non-discrimination*" focused on the provisions of article 14 of the European Convention on Human Rights and on defining the notion of discrimination as defined by ECHR jurisprudence and discussing issues related to the content of the right to non-discrimination, exemplifying some discriminatory practices of public authorities.

In the continuous professional training plan of the operational personnel of police structures, were included the themes "*International and National Legal Framework on Asylum, Migration and Human Rights*", "*Interviewing persons who request a form of protection*", "*The deprivation of liberty of persons or groups of people requiring special attention*". The educational staff of the border police educational institutions is constantly improving through documentation stages at operative structures or courses organized at national and international level by Ministry of Interior or other specialized institutions.

At the level of the Romanian Border Police, there is a permanent concern in the deepening of the issue regarding the protection of human rights and persons belonging to national minorities. In this respect, in 2017 and in the first half of 2018, a number of six border guards participated in the Working Group for the development of the training project for trainers in the field of respect for fundamental rights and the "European Training Course for Trainers in the field of Fundamental Rights" as trainers (FRONTEX activity) as well as at the meeting of the Expert Group set up to develop the Curriculum for the Human Rights in the context of the Common Security Defense Policy Tasks (CEPOL Activity).

The Romanian Border Police also paid increased attention to the rights of persons belonging to national minorities by continuously monitoring the attitude of their own staff towards their members in order to comply with the national legislation on the rights of Romanian citizens belonging to minorities and by organizing courses in the field of respect and protection of human rights.

#### 8. The territorial structures of the Directorate for the Evidence of Persons and Database Administration

At the county structures of the above-mentioned Directorate are employed nine Hungarian-speaking persons (officers, agents and staff), with a considerable presence in the counties of Mures, Harghita, Cluj, Alba, Brasov and Maramures.

#### 9. Seats allocated in educational institutions of the Ministry of Internal Affairs (MAI)

In all sessions for admission to educational institutions of MAI, it have been approved special seats for national minorities to ensure their access to education and specific training.

The situation of the special seats during the admission competitions organized between 2014 and 2018 is the following:

##### Session 2014:

- "Alexandru Ioan Cuza" Police Academy: 25 seats (11 for Roma, 8 for Hungarians, 6 for persons belonging to other national minorities);
- Post-secondary schools: 32 seats (20 for Roma, 12 for persons belonging to other national minorities)

##### Session 2015:

- "Alexandru Ioan Cuza" Police Academy: 24 seats (10 for Roma, 9 for Hungarians, 5 for persons belonging to other national minorities);
- Post-secondary schools: 30 seats (19 for Roma, 11 other minorities)

##### Session 2016:

- "Alexandru Ioan Cuza" Police Academy: 29 seats (11 for ethnic Roma, 11 for Hungarians, 7 for persons belonging to other national minorities);
- Post-secondary schools: 50 seats (33 for Roma, 17 for persons belonging to other national minorities)

##### Session 2017:

- "Alexandru Ioan Cuza" Police Academy: 34 seats (13 for Roma, 13 for Hungarians, 8 for persons belonging to other national minorities);

- Post-secondary schools: 48 seats (31 for Roma, 17 for persons belonging to other national minorities)

Session January 2018:

- Post-secondary schools: 55 seats (35 for Roma, 20 for persons belonging to other national minorities)

Session August - September 2018:

- "Alexandru Ioan Cuza" Police Academy: 34 seats (13 for Roma, 13 for Hungarians, 8 for persons belonging to other national minorities);

- Post-secondary schools: 78 seats (58 for Roma, 20 for persons belonging to other national minorities).

For the January 2019 admissions session, at the post-secondary schools of MAI, 58 seats for Roma ethnicity and 20 for persons belonging to other national minorities were approved.

#### **Art. 11. Use of minority languages to indicate place names**

The Government of Romania through the Department for Interethnic Relations and the Institute for Studying the Problems of National Minorities has proposed to organize an event focused on the right of citizens belonging to national minorities to use their mother tongue in relation to the local public administration authorities.

#### **Art. 12. Multicultural and intercultural dimension of education**

Promoting intercultural education through non-formal methods and collaborating with the public education system was reflected in a number of projects carried out in 2018:

*In the footsteps of national minorities in the cities of Transylvania.* The project addressed a number of 22 students representing the following national minorities and awarded the first prize at the national stage of the mother tongue and literature Olympiads this year: Hungarian, German, Ukrainian, Roma, Russian - Lippovan, Serbian, Slovak, Turkish and Greek. In 2018, the project took place in Târgu Mureș and Sibiu. Designed in the form of an intercultural school, the project offered participants the opportunity to learn different cultures and to understand that cultural, linguistic and religious differences must not divide from each other, but bring us closer, and are considered a benefit in society. Intercultural education, through the interaction between participants belonging to different national minorities, aims to help students to become aware of the value of diversity and to lead finally to increase empathy for cultural differences. In addition, the participants benefited from courses on intercultural education and visited various significant objectives from the perspective of multiculturalism.

