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**FOURTH REPORT SUBMITTED BY ROMANIA  
PURSUANT TO ARTICLE 25, PARAGRAPH 2  
OF THE FRAMEWORK CONVENTION FOR  
THE PROTECTION OF NATIONAL MINORITIES**

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**FOURTH REPORT  
OF ROMANIA**  
on the implementation of the  
Framework Convention for the Protection of  
National  
Minorities of the Council of Europe

**Bucharest, 2016**

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## INTRODUCTION

Pursuant to Article 25(2) of the *Framework Convention for the Protection of National Minorities* (hereinafter referred to as the *Framework Convention*), Romania submits its fourth periodic report on the implementation of the mentioned international document.

The present report was prepared by the Ministry of Foreign Affairs in cooperation with the Department for Interethnic Relations, and involved more than 15 responsible state authorities and relevant institutions. It also reflects the significant contributions of the representative organisations of the national minorities protected by the *Framework Convention*.

The report was drafted in accordance with the outline defined by the Rapporteur Group on Human Rights of the Committee of Ministers (ACFC/III(2013)001), and has been divided into three parts: the practical arrangements made by States Parties to continue implementing the Framework Convention, to increase the involvement of civil society in the process and to pursue the dialogue with the Advisory Committee (Part I), relevant measures taken to address the issues for immediate action and any other core issues identified in the third monitoring cycle (Part II), relevant developments on an article-by-article basis (Part III).

The report is based on the recommendations of the Committee of Ministers, adopted at the suggestion of the Advisory Committee, and covers the third monitoring cycle (2010-2013). No other specific questions were subsequently addressed by the Council of Europe.

**PART I – PRACTICAL ARRANGEMENTS AT NATIONAL LEVEL TO  
CONTINUE  
IMPLEMENTING THE FRAMEWORK CONVENTION**

A. Increasing awareness of the results of the third monitoring cycle

a. Steps were taken to publicize the result of the third monitoring cycle:

- The Department of Interethnic Relations briefed the specialized committees of the Council of National Minorities, as well as the organisations of the national minorities, on these findings;
- In 2013, on the National Minorities Day (December 18), the Ministry of Foreign Affairs launched the consultation process for the 4th monitoring cycle; on that occasion, the results of the previous cycle were disseminated.
- In March 2014, Resolution (2013)7 was presented during the working sessions of the Council of National Minorities.
- The website of the Department of Interethnic Relations publicised the results of the third monitoring cycle.

b. Any follow-up activities organised at national, regional and local levels, including activities organised jointly with the Council of Europe, such as discussions, seminars, evaluations, impact assessments, studies etc., and the outcomes of these events;

A series of events with the aim to analyse practical aspects in the field of the protection of linguistic rights of the persons belonging to national minorities took place in 2011-2013. The Department for Interethnic Relations, in collaboration with the Ministry of Foreign Affairs, organised various debates and consultation sessions with representatives of ministries, other relevant public institutions, as well as the organisations of national minorities, on the topic of the implementation of recommendations derived from international juridical obligations assumed by Romania.

c. Participation of minority organisations and other non-governmental organisations in the authorities' implementation and monitoring of the Framework Convention, and their involvement in the preparation of the fourth report;

The Department of Interethnic Relations had an active and continuous dialogue with the organizations of national minorities, and they were involved in the monitorisation of the *Framework Convention*, throughout the process of data gathering.

B. Practical arrangements to continue implementing the Framework Convention

Interethnic relations have constituted an important aspect of public life, fact proven by the constant reference to the protection of persons belonging to national minorities in all programmes for government. Political representatives of the national minorities have been a part of the governing coalition and were directly involved in the decision-making process. As an overall assessment, the executive's policy in this field is characterized by continuity and stability.

The Department for Interethnic Relations (DRI) is the main responsible institution to implement and develop policies concerning the protection of persons belonging to national minorities, according to the objectives and standards set out by the programmes for government. Throughout its activity, DIR collaborated with other relevant public authorities and institutions.

The interest of the representatives of national minorities to be involved in politics has been constant, both at local and national level. In the Parliament, there are several groups of the national minorities: the parliamentary groups of the Democratic Union of Hungarians in Romania within the Senate (8 members) and Chamber of Deputies (18 members) and the parliamentary group of national minorities within the Chamber of Deputies (18 members). The Democratic Union of Hungarians in Romania is also represented in the European Parliament by two members. After the elections in 2012, representatives of the national minorities were elected in local authorities. Some of the communities whose members got very good results in the elections are: the Hungarians, the Roma, the Lipovan-Russians, the Germans, the Croats, the Czechs, the Slovaks, the Poles, the Serbs, the Ukrainians and the Ruthenians.

In terms of practical measures taken during the reporting period, the most important ones are the following:

- The Government continued to grant **financial support** from the state budget to all organisations within the Council of National Minorities and in the Parliament, despite the economic hardships that affected Romania, especially between 2011 and 2012. Taken into account that up to 90% of the budget of the organisations of minorities is made up of the funds granted through the Department for Interethnic Relations, granting funding on a constant basis constitutes the guarantee for a consistent state support in the regular functioning of the organisations. Most part of these funds is spent on buying, building or maintenance of the work spaces and offices, as well as office equipment and supplies, salaries and publishing activities. Due to this fact, the organisations of minorities consolidated their status as representative NGOs that have the capacity to effectively promote their own cultural identity. At present, due to these financial resources, the organisations of national minorities can act as genuine community centres, both at local and national level.
- **Promoting intercultural dialogue** is another matter of interest for Romanian authorities. The Department of Interethnic Relations developed various programs aiming to promote a better understanding of the values and cultures of national minorities, especially in relation with the majority population. The issue of intercultural dialogue remains a priority and an important selection criterion for the projects that receive grants from the state budget. Similar initiatives have been supported by other institutions granting funds, such as the Ministry of Culture (through the Administration of the National Cultural Fund and its relevant the Project Management Unit), the Ministry of Youth and Sport, the National Agency for European Union Programmes in Education and Professional Formation.
- In terms of **mass-media**, traditional means of information have been gradually surpassed by the Internet and social media, which are more and more popular and

accessible. Despite its financial restrictions, the National Television managed to keep TVR 3 on air, TVR 3 being the station that broadcasts at national level programs from all over the country, including programs on national minorities. TVR+ became popular as it is available on the internet and all TVR programs are stored online and can be accessed any time. In this context, the time slots for the programs dedicated to national minorities are no longer an issue. Also, the journalists from local stations specialised on national minorities either participated directly in various programs organised by the Department for Interethnic Relations or were involved in thematic projects with the aim to develop their professional skills.

- The **Law on education** brought about a new perspective on the educational process and the first results after its implementation were positive. The new textbooks, methodologies and educational projects and contests were well-received and a greater focus was placed on non-formal education. Various programs promoting intercultural dialogue organised by the Department of Interethnic Relations involved pupils from schools with teaching in the mother tongue. Concrete actions are presented in detail in part II and part III.

## **PART II – MEASURES TAKEN TO ADDRESS CORE ISSUES**

### **A. Implementation of the recommendations for immediate action**

*(1) Allocate adequate resources to address the situation of Roma with regard to housing, infrastructure, employment, access to health care and education; when carrying out relocations, respect in all instances the right to consultation and provide adequate alternative housing without delay; ensure that relocations do not increase isolation or restrict the right of access of children to education;*

The National Agency for Roma (ANR) was involved, mainly through the representatives of its Regional Offices, in all the cases of relocation or eviction carried out by the local authorities. More details about the cases of evictions and relocations in Eforie Sud, Baia Mare, Cluj-Napoca and Piatra Neamț are available in Annex 1.

In 2013, the Ministry of Regional Development and Public Administration and the Ministry of Education developed a joint project, entitled *School – A Chance for Everyone*, financed entirely through the Eastern European Area and Norway Grants. Its aim is to improve access to education and school performance for 1,540 children from disadvantaged groups, especially Roma children, by means of non-formal education activities.

It should be added that the Ministry of Regional Development and Public Administration participated, along with the National Agency for Roma and other relevant institutions, in drafting the revised version of "The Romanian Government Strategy for the Inclusion of Romanian citizens belonging to the Roma minority – 2012-2020".

The Government Strategy for 2012-2020 was modified on 14 January 2015. The revised new strategy represents both a review of the strategy currently in force and a continuation of the *2001 – 2010 Romanian Government Strategy for Improving the Condition of Romanian citizens of Roma minority*. The draft strategy takes into account the EU recommendations on Roma inclusion stipulated in the 2011 *EU Framework for National Roma Integration Strategies up to 2020* and the 2013 *Council recommendation on effective Roma integration measures in the Members States*, and will support the efforts to reach the national social targets of *Europe 2020* strategy enclosed in *National Reform Program*.

The **new vision and approach of the strategy** to sustain Romanian citizens of Roma minority social inclusion is based on several prerequisites: intervention is needed not only to ensure social justice and protection but also to value, support, and develop the Roma human resource; the intervention measures will be corroborated and integrated to ensure their effectiveness, and tailored to the social and cultural particularities of various Roma sub-groups; the partnership with Roma society and with the whole of the civil society will be in place throughout the implementation, monitoring, evaluation and review stages as it has been in the drafting of the new strategy for the last months.

The **strategy covers the 2015 – 2020 timeframe**. The strategy is accompanied by **action plans** for each major field of intervention (*education, employment, health and housing* complemented by *social services and infrastructure, culture and combating*



*discrimination*) and **the expected results** for the measures to be implemented and monitored.

The **main goal of the strategy** is to bring the Romanian citizens belonging to Roma minority to a socio-economic level of inclusion similar to that of the rest of the population and to provide equal opportunities by initiating and implementing public policies and programs in various fields of intervention. The strategy attempts to involve central and local public bodies, the civil society and Roma themselves in the activities aimed at increasing socio-economic inclusion of Roma.

The **main intervention areas** are *education, employment, health and housing* complemented by *social services and infrastructure, culture and combating discrimination*.

In the field of **education**, the main sectorial objectives intend to decrease the gaps in terms of educational stock, school attainment rate, socio-economic condition between Roma and the other children, promoting inclusive education and reducing discrimination cases in schools. The main actions to reach such objectives are: designing of specific national programs meant to increase the access to early education of vulnerable children, including Roma, through the provision of parental counselling, food for vulnerable children and expanding the existing children care facilities (kindergartens, crèches, day-care centres, etc.); development of *After school* programs in Roma communities; continuation of *Second chance* programs for Roma early school leavers, as well as of affirmative action interventions (e.g. special places for Roma in higher education, vocational education and training); implementation of support-programs (supply of food, school supplies etc.) to improve the economic condition of Roma; training for Roma school mediators and teachers teaching in Roma communities; completing the legal framework on combating school segregation, raising-awareness campaigns, etc.

In the **employment** sector, the main objective aims at improving labour market participation of Romanian citizens belonging to the Roma minority through actions such as: information campaigns on the labour market to ensure the link between employers and unemployed Roma (through provision of free information, counselling and mediation services to job seekers on the job vacancies, etc.); fostering job mobility and entrepreneurship among Roma (through signing bonuses, free consultancy services for start-ups); skills development and certification (through training courses and free evaluation and certification services); incentives for employers hiring job seekers from vulnerable groups, etc. In order to develop their skills and access to the labour market, young Roma (aged 16-24) may benefit from measures supported by the *Youth Guarantee*.