#### ***Let's Play Lingua Fest***

The Government of Romanian through the Department for Interethnic Relations, in collaboration with the Representation of European Commission in Romania, the National Agency for Community Programs in the Field of Education and Vocational Training, the National Museum of

Romanian Literature and the "Da'DeCe" Association organized in September 2018 at the Museum The Romanian Literature, the "Let's Play Lingua Fest" event, which is part of a series of annual events (the seventh edition) dedicated to the European Language Day, meant to highlight multilingualism and intercultural communication. As in the previous editions, the project addressed a young and very young public, with 8 groups of 10 pupils belonging to the gymnasium cycle participating in the project. The students traveled inside the museum, a route that included various activities such as: Treasure hunt, puzzles, origami, quiz 'Guess the language', snapshot 'The Wheel of Fortune' 'with questions on various topics related to certain writers belonging to national minorities, as well as a duplex, via Skype, with pupils from a Teatrolici Romanian language school in Stuttgart - Germany. On this occasion, each participating group prepared an artistic moment, presented to students in Germany and vice versa. The Department for Interethnic Relations has invited to this event students from Hristo Botev High School, Dante High School, Goethe College and Lauder School, secondary school students, pupils who learn in their respective mother tongue.

#### **Colors of Our Union** - Young artists, witnessing the future

The Government of Romania through the Department for Interethnic Relations, in partnership with the Federation of Jewish Communities in Romania - The Mosaic Cult organized in October 2018 the third Painting Camp "Colors of Our Union - Young Artists, Witnesses of the Future", in Iasi. The project brings together 32 young artists, students from art colleges from Bacău, Buzău and Iași, guided by the plastic arts professors, who have performed works on Centenary - history, values, people, patrimony, future. The works will be exhibited in Romania, Vatican, Israel, Austria and Norway. In addition to the creation workshops - painting and graphics - the organizers proposed to the young participants for discussion some important topics such as: competence and competition; art - as a form of education; "My future begins today" - roles and places; Me is Europe" - *EU sunt Europa*".

#### **Art. 14. Teaching mother tongue and teaching in native language**

The Ministry of Education produces textbooks for the entire public education system.

DRI facilitated the editing of anthologies, guides, auxiliary works needed in schools. For classes XI and XII, which are not included in the compulsory education system, grants could also be facilitated for editing and printing textbooks (eg. mathematics, chemistry, geography, atlases, etc.) in Hungarian, projects proposed by of the *Communitas* Foundation in Cluj Napoca). In order to reward the performance of students studying in their mother tongue, special programs were organized and for the best teachers to train these pupils and motivate them for performance, programs of exchange of experience and visits to other high schools with teaching system in native language were organized. Some of these exchanges have taken place with the support of the Commission for Education and Youth of the Council of National Minorities.

Among the projects for teacher training, the project "*Romani mother tongue, Roma history, traditions and customs in the intercultural educational context of pre-university education*" was organized in the last three years. The program addressed to a number of 40 pre-university teachers teaching in Romani or Romani language, Roma history and traditions. The general objective of

the program is to develop and expand the competences of teaching staff in non-formal education, to take on intercultural competences in education, by enhancing specialized knowledge and practice.

In order to provide education in the mother tongue (Hungarian, German, Slovak, Serbian, Czech, Greek, Bulgarian, Ukrainian, Croatian, Romani, Russian, Turkish, Polish), initial teacher education is provided in a number of pedagogical high schools (where future educators/teachers are trained) and many universities, as well as abroad, based on inter-ministerial education cooperation programs between Romania and countries where the mother tongue of respective minorities is the official language. Continuous training and specialization of mother tongue teachers is ensured by school inspectorates, universities, as well as in initiatives organized or supported by associations /centers of persons belonging to national minorities.

For example, in 2018 Romania renewed the Cooperation Program between the Ministry of National Education in Romania and the Ministry of Education, Science, Research and Sports of the Slovak Republic. According to its provisions, the Slovak side receives annually teachers from educational institutions in Romania who have Slovak as a language of teaching in specialized courses and teaching courses in the Slovak Republic. Opportunity concerns teachers at all levels of pre-university education.

Also within the mechanisms of bilateral cooperation in the field of education with these countries are offered similar opportunities for training teachers working in schools in Romania that provides education to persons belonging to the following national minorities: Bulgarian, German, Serbian and Turkish.