In the fields of education and employment, the **European Social Fund** complements the national effort through additional funding of programs and projects.

**Health** represents another pillar of the Roma social inclusion. The current Strategy seeks to improve of the access to basic, preventive and therapeutic medical services; to prevent sickness situations contributing to the morbidity and mortality levels affecting the Roma population and the diminution of risks thereof; to improve the local authorities capabilities in order to identify the needs and to address them; to prevent the discrimination of Roma in the health system. Among other measures, it is envisaged to: increase the Roma presence rate in the national social insurance system; develop the basic health services network; support the employment of Roma health

professionals; develop family planning and dedicated measures for the health of women and children; supplement the vaccination of vulnerable children; implement prevention programs against infectious diseases; create a hotline against the discrimination of Roma patients.

In the area of **housing**, the main objective is to ensure decent living conditions and access to public services and infrastructure. Some of the measures envisioned are as follows: building social houses with indiscriminate access by low-income Roma; rehabilitating houses in areas with vulnerable Roma; developing public utilities infrastructure in such areas; supporting the issuing of real estate documents.

In addition to the key social inclusion issues mentioned in the 2011 European Framework, the Romanian Strategy also involves *cultural, children protection, justice, public order, administration and community development issues, together with combating discrimination* against Roma in such areas. In these fields the targets are: prevention of child abuse and neglect and also of domestic violence, a new vision regarding the rights of children within the family, organisation of a series of fundamental rights compliance campaigns, continuation of the affirmative measures in the enrolment in the Home Affairs Ministry's professional training facilities, identification and resolution of possible problems in the ID registration process and increased Roma representation in the local authorities.

**Concrete indicators** measuring the level of accomplishment of the Strategy's targets and measures are set. It is foreseen to reach the proposed targets during a first intermediate stage (2016) and, subsequently, by the final year of the Strategy (2020). The short-term action plans are conceived according to the sectoral planning and specify the particular financial resources needed to attain the objectives.

*A clear system for the implementation, monitoring and eventual revision of the Strategy is in place.*

The implementation process involves all the relevant central bodies, which are called to establish or reactivate ministerial committees dedicated to Roma issues and to assign posts and contact points to implement the measures and monitor the results. Those committees will assess and propose concrete steps to put into practice the Strategy and will report to the Inter-ministerial Committee chaired by a Deputy Minister.

Additionally, the **local authorities** are part of the process. The mayors' offices are called to employ Roma experts who will work with other local representatives on the practical measures to be taken.

The **civil society** is also involved in the process of implementation, monitoring and revision of the Strategy. The Advisory Council of the National Roma Agency is the main framework for civil society consultation, able to propose adjustments to the process.

The **monitoring and assessment** activities, covered in a distinct chapter of the Strategy, will be coordinated by a tailored Inter-ministerial Committee, assisted by a technical office established at the Secretariat General of the Government and the Romanian Prime Minister Chancellery. Additionally, a National Contact Point is to be formally designated by the Prime Minister in accordance with relevant EU recommendations. The evaluation of the implementation stage of each Action Plan in accordance with the established indicators will be performed twice a year and, where needed, remedial measures will be put in place. A **yearly report** on the

implementation stage of the Strategy will be presented to the Government and subsequently forwarded to the European Commission via the National Contact Point. Depending on the evaluation results, the Inter-ministerial Committee will make recommendations for sectorial activity improvements, amendments/ additions to the Strategy.

*(2) Examine without delay the legislation on national minorities to fill in the identified legal gaps and to clarify state policy towards minorities; review the registration conditions envisaged for organisations of national minorities in order to broaden and strengthen minority participation in public affairs;*

The legislative process on the Romanian Draft Law on the Status of National Minorities is still underway within the Chamber of Deputies. No other developments are available on this issue.

With reference to registration, despite the fact that there is not a special procedure for the registration of organisations of national minorities, it is worth mentioning that the general provisions regulating the regime of associations and foundations are also applied in their case. The current legislative framework places no obstacles to the involvement of the organisations of national minorities in public life.

*(3) Monitor effectively the implementation of the Law on Education to ensure that the criteria for initiation of classes and schools in minority languages are defined and that the education system introduces and develops curricula, teaching methods and structures which promote contacts among all minorities as well as with the majority.*

The implementation of education in minority languages has been monitored through various means, such as: updating the annual database regarding education in minority languages; establishing and ensuring the functioning of classrooms with reduced number of students; funding classes for minority education etc.

Regarding the legislative framework, the following should be mentioned:

- The adoption and implementation of the National Law of Education no. 1/2011, which includes a section dedicated to the education for persons belonging to national minorities (articles 45 to 47);
- Drafting, approval and implementation of the various methodologies regarding the study in the mother tongue: methodology on teaching the native language and literature, methodology on teaching Romanian language and literature, methodology of teaching the history and traditions of national minorities, methodology of teaching musical education in the mother tongue;
- The approval of several orders of the Minister of education, regulating other practical aspects connected to the education for national minorities.

Some of the most significant measures taken in the field of education in minority languages are listed below:

- Annual conferences for teachers from all minorities, usually in September;
- Initial and continuous training activities for teachers, taking place in Romania and abroad, within the framework of inter-ministerial cooperation programs in the field of education with countries where the native language of minorities in Romania is official language, but also based on other bilateral programs;
- Teacher training in schools with instruction in minority languages, organised by County School Inspectorates, the Houses of the Teaching Staff at county level, the Centres for Continuous Training in the German Language in Mediaş and Timișoara;
- Educational projects for pupils in order to learn about the history and the preservation of the traditions and culture of national minorities;
- School contests and competitions in minority languages.