Language faculties from various Romanian universities are running programs with foreign language and literature lecturers from different countries, including those who have kin minorities in Romania. Thus, through bilateral cooperation, Romania is receiving lecturers from Bulgaria, Czech Republic, Hungary, Italy, Poland, Serbia, Slovakia and Turkey.

In terms of providing schoolbooks in the mother tongue at all levels of education in the last calls launched by the National Center for Evaluation and Examination, textbook authors who responded to the respective call have developed a number of books for students who study in their mother tongue. For example, for the Hungarian mother tongue a number of 29 books, covering 18 school subjects were developed; for Ukrainian mother tongue and Romani respectively - six books covering six school subjects for each of the two languages; for Turkish and Serbian mother tongue - four books covering four school subjects for each of the two languages; and a book for the German and Slovak mother tongue respectively.

During the same period, a number of textbooks were translated for certain basic education subjects for grades I to VI for several national minorities. For example, 20 manuals for Hungarian, 10 for German and 10 for Slovak have been translated so far.

In addition, there have been new translations of Class III-V textbooks published by private publishers, such as: 23 Hungarian books covering 20 school subjects and 8 books in German.

Currently, the National Center for Accreditation and Examinations analyzes auxiliary teaching resources, including resources in the mother tongue of persons belonging to national minorities.

### **Art. 15. Participation of national minorities to public life**

The Government of Romania, through the Department for Interethnic Relations, organized in the year 2018 (November) the third edition of the civic education program "*I am a minority, so I count!*". The program was organized for high school students in multi-ethnic areas in Romania and aims to increase the level of understanding among persons belonging to national minorities of the concept of effective participation in public life. The activities carried out within the program had as a goal rising awareness of the importance of individual's involvement - independent and voluntary - in choosing the representatives, increasing confidence and the role of everyone in democratic processes.

Nearly three decades after the fall of communism, Romania has become a country with a complex and stable system of participation of persons belonging to national minorities in public affairs. This would not have been possible in the general process of democratization and modernization of the country, without the constant, effective and responsible participation of representatives of national minorities in public life, on the basis of various instruments available to them: Parliament (A.), consultation and participation mechanism at Government level (B.) and local representation (C.).

Romania's experience regarding the participation of national minorities in political life continues to be one of the most attractive and innovative at European level, combining different elements in connection to multiple areas of public life.

#### **A) Parliamentary representation**

According to article 62 par. (2) of the Constitution of Romania, "*the organizations of citizens belonging to a national minority who have not been able to obtain the number of votes required to be represented in Parliament have the right to a deputy seat according to the Electoral Law.*"

As a result of the sovereign will of the citizens of Romania at the last parliamentary elections (December 2016), the national minorities in Romania are represented in the Chamber of Deputies and in the Senate as follows:

**The Hungarian Democratic Union of Romania (UDMR)**, representing the Hungarian national minority in the country, has a parliamentary group in the Senate (9 persons) and a separate group in the Chamber of Deputies (21 persons);

**The Parliamentary Group of National Minorities of the Chamber of Deputies**, consisting of 17 deputies representing the organizations of citizens belonging to national minorities, the same as in the previous elections, namely:

1. Association League of Albanians in Romania
2. Union of Armenians from Romania
3. The Bulgarian Union of Banat - Romania

4. Union of Croatians in Romania
5. Hellenic Union of Romania
6. The Federation of Jewish Communities in Romania
7. Democratic Forum of Germans in Romania
8. Association of Italians in Romania "RO.AS.IT"
9. The Union of Poles in Romania "Dom Polski"
10. Association of Roma Party "Pro Europe"
11. Community of the Lippovan Russians in Romania
12. Union of Serbs in Romania
13. Democratic Union of Slovaks and Czechs in Romania
14. The Turkish Democratic Union of Romania
15. The Union of Ukrainians in Romania
16. Association of Macedonians in Romania
17. Cultural Union of Ruthenian of Romania.

The significant number of votes obtained by the organizations of Romanian citizens belonging to national minorities at the last general election reflects their positive image among the communities they belong to and at the level of the electorate in Romania as a whole.

UDMR has two MEPs elected in May 2014 and, following the elections of May 26, 2019, has retained its seats in the European Parliament.

*a) Direct participation in Parliament's working structures*

All parliamentarians representing national minorities participate in the activities of committees and parliamentary structures, depending on their preferences and skills - human rights, education, finance, agriculture, public administration, foreign affairs, etc.

A number of parliamentary committees of the Chamber of Deputies or the Senate are chaired by representatives of national minorities:

At the level of the Chamber of Deputies:

- The Parliamentary Commission on Human Rights, Religious Cults and Problems of National Minorities has as chairperson the representative of the Turkish minority in the Parliament and as vice-chair the representative of the Roma minority.
- The Committee on Foreign Policy has as chairman a representative of the Hungarian minority (UDMR)
- The Commission for Industries and Services has as Vice-chair a representative of the Hungarian minority (UDMR)
- The Commission for Public Administration and Territorial Planning, one of the Vice-chairs is a representative of the Hungarian minority (UDMR)

- The Committee on Education, Science, Youth and Sports one of the Vice-chairs is a representative of the Hungarian minority (UDMR)
- The Commission for Chamber of Deputies Regulation, has a representative of the Hungarian minority (UDMR)
- The Commission for Information and Communication Technology, one of the vice-chairs is the representative of the Macedonian minority in the Parliament of Romania
- The European Affairs Committee, one of the vice-chairs is a representative of the Hungarian minority (UDMR)

In the Senate:

- The Public Health Commission has as chair a representative of the Hungarian minority (UDMR)
- The Committee on Rural Development has as Vice-chair a representative of the Hungarian minority (UDMR)
- The Education, Science, Youth and Sports Commission has a representative of the Hungarian minority (UDMR)
- The Culture and Media Commission has a representative of the Hungarian minority (UDMR)

Joint Committees of the Chamber of Deputies and the Senate

- The Joint Permanent Commission of the Chamber of Deputies and the Senate for UNESCO has as Vice-chair a representative of the Hungarian minority (UDMR)
- The Joint Special Committee of the Chamber of Deputies and the Senate for Systematization, Unification and Ensuring the Legal Stability in the Field of Justice, one of the Vice-chairs is a representative of the Hungarian minority (UDMR).

Also, the following parliamentary committees have as secretaries MP's representing national minorities in Parliament of Romania:

At the level of the Chamber of Deputies

- Commission on Culture, Arts, and Media (representative of the Ukrainian minority)
- Health and Family Committee (representative of the Hungarian minority)
- Commission for Labor and Social Protection (representative of the Hungarian minority)
- Committee on the Environment and Ecological Balance (representative of the Hungarian minority)
- Commission for Industries and Services (representative of the Serbian minority).

At Senate level

- Commission on Human Rights, Equal Opportunities, Religious Cults and Minorities (representative of the Hungarian minority)
- Commission for Regulation (representative of the Hungarian minority)

## B) Participation in government / executive level

### a) Participation to the governmental activity

All governance programs of recent years have included a significant chapter devoted to persons belonging to national minorities and interethnic relations.

After 1996, during several periods of government, UDMR was part of the ruling coalition and participated directly in all the social and economic processes that took place in Romania at governmental level. In this context, UDMR had several times Deputy Prime Ministers, ministers and state secretaries within the executive power.

Representatives of the Hungarian minority are in charge of the governing structure of bodies and authorities, either subordinated to the Government (eg, State Counselor coordinating within the Romanian Government of the Department for Sustainable Development, coordinator of the Department for Interethnic Relations with the rank of Secretary of State, Secretary of State in charge for Education in the Languages of Minorities within the Ministry of National Education, the State Secretary within the Ministry of Public Finances, the President of the Institute for the Study of National Minorities Issues), or the Romanian Parliament (the President of the National Council for Combating Discrimination, Vice President of the Romanian Cultural Institute, Deputy Ombudsman, member of the Board of Directors of the Romanian Television, member of the Board of Directors of the Romanian Radio Broadcasting Society, Undersecretary of State within the National Institute of Statistics).

### b) Consultation mechanism

The interface between the Executive branch and organizations of persons belonging to minorities is the Council of National Minorities, a body with consultative status at governmental level. The council was set up in 1993 and reorganized several times after the 1996 and 2000 general elections. During the last term of office, the membership of the Council changed because the Tatar minority no longer holds membership since December 2016, mainly due to internal disputes at within the members of this minority. However, the participation of representatives of the Tatar minority in public life in Romania remains relevant and the situation has given the opportunity to improve the existing legislative framework by launching a reflection exercise to ensure better regulation in the field. Currently, the 18 organizations mentioned in point A are part of this body.

Collaboration and ongoing consultation between the Government, through its specialized institution - Department for Interethnic Relations (DRI) - and the Council of National Minorities is carried out through its specialized committees: the Education and Youth Committee, the Committee on Culture, Cults and the Media, for Financial Affairs, the Commission for Legislation and Administration, the Committee on Socio-Economic Issues, the Commission for Relations with Civil Society and International Bodies. After consultations, the most important initiatives are subject to government approval.