#### B. Implementation of other recommendations

*(1°) Continue the dialogue with persons having expressed an interest in the protection afforded by the Framework Convention, on the possibility of including them in the scope of application of the Framework Convention; adopt measures to support the preservation of the culture and identity of those persons;*

Romania protects the linguistic rights of communities which can be identified by their distinguishing traits: language, culture, traditions, religion, historical monuments, and mobile cultural heritage. According to the *European Charter of Regional or Minority Languages*, the dialects of the national state language are not granted protection. Therefore, none of the four dialects of the Romanian language are covered. The Hungarian Csangos use a local variant of the Hungarian language and there are no grounds, according to the *European Charter of Regional or Minority Languages*, to grant it protection.

More detailed information as regards the implementation of this recommendation is presented in the section on the implementation of **Article 3** of the *Framework Convention* on the scope of its application.

*(2°) Increase efforts to combat all forms of intolerance, racism, and xenophobia; take further legislative measures and policies to combat racist manifestations, in particular against Roma, including in the media, and the political arena, in conformity also with the Committee of Ministers' Recommendation N° R(97)20 on 'Hate Speech';*

#### **Changes in criminal law on hate crimes**

Over the past several years, Romanian criminal legislation has undergone a number of amendments, the most important being the drafting and approving of the new codes in criminal matters, as follows: Law no. 286/2009 on the Criminal Code and Law no. 135/2010 on the Criminal Procedure Code. The law for the implementation of the

Criminal Code and the law for the implementation of the Criminal Procedure Code were also adopted.

It should be noticed that the drafting of the new Criminal Code was meant to address new challenges posed by the evolution of the crime phenomenon and at the same time tried to be in line with the international and European conventions ratified by Romania and covering criminal law matters. The new Criminal Code and the law for its implementation amend the provisions in the field of hate crimes. Such amendments refer both to the offences in the Criminal Code, as well as the offences covered by special legislation. Also, the Government Ordinance no. 137/2000 on preventing and sanctioning all forms of discrimination was amended.

The amendments had in view other important aspects of prevention and enforcement activity exercised by the National Council for Combating Discrimination (CNCD). First, the fines imposed by the Steering Committee in case of committing an act of discrimination were modified. In addition, new sanctions to several acts of discrimination have been introduced. Another change concerns the possibility for CNCD or the Court to institute a supplementary obligation for the party that committed the act of discrimination, consisting in publishing in the press a summary of the CNCD decision or the Court sentence. Thus, the act of discrimination reaches the public and this measure ensures that the sanctions are effective and dissuasive.

*(3°) Ensure that sufficient resources are available for the effective implementation of the Strategy for Roma 2012-2020; make determined efforts to find ways and means to improve substantially the participation of the Roma – including Roma women – in decision-making processes; create conditions for Roma and their organisations to participate actively in governmental programs aimed at improving their situation;*

As regards the Strategy for Roma 2012-2020 please refer to the information provided under the recommendation (1) for immediate action.

The Roma community (621.395 persons according to the latest census) is taking an active part in the political and social life of Romania. They are represented in the Romanian Parliament (2 deputies and 1 senator) and members of the Roma community were elected at local level (1 mayor and 161 local councillors in the local elections in June 2012). The Prime-Minister appointed a state counsellor on Roma issues (in June 2012).

*(4°) Assure continuity of reception of public service broadcasting, in particular by ensuring simulcast broadcasting in analogue and digital formats and only discontinue analogue broadcasting when digital reception is possible for all sectors of the population, including persons belonging to national minorities;*

No technical improvements were implemented in the reporting period. More detailed information as regards access to the media in minority languages is presented in the section on the implementation of **Article 9** of the *Framework Convention*.

*(5°) Ensure that Roma children are not placed in separate classes or schools and that they are integrated fully into mainstream education.*

The Ministry of Education and Scientific Research has initiated a series of programs to address the particular situation of Roma children. Some of the most important ones include continuous training for Roma school mediators, who can help achieve a better degree of integration, and instruments to monitor the application of Order no. 1540/2007, banning school segregation of Roma children, with the aim to prevent and limit this phenomenon.

## **PART III – ARTICLE BY ARTICLE PRESENTATION OF THE MEASURES AIMED AT IMPLEMENTING THE FRAMEWORK CONVENTION**

### **Art. 3: Scope of application**

#### **The Dialogue with the Aromanian and Hungarian Csango communities**

In relation with these communities, the Romanian authorities have been open to dialogue. As for the Aromanian community, only part of it expressed their interest to engage in discussions with the Department for Interethnic Relations. Based on historical and linguistic arguments, shared by the Romanian academic fora, the rest of the community consider themselves a branch of the Romanian people, who set up relatively compact settlements, after being pushed in the south of the Danube by the nomadic tribes in the migration period. That is why in several Balkan states, they are also known as Macedoromanians or Vlachs and are recognised as a linguistic minority.

In this respect, Romanian authorities reiterate their position that no historical, linguistic or cultural elements allow for the extension of the protection granted by the *Framework Convention* and the *European Charter for Regional or Minority Languages* in respect to the Aromanian community.

The situation of the Csangos is dealt with mainly within the *Framework Convention*, as it contains provisions on a set of fundamental rights of persons belonging to national minorities, among which the right to preserve and develop their culture and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.

Romania attaches great importance to the principle of free self-identification of persons belonging to national minorities. Therefore, the way the members of the group identify themselves is essential. As a matter of consequence, the Csangos who consider themselves “Hungarians” are placed under the protection offered to the Hungarian minority, whereas those who identify themselves “Romanians” are assisted in preserving their customs, traditions and specific culture.

This specific approach on the Csango group is in line with the provisions of the Recommendation no. 1521/2001 regarding the “Csango minority culture” in Romania, issued by the Permanent Assembly of the Council of Europe, as well as with the reply adopted by the Committee of Ministers in 2001. Both documents recommend that the Csango group be granted access to education in their mother tongue, on the basis of their requests, as well as access to religious service in their mother tongue.

#### **Terminology applied to Roma**

*44. The Advisory Committee encourages the authorities to respect fully the right of Roma to self-identification. The authorities should consult closely with the representatives of the Roma community about any initiatives concerning their designation and avoid any initiatives which reinforce negative stereotypes about a particular minority group.*

Both the Senate and the Chamber of Deputies rejected a bill initiated by Deputy Silviu Prigoană, which proposed the replacement of the word *Roma* by *Gypsy* in official

documents. The initiative caused in heated debates in the public space. Many government institutions opposed the bill, which was subsequently rejected.

### Data collection and census

50. *The Advisory Committee encourages the authorities to continue their efforts to develop adequate methods of ethnic data collection, while fully respecting the principle of free self-identification.*

51. *The Advisory Committee also encourages the authorities to process the census data in strict conformity with the principle of self-identification and with the recommendations of the Conference of European Statisticians, in order to ensure that reliable figures in respect of the ethnic composition of the population are collected.*

The last three censuses held in Romania after 1989 (1992, 2002, 2011) included open questions regarding ethnic affiliation and mother tongue. The complete privacy of these declarations was guaranteed. According to the methodology of the 2011 census, ethnicity was defined as an attachment to a particular group, based on cultural traits such as language and/or traditions. Mother tongue was defined as the first language customarily used within the family of origin in the early childhood of the person.

As to the involvement of organization of persons belonging to national minorities in the census, it is to be mentioned that, apart from encouraging the involvement of Roma persons as reviewers in the 2011 census, organizations represented in the Council of National Minorities participated, through their MPs, in the preparatory work and the drafting of questionnaires, codes and census lists.

The final and official results of the census were subject to a particular methodology: the data obtained from classic censuses (all-inclusive population head count) was corrected based on the data of population registers. This correction was considered necessary because many families could not be contacted at the moment of the census, as they were living abroad. In such cases, extracted from population registers, accounting for 6.1% out of total population of 20.1 million, no data was on ethnic affiliation and mother tongue was registered. The data on mother tongue and ethnicity included in the present report refers exclusively to those questioned directly during the census. When interpreting data and analysis presented herein the above mentioned methodological aspect should be considered.

The final results of the 2011 census were published in 2013. The data reveals a **general decreasing trend of the overall population of Romania, which entails a similar trend as regards the number of persons belonging to national minorities.** The data below<sup>1</sup> shows the comparative analysis of the ethnic structure of Romania's permanent population in 2011 and 2002.

Ethnicity	2002 Figures	2011 Figures
Hungarians	1,431,807	1,227,623
Roma	535,140	621,573
Ukrainians	61,098	50,920

<sup>1</sup> Source: <http://www.recensamantromania.ro/rezultate-2/>



Germans	59,764	36,042
Turks	32,098	27,698
Lipovan-Russians	35,791	23,487
Tatars	23,935	20,282
Serbs	22,561	18,076
Slovaks	17,226	13,654
Bulgarians	8,025	7,336
Croats	6,807	5,408
Greeks	6,472	3,668
Italians	3,288	3,203
Jews	5,785	3,271
Czechs	3,941	2,477
Poles	3,559	2,543
Armenians	1,780	1,361
Macedonians	695	1,264

#### **Art. 4: Prevention and protection against discrimination**

60. *The Advisory Committee calls on the authorities to ensure the implementation of the recommendations and decisions of the National Council for Combating Discrimination and monitor effectively their long-term impact.*

61. *The Advisory Committee urges the authorities to provide the National Council for Combating Discrimination with the appropriate financial and human resources, in order to allow it to fulfil its duties effectively and independently.*

According to the data provided by the CNCD, there was an increase<sup>2</sup> in the number of petitions related to language, nationality and ethnicity in the reporting period. From October 2010 to August 2012, the Council addressed 114 cases on minority language/nationality/ethnicity, whereas in 2013 they amounted to 165, out of which there were 46 confirmed cases of discrimination. In 2013 alone, 34 fines were applied for discrimination related to language/nationality/ethnic and were issued 30 recommendations and 13 warnings. A selective list of decisions in which the Council concluded that an act of discrimination occurred and made recommendations on how to remedy the situation is available in Annex 2.

As regards the recommendation 61, due to the cutting of financial resources from 2009-2012, all budgets at central and local level were affected. CNCD was also

<sup>2</sup> Petitions on language: 10 in 2011, 43 in 2012 and 38 in 2013; petitions on nationality: 33 in 2011, 49 in 2013 and 61 in 2013; petitions on ethnicity: 62 in 2011, 61 in 2012 and 66 in 2013.

confronted with the need to reduce their expenses. According to the activity reports from 2011 to 2013, the Council performed its duties in an efficient way despite the budgetary constraints (see Annexes 3, 4, and 5).

In terms of preventing discrimination, CNCD has continued its activity of monitoring the implementation of the *National strategy for the implementation of measures to prevent and combat discrimination 2007 – 2013*. The prevention activity contained in the Strategy was followed closely in the reporting period by CNCD's specialized department, the Department for Programs and International Relations (PIRD). The programs and projects aimed at promoting equal opportunities and raising awareness regarding the rights of each social category in Romania, while trying cover as-large-as-possible a segment of the public and as-varied-as-possible a range of themes.

Despite insufficient resources necessary for its activities (monitoring, economic analysis, on-site research, company profiling, surveys etc.), PIRD managed to achieve its goals, with a major impact mainly in education and health. Its initiatives continued and some of its projects were developed further. The courses, workshops, cultural meetings or information campaigns organized in line with the Strategy's main objectives caught the public's attention and contributed, through the promotion of equal opportunities, intercultural relations and dialogue, to preserving social balance.