## C) Participation of national minorities in decision-making processes at the local level.

The organizations of citizens belonging to national minorities have the right to participate in local elections, according to the regulations regarding the election of the local public administration authorities. Following local elections held in 2016, many representatives of minority organizations were elected in different positions<sup>13</sup>. Situation of the mandates distributed to the formations, it can be observed that:

- From the Hungarian minority, three different formations participated; of these participating formations, UDMR obtained two mandates of County council presidents, 195 mayors' mandates, 2284 mandates of local councilors and 95 mandates of county councilors. The three formations of the Hungarians obtained in total: 2 positions of presidents of county councils, 212 positions of mayors, 2649 positions of local councilors and 107 positions of county councilors.
- The Roma minority participated in four formations, which received a total of 1 mayor's mandate and 160 mandates of local councilors.
- Representatives of the following national minorities were also elected in local elections for various positions: Lippovan Russians (1 mayor and 5 local councilors), German (5 mayors, 81 local councilors and 10 county councilors), Bulgarian (4 local councilors) Croatian (2 local councilors), Czech and Slovak (1 mayor and 23 local councilors), Polish (2 local councilors), Serbian (13 local councilors), Ukrainian (14 local councilors) local councilors).

Significant number of persons belonging to national minorities have been mandated in local elections to be candidates for lists of traditional political parties or political alliances, because legal provisions offers them this type of possibility, together with de idea of many local leaders belonging to national minorities believing they can represent in a superior manner interests of voters working within the established Romanian political formations. From the perspective of Government of Romania, this is an additional proof of the level of acceptance by the Romanian society of the persons belonging to the national minorities, as well as of their desire to be actively involved in the good functioning of Romania's political and administrative institutions.

D. A judge appointed by UDMR is also member of the Romanian Constitutional Court.

### **Art. 18. Bilateral cooperation**

The relations of all organizations of persons belonging to national minorities in Romania with countries with which they share language, culture and traditions (kin states) have expanded and diversified in recent years.

On a case-by-case basis, more or less consistent collaboration relationships can be highlighted, but it is important to emphasize that there is ongoing, ever-growing collaboration with cultural centers and institutions in different countries. Many governmental bilateral programs of assistance and collaboration have components addressing the issue of persons belonging to national minorities or kin minorities.

The relations between the organizations of persons belonging to national minorities in Romania with the kin states have increased and diversified in recent years.

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<sup>13</sup>[http://www.beclocale2016.ro/DOCUMENTE%20BEC/REZULTATE%20FINALE/10%20Iunie%2024%20Iunie/PDF/Sta-tistici/Situatie\\_mandate\\_part.pdf](http://www.beclocale2016.ro/DOCUMENTE%20BEC/REZULTATE%20FINALE/10%20Iunie%2024%20Iunie/PDF/Sta-tistici/Situatie_mandate_part.pdf)

Romania has concluded bilateral agreements containing provisions on national minorities or which have as their exclusive scope the issue of the rights of persons belonging to national minorities with neighboring countries with a consistent number of persons belonging to Romanian minority (Serbia, Ukraine, Hungary) and even with some states with kin minorities in Romania (such as Germany), the implementation of the provisions of these agreements being entrusted to joint committees.

As regards the relationship with Germany in order to apply the provisions of the Treaty between Romania and the Federal Republic of Germany on Cooperation and Partnership in Europe<sup>14</sup> (signed in Bucharest on April 21, 1992) concerning the treatment of the German minority in Romania, in 1992 the Romanian-German Governmental Commission for the German Minority of Romania was established. In 2015, the Protocol of the XVIII th Session of this Commission was signed. On June 12-13, 2018, Berlin hosted the XXth Session of the Joint Commission, which ended with the adoption of the Protocol of the XXIth Session of the Joint Commission, setting out the main cooperation objectives of the two governments in this field and the framework for the subsequent development of projects for persons belonging to German minority in Romania.

Concerning the bilateral relationship with Serbia, it is relevant for the protection of national minorities the Treaty on Friendship, Good Neighborhood and Cooperation between Romania and the Federal Republic of Yugoslavia<sup>15</sup>, respectively the Agreement between the Government of