Information and training, which had been priorities for PIRD in the previous years, were employed in well-articulated programs, conducted in cooperation with NGO's, schools, universities, health units at all levels, attracting and involving mainly youths, the natural promoters of a climate of cultural diversity, and of communication without stereotypes and prejudices.

Besides CNCD, other state institutions were active in the field of preventing discrimination. In 2013, the National Agency of Civil Servants (ANFP) initiated a policy proposal, entitled *Development of ethical standards in the public administration system*, which introduced explicit references to non-discrimination as an ethical standard in the civil service. Moreover, this aspect is also regulated by the amended version of Law no. 7/2004 on the code of conduct for civil servants.

ANFP was also a partner in the project *Roma national network of experts, supporting mechanism in implementing the social inclusion of Roma, vulnerable group subject of social exclusion*, whose beneficiary was the National Agency for Roma. The project was co-financed by the European Social Fund Operational Program Human Resources Development 2007-2013, Priority Axis 6 - "Promoting social inclusion". Its overall goal was to improve the partnerships between vulnerable Roma communities and public institutions at local, regional and national level by creating a national network of experts in Roma issues.

### **Office of the Ombudsman**

*65. The Advisory Committee encourages the authorities to take measures without delay to clarify the role of the Office of the Advocate of the People in order to ensure an effective redress mechanism for persons belonging to minorities.*

The Ombudsman's role is to receive, examine and solve petitions submitted by any person, regardless of citizenship, age, sex, political affiliation or religious conviction. The Ombudsman exercises his functions *ex officio* or at request. Persons deprived of

freedom (convicted, in detention on remand or arrested) or minors that find themselves in detention centres may also petition the office of the Ombudsman.

According to the provisions of Law no. 35/1997 on the organization and functioning of the office of the Ombudsman, the activity of this office includes petitions on issues such as: human rights, gender equality, religion, and rights of persons belonging to national minorities; rights of the child, family rights, rights of elderly persons and persons with disabilities; army, justice, police, penitentiaries; property rights, labour, social protection, taxes.

In order to solve the petitions, the office of the Ombudsman has the various legal instruments at its disposal: to request information from the relevant public authorities; to conduct inquiries; to issue recommendations in the cases in which the breach of human rights is ascertained; to draw up reports addressed to the Parliament or the Prime Minister.

As regards the special measures undertaken by the Office of the Ombudsman in the reporting period, the following elements are relevant:

- The annual number of solved petitions has increased, as shown below.

#### **Number of cases solved by the Office of the Ombudsman**

(of which approximately 5% in applying the provisions of article 16 of the Constitution<sup>3</sup>)

<b>Procedure</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
Hearings	16.561	17.470	16.282	18.170	18.051
Inquiries	30	18	26	86	101
Recommendations	6	1	9	49	22
Petitions <i>ex officio</i> actions	1	1	20	91	63
Special reports	1	1	2	11	4
<i>Solved petitions</i>	8295	8895	7559	9910	9282

- After the Law no. 35/1997 was modified in 2010, the category of petitioners that can address the Office of the Ombudsman was extended to companies, NGOs and other legal persons. Any of the above-mentioned legal persons may signal a breach of the rights of a person, including rights of persons belonging to national minorities.
- The number of hearings granted by the Ombudsman to NGOs has increased and particular efforts were made in order to improve the cooperation with NGOs. Starting with 2011, all petitions concerning non-discrimination were

<sup>3</sup> Article 16 is equivalent to article 4 of the *Framework Convention*.

solved by the Ombudsman's Office within the limits of its competence (no petitions were re-directed).

- The number of cases solved by applying the stipulations of article 16 of the Constitution and article 4 of the Convention increased to 2% in 2009 (hearings, solved petitions, *ex officio* actions, inquiries, reports, recommendations) and to 5% (in the interval 2010-2013).
- CNCD and the Office of the Ombudsman cooperate closely by sharing information on investigated cases and solutions rendered, taken into account that their competences are complementary: the Office of the Ombudsman is legally competent to ensure the respect of human rights by public authorities and autonomous enterprises, whereas CNCD is the warrant of the respect of the principle of non-discrimination and has a general competence in the field of discrimination. One of the cases of joint work was the one in Baia Mare<sup>4</sup>.

It is also worth mentioning that the Office of the Ombudsman holds the evidence of petitions also on criteria of ethnicity, national minority or sexual orientation, but only if the petitioners invoke these criteria as such.

### **Application of the principles of equality and non-discrimination with regard to the Roma**

*77. The Advisory Committee urges the authorities to investigate thoroughly and effectively any complaint of discrimination against Roma in the provision of goods and services, including access to health care. The training and use of health mediators should be extended.*

*78. The authorities must step up their efforts, in particular at local level, to improve the education and employment opportunities and living conditions of Roma, and to promote their full integration into society.*

As regards the **legislative framework** aimed at improving the situation of the Roma, the following elements are of interest:

Romania has a wide legislative framework aiming at efficiently fighting against discrimination of the Roma population and promoting social inclusion, as well as protecting vulnerable groups (through the *Strategy of the Government of Romania for the inclusion of the Romanian citizens belonging to Roma minority for the period 2012-2020*), adopted in December 2011. The English version is available at the address [http://www.anr.gov.ro/docs/Strategie\\_EN.pdf](http://www.anr.gov.ro/docs/Strategie_EN.pdf).

One of the responsibilities that result from the Strategy is the obligation to set up a department to monitor the implementation of this document. The Strategy establishes priorities in fields such as: education, occupation, health, culture, combating of discrimination, etc. The previous Strategy for the improvement of the situation of the

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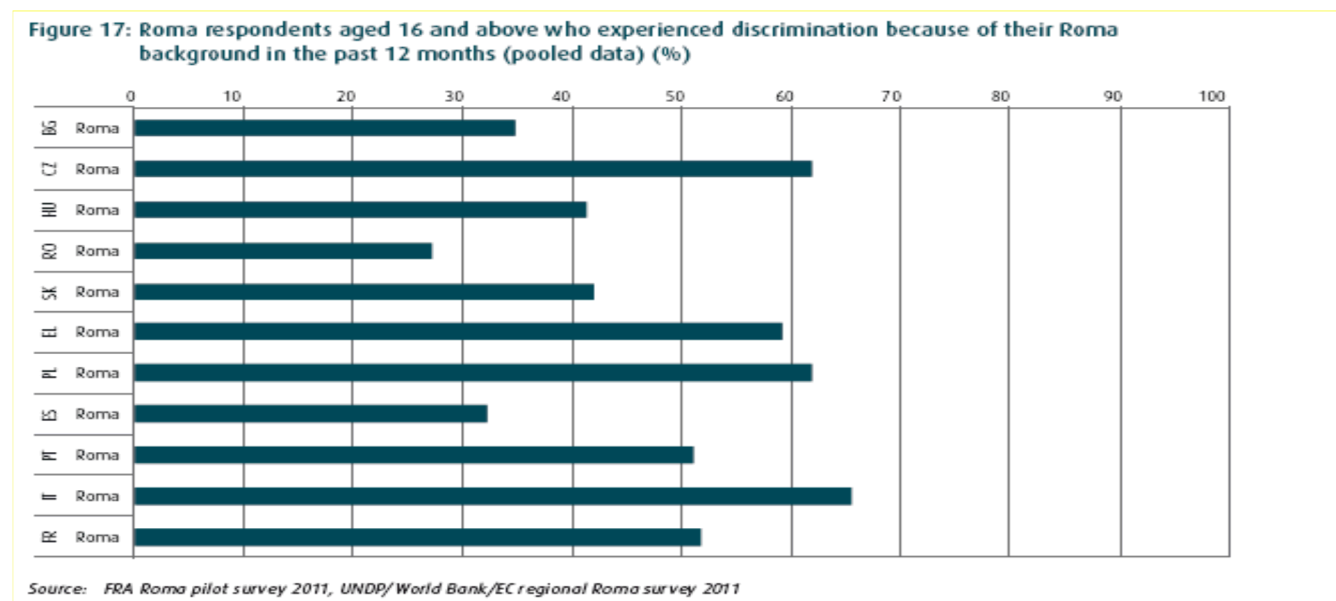
<sup>4</sup> Due to the decision of the Mayor's Office of Baia Mare to build a separating wall between the social housing area, occupied mostly by Roma, in the Horia street in Baia Mare and the main street, several Roma families from the Craica area in Baia Mare were relocated to a building of *Cuprom*, without ensuring first that living conditions are appropriate.

Roma for the interval 2001-2010 also reflected a comprehensive approach to the situation of the Roma.

The Strategies were the result of close cooperation between Government institutions and Roma NGOs. The implementation of the Strategy was ensured by two subsequent Action Plans that established concrete measures to be undertaken by responsible institutions, as well as deadlines to be met. The monitoring of the implementation of the Strategy involves 16 ministries along with regional and local authorities. It is foreseen that the monitoring personnel should include at least one Roma representative. At local level, the Strategy was implemented by public servants acting as liaison officers with the Roma in the fields of education and health (school and health mediators).

The institution that deals with sanctioning the discriminatory behaviour and the prevention of discrimination is the National Council for the Combating of Discrimination, set up in 2000. On the Roma issue, the CNCD has been particularly active and, in the recent years, it has put in place a training program for judges and prosecutors, in order to efficiently apply and implement the legal anti-discrimination provisions.

According to a survey on Roma, carried out in 2012 by the European Union Agency for Fundamental Rights (FRA) and UNDP, the level of discrimination on ethnic grounds in Romania is the lowest compared to other EU Member States.



The Roma community (621.395 persons according to the latest census) is taking an active part in the political and social life of Romania. They are represented in the Romanian Parliament (2 deputies and 1 senator) and members of the Roma community were elected at local level (1 mayor and 161 local councillors). The Prime-Minister appointed a state counsellor on Roma issues (in June 2012).

**Roma integration** issues remain among the domestic policy priorities of the Government. One of the main concerns is solving the problem of property rights on the land where Roma ethnics built their houses. Another priority is the

implementation of the house rehabilitation plans for the Roma neighbourhoods, with a special focus on ensuring access to main facilities (electricity, gas, drinkable water, waste water drainage systems and waste disposal management).

Romania has taken efficient measures aimed at ensuring access to labour market and healthcare, reducing school dropping out, promoting artistic values, creating civic educational programs, as well as crime prevention. Each of the ministries responsible for social integration (Ministries of Labour; Education; Interior; Health; Regional Development) developed programs and allocated important financial and human resources in this respect. According to the Report of the OSCE regarding the Implementation of the Action Plan on Improving the Situation of Roma and Sinti, the Managing Authority for the European Social Fund registered that in Romania 121.3 million euros were devoted to programs specifically targeting Roma within the framework of only 43 earmarked projects during 2008-2013.

Romania achieved significant expertise in the institutionalization of **school and health mediators**, both at national and international level. Moreover, at county level, the offices of each Mayor and Governor have employed local Roma experts that are in direct contact with the local Roma communities. Other achievements are: setting up of special departments for Roma integration within the ministries responsible for integration; employment of Roma civil servants, school inspectors, Romani language teachers and Roma advisors in the ministries; special places for the Roma at the universities (including the Police Academy).

The National Agency for Roma (NAR), the National Cultural Centre for Roma and the National Council for Combating Discrimination are very important institutional instruments that contribute to the social inclusion and legal protection of the Roma population.

Starting with 2006, the Ministry of Administration and the Interior introduced the practice of allocating dedicated places to Roma in the entrance exams at the Police Academy and police schools (detailed situation provided in Annex 6). Information campaigns were launched in order to familiarize the Roma communities with this opportunity and encourage them to compete on these dedicated places.