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<sup>14</sup> Article 15 - (1) The Contracting Parties agree to implement, as legal rules, the standards for the protection of minorities contained in the document of the Copenhagen Conference on the Human Dimension of the Conference on Security and Cooperation in Europe of 29 June 1990, as well as in other documents of the Conference on Security and Co-operation in Europe. (2) As a result, persons belonging to German minority in Romania, namely Romanian citizens of German origin, have the right, individually or together with other members of their group, to freedom of expression, to the preservation and further development of ethnic identity, cultural, language, and religious, sheltered from any attempt to assimilation against their will. They have the right to fully and effectively exercise their human rights and fundamental freedoms without discrimination and in full equality before the law. Persons belonging to the German minority have the right to participate effectively in public affairs, especially in the activities of protecting and promoting their identity. (3) Affiliation to the German minority in Romania depends on each person's own individual decision and no disadvantage can arise from this option. 4. In case of divergence of opinion on the interpretation and application of this Article, the Contracting Parties, without prejudice to the provisions of Art. 5, shall apply the procedures in force at the Conference on Security and Co-operation in Europe for settlement of disputes. They also agree that, in the interests of the group of persons referred to in this Article and of encouraging understanding, trust and mutual respect, neither party shall unilaterally declare such a dispute settlement procedure unenforceable.

Art. 16 - (1) Romania will protect the identity of persons belonging to German minority in Romania and will support its promotion through concrete measures, in particular by creating favorable conditions for the functioning of schools and cultural institutions of German language in the areas where the persons belonging to this minority live. Romania will allow and facilitate the promotion measures of the Federal Republic of Germany in favor of the German minority in Romania. 2. The Contracting Parties shall agree on programs of concrete measures to ensure the preservation of the German minority and to assist it in the reorganization of its social, cultural and economic life under the new conditions in Romania. These measures will be designed and implemented so as not to hamper the rights of other Romanian citizens.

<sup>15</sup> Article 20 - The Contracting Parties consider that the Romanian national minority in the Federal Republic of Yugoslavia and the Serbian national minority in Romania constitute strong and lasting bridges for cooperation and trust between the two neighboring countries. The Parties shall ensure the protection and promotion of the rights of persons belonging to Romanian national minority in the Federal Republic of Yugoslavia and persons belonging to

Romania and the Government Federal Republic of Yugoslavia on cooperation in the field of protection of national minorities (signed in Belgrade on November 4, 2002). Under this agreement, an intergovernmental Joint Commission established to promote the implementation of the provisions of the agreement. The last meeting between the co-chairs of the Romania-Serbia Joint Commission took place in Belgrade on September 18-19, 2018. Following direct discussions, the two co-chairs agreed to resume meetings at secretarial level, with the scope to assess the measures adopted by the Parties for the purposes of the commitments made under the last Joint Committee protocol.

With regard to relationship with Ukraine, a joint intergovernmental commission was established on the basis of the Treaty on good neighborly relations and cooperation between Romania and Ukraine (signed in Constanta on 2 June 1997) in order "*to cooperate in the pursuit of the fulfillment the commitments referred to in [Article 13] "of the Treaty*<sup>16</sup>. The 7th session of the Commission

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Serbian minority in Romania in accordance with the documents of the United Nations and the Organization for Security and Co-operation in Europe, with the international conventions to which both States are parties and generally recognized rules of international law. The Contracting Parties shall apply, in good faith, international standards regarding the protection of ethnic, cultural, linguistic and religious identities of members of national minorities and shall not take any action that would contravene the provisions of this Treaty.

<sup>16</sup> Article 12 - 1. The Contracting Parties shall cooperate with each other and within international organizations and conferences to develop and implement international standards on the promotion and protection of human rights and fundamental freedoms, including the rights of persons belonging to national minorities. 2. The Contracting Parties shall consult, whenever necessary, with the aim for improving and harmonizing their national legislation in this field, developing human contacts and resolving issues of a humanitarian nature of common interest.

Article 13 - 1. In order to protect the ethnic, cultural, linguistic and religious identity of the persons belonging to Romanian minority in Ukraine and the Ukrainian minority in Romania, the Contracting Parties shall apply the international norms and standards by which the rights of persons belonging to national minorities are determined, namely the norms and standards included in the Council of Europe Framework Convention for the Protection of National Minorities, as well as in: Copenhagen Meeting Document of the Conference on the Human Dimension of the Organization for Security and Cooperation in Europe of 29 June 1990, UN General Assembly Declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities (Resolution 47/135) of 18 December 1992 and Recommendation no. 1201 (1993) of the Parliamentary Assembly of the Council of Europe on an Additional Protocol to the European Convention on Human Rights on the Rights of National Minorities on the understanding that this Recommendation does not refer to collective rights and does not oblige the Contracting Parties to grant such persons the right to a special status of territorial autonomy based on ethnic criteria. 2. The Romanian minority in Ukraine comprises Ukrainian citizens, irrespective of the regions in which they live and which, according to their free will, belong to this minority by virtue of their ethnic origin, language, culture or religion. The Ukrainian minority in Romania comprises Romanian citizens, irrespective of the regions in which they live and who, according to their free choice, belong to this minority by virtue of their ethnic origin, language, culture or religion. 3. The Contracting Parties undertake to adopt, if necessary, appropriate measures to promote, in all areas of economic, social, political and cultural life, the full and genuine equality between persons belonging to national minorities and those belonging to the majority of the population. In this regard, they will take due account of the concrete situation of persons belonging to national minorities. 4. The Contracting Parties reaffirm that the persons referred to in this Article have, in particular, the right, exercised individually or with other members of their group, to freedom of expression, to the preservation and development of their ethnic, cultural, linguistic and religious identities, the right to maintain and develop their own culture, to the shelter of any attempt to assimilate against their will. They have the right to fully and effectively exercise human rights and fundamental freedoms, without any discrimination and under conditions of full equality before the law. Persons belonging to these minorities have the right to participate effectively in public affairs, including through elected representatives according to the law, as well as to the cultural, social and economic life. 5. The Contracting Parties shall create, for persons belonging to the Romanian minority in Ukraine and those

was held in Bucharest on 11 December 2018. The main conclusion of both Parties was to keep the current session of the Joint Commission open and to continue the negotiations with a view to finalizing and signing the Protocol.

In relation to Hungary, for the application of the provisions of Art. 15 of the Treaty of Understanding, Cooperation and Good Neighborhood between Romania and the Republic of Hungary (signed at Timisoara on September 16, 1996)<sup>17</sup> a Romanian-Hungarian Specialized

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belonging to the Ukrainian minority in Romania, the same conditions for the study of their mother tongue. The Contracting Parties reaffirm that the abovementioned persons have the right to study in their native language in a sufficient number of schools and state institutions for education and specialization, taking into account the geographical distribution of the minorities concerned. They also have the right to use their mother tongue in their relations with public authorities in accordance with national law and the international commitments of the Contracting Parties. 6. The Contracting Parties recognize that, in exercising their right to association, persons belonging to such national minorities may establish and maintain, in accordance with their national law, their own organizations, associations, and educational, cultural and religious institutions or establishments. 7. The Contracting Parties shall respect the right of persons belonging to national minorities to have access to information and means of mass communication in their native language and to freely exchange and disseminate information. The parties shall not create obstacles to the establishment and use by these persons, within the internal legislation of each Contracting Party, of their own media. The persons referred to in this article have the right to maintain contacts with each other and across borders with citizens of other states and to participate in the activities of non-governmental organizations, both at national and international level. 8. The Contracting Parties shall refrain from taking measures, which, by modifying the proportions of the population of areas inhabited by persons belonging to national minorities, seek to restrict the rights and freedoms of such persons, deriving from the international standards and norms referred to in paragraph 1 of this article. 9. Any person belonging to a national minority who considers that the rights protected by this article have been violated has the right to petition the competent state authorities using the legal procedures available. 10. The Contracting Parties recognize the obligation of the persons referred to in this Article to be loyal to the State of citizenship, to respect national law and to respect the rights of others, in particular those of the majority population or other national minorities. 11. None of the provisions of this article shall be construed as limiting or denying human rights which are recognized in accordance with the laws of the Contracting Parties or the agreements concluded between them. 12. None of the provisions of this article may be construed as implying any right to engage in any activity or to commit any action contrary to the purposes and principles of the UN Charter, other obligations under international law or the provisions of the Helsinki Final Act and the Charter from Paris to a new Europe, including the principle of territorial integrity of states. 13. In order to cooperate in pursuing the commitments provided for in this Article, the Contracting Parties shall set up a joint intergovernmental commission which shall hold at least one annual session.

<sup>17</sup> Article 15 - (1) (a) The Contracting Parties undertake in regulating the rights and obligations of persons belonging to national minorities living on their territory, to carry out the provisions of the Council of Europe Framework Convention on National Minorities if there are no more favorable provisions in the domestic law of each country regarding the rights of persons belonging to national minorities. b) The Contracting Parties, without prejudice to the contents of the above paragraph, in order to protect and promote the ethnic, cultural, linguistic and religious identity of the Romanian minority in Hungary and the Hungarian minority in Romania shall apply as legal commitments the provisions defining the rights of such persons as embodied in the relevant documents of the United Nations, the Organization for Security and Cooperation in Europe and the Council of Europe, listed in the Annex to this Treaty. 2) As a result, the Contracting Parties reaffirm that the persons referred to in the preceding paragraph have the right, exercised individually or with other members of their group, to freely express themselves, to preserve and develop their ethnic, cultural, linguistic and religious identity. Therefore, they have the right to create up and maintain their own educational, cultural or religious institutions, organizations or associations, which can make use of voluntary financial contributions and other contributions as well as public support, in accordance with national law. 3) The Contracting Parties respect the right of persons belonging to the Romanian minority in Hungary and persons belonging to the Hungarian minority in Romania to use their mother tongue freely, in particular and in public, orally and in writing. They will take the necessary measures to enable them to learn their mother tongue and to have the

Cooperation Committee on National Minorities was established. The Protocol to the 8th Session of this Committee is currently under negotiation. On 13 July 2015, the text of the Protocol was initiated at the secretariat level. The last meeting at the level of co-chairs took place on 21 October 2016.

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appropriate opportunities to be educated in that language within the state education system at all levels and forms, according to their needs. The Contracting Parties shall ensure the conditions that make it possible to use the mother tongue in their relations with local, administrative and judicial authorities, in accordance with national law, as well as with the international commitments assumed by the two parties. These people have the right to use their first name and surname in their native language and will enjoy their official recognition. In the areas inhabited by a substantial number of persons belonging to the respective minorities, each Contracting Party will allow to display, in the minority language, also traditional local names, street names and other topographical inscriptions intended for the public use. 4) The Contracting Parties shall respect the right of persons belonging to national minorities to have access, in their native language, to information and mass communication, electronic and written, as well as to freely exchange and disseminate information. They will offer to these persons, through their own internal legislation, the possibility to initiate and manage their own media. The Contracting Parties shall ensure that the persons belonging to national minorities exercise the right to participate effectively, individually or through their own parties or organizations, in political, economic, social and cultural life, and to resolve issues of national or local interest, through representatives elected to the organs of central and local public authorities. Each Contracting Party, when deciding on issues relating to the protection and promotion of the national identity of such persons, shall consult the organizations, political parties or their associations in accordance with the democratic decision-making procedures provided for by law. 6) The Contracting Parties respect the cultural and historical heritage of national minorities, support their efforts to protect historical monuments and sites that preserve the culture and history of minorities and take appropriate measures, in areas inhabited by a mixed population, in order to raise awareness about Romanian, respectively Hungarian, cultural values. 7) The Contracting Parties shall respect the right of persons belonging to national minorities to maintain free contacts between themselves and across borders with nationals of other States, as well as the right to participate in activities of non-governmental, national and international organizations. (8) The Contracting Parties recognize that the exercise of the rights referred to in this Article, any person belonging to a minority shall respect as any other citizen of the State, national legislation and the rights of others. These people enjoy the same rights and have the same obligations as any the other citizens of the country in which they live. 9. Without prejudice to the measures taken in the framework of their general policy of integration, the Contracting Parties shall refrain from any policy or practice aimed at assimilating against their will the persons belonging to national minorities and shall protect such persons against any actions seeking such assimilation. They shall also refrain from measures that, by modifying the proportions of the population of areas inhabited by persons belonging to national minorities, are directed against the rights and freedoms deriving from the international standards and norms referred to in paragraph 1 of this article. 10) The Contracting Parties shall provide mutual support in their follow-up policies to the implementation of the provisions contained in this Article. In this sense, in the framework of periodic consultations referred to in Art. (5) of this Treaty, the Contracting Parties shall also examine issues of bilateral cooperation concerning national minorities arising from the application of the provisions of this Treaty and shall establish an intergovernmental committee of experts. The Parties will cooperate in the proper conduct of the procedures of the Organization for Security and Co-operation in Europe and the Council of Europe, which shall verify the fulfillment of the commitments related to the protection of national minorities as contained in the documents of these organizations to which the Contracting Parties have subscribed. 11) The Contracting Parties shall cooperate to develop the international legal framework for the protection of national minorities. They agree to implement, as part of this Treaty, the provisions of international documents, under which they will also undertake other commitments to promote the rights of persons belonging to national minorities. 12) Neither the commitments contained in this Article may be construed as implying any right to engage in any activity or commit any act contrary to the purposes and principles of the Charter of the United Nations, other obligations under international law or the provisions of the Helsinki Final Act and of the Paris Charter for a new Europe of the Organization for Security and Co-operation in Europe, including the principle of territorial integrity of states.

Therefore, Romania's experience of dialogue under these agreements is long and very wide.

#### Annexes

- o Annex 1: financial allocation from the state budget to national minority organizations between 2015 and 2018;
- o Annex 2: Situation of projects carried out by DRI at its initiative or in partnership with other institutions, focusing on intercultural dialogue and intercultural education, between 2015 and 2018.
- o Annex 3: Description of the amounts allocated from the state budget to the organizations of the national minorities, between 2015 and 2018.
- o Annex 4: Situation of retrocessions for organizations belonging to national minorities and religious cults in Romania.