In the medical field, the Romanian Government drafted and implemented the norms regarding the activity of the health mediators. They facilitate the access of Roma to health services and ensure the communication between the members of the community and the medical staff. Romania (through the National Agency for Roma) has gained experience as regards the institutionalization of the health mediators, both internally and externally, in countries such as Serbia, Ukraine and France (as a consequence, the Council of Europe invited the National Agency for Roma to become a partner for the implementation of ROMED programs in Romania). To the purpose of consolidating the impact of the activity of health mediators, Romania was invited to participate in establishing the cooperation framework between the Council of Europe, the NAR and the Republic of Moldova.

Since 1993, dedicated seats for Roma were reserved in universities, first in the field of social studies and later in the fields of law, public administration, journalism, political science, drama and psychology. In the reporting period, 550 to 650 seats have been allocated annually in state universities. The Ministry of Education also allocates special places in crafts and arts schools and high schools for young Roma that have

completed secondary studies. Thus, 2700-3200 Roma students have been admitted annually in the 9<sup>th</sup> grade on such places.

The school mediators, which function as a link between schools and the Roma communities, were introduced at county level. In 2009, 584 school mediators from 36 counties attended specific training courses; approximately 70% of them were hired. At present, there are about 800 trained school mediators, out of which over 50% are hired.

In every county inspectorate there is one Roma inspector. There are 42 inspectors in total. The informal network of inspectors for Roma education is an example of best practice in many regards. In the 2010-2013 interval, 300 school directors attended courses jointly organized by the Ministry of Education and the UNICEF Representation to Romania. They came from schools confronted with a high percentage of drop-out cases (at least 25-30%). Teachers from such schools also attended courses on teaching methods and the rights of the child.

In Romania, the access to employment in public and private institutions is ensured exclusively on the basis of the evaluation of professional competency. In the labour sector, the measures undertaken by the authorities focus on personalised programs. A series of projects were financed through the European Social Fund addressed to groups of persons that have a difficult situation on the labour market, inactive persons and Roma.

For instance, over 1,200 Roma ethnics were hired in mediation services through the „Program 140” addressed to Roma communities. The National Agency for Jobs has organized a number of regional fairs targeted on Roma. Four such events were organized in the first part of 2012 alone.

In the education sector, besides the positive measures mentioned above (places reserved in high schools and universities) and the institution of health mediators, the teaching of Romani is encouraged. The measures undertaken so far focus on the causes and effects of school dropping out, the flexible organization of the education process, the stimulation of the Roman children’s participation in education and the social protection to facilitate the access to education. A relevant example is the project “*Roma Families Get Involved (2012-2013)*” that has the purpose of raising awareness among Roma families on the phenomenon of school abandonment.

In line with the National Strategy for Roma, the Ministry of Education initiated or continued a number of measures and strategic programs aimed at enhancing access of Roma children to quality education:

- Annual reserved seats in high-schools and arts and trades schools for Roma children (around 3,400 places annually).
- Annual reserved seats in universities for Roma students. As compared to the academic year 1998-1999, when 149 special seats for Roma were reserved in 8 universities, starting with 2010, 550 to 650 seats have been reserved annually.
- Intensive summer courses of Roma language teaching methodology and of Roma language and history (the program was developed in 2009 with UNICEF funding). In the interval 1999-2010, 1,150 teachers were trained. In 2012, around 60 persons were trained as Romani language teachers.

- Romani language courses at the University of Bucharest (20-25 seats annually).
- Classes of Roma language, history and culture (one hour per week for grades I-XII). Classes of Roma history and traditions for grades VI and VII. Out of the 260,000 Roma pupils who assume this identity at pre-school and school levels up to XII<sup>th</sup>, approximately 26,000 attended classes of Roma language and history or were educated entirely in Romani language in 2011.
- Tuition in Romani language as a mother tongue is offered on request for grades I-IV. Almost 900 students have chosen this type of education.
- Tuition in Romani language as mother tongue is offered in kindergarten on request. There are 22 kindergartens with bilingual tuition in Romani-Romanian and Romani-Hungarian.
- Over 400 teachers currently teach Roma history and traditions or Romani language.
- 42 positions for school inspector for Roma at country level, one in each County School Inspectorate.
- A network of experts in the teaching methodology of Romani language and Roma history and traditions, at least one in each county is specialized in Roma language, history and traditions.
- Training of Roma school mediators. 863 Roma school mediators have received training in the last eight years.
- School contests and competitions (the national Romani language school contest, the national school competition *Diversity*);
- Publishing of educational materials and auxiliary textbooks on the language, history and traditions of the Roma, on intercultural education and diversity.
- Organizing and financing catching-up courses, such as *Second Chance*.

In the health sector, in 2012, over 45 vaccination campaigns have been developed in areas inhabited by Roma. The institution of the health mediators was positively evaluated by the European Commission in 2012.

The improvement of the social infrastructure was also considered, by ensuring non-discriminatory access to social assistance services for all citizens, with a special focus on vulnerable groups such as Roma. A recent example in this regard is a project conducted by the Ministry of Regional Development and Public Administration aimed at mapping less favoured areas and areas of poverty in order to enable the development of integrated strategies to promote social inclusion of persons living in these areas. The project was supported by the World Bank and targeted urban communities.

Concrete examples of projects are also those implemented by the National Agency for the Roma that completed 6 programs financed through the European Social Fund in



the fields of education, professional formation and labour force occupation. Over 50,000 people, mainly Roma, have benefitted from these projects. One other example is the formation of Roma counsellors attached to the Mayors' Offices.

In the cultural sector, as early as 2001, the Directorate for National Minorities within the Ministry of Culture launched a special program addressed to the Roma community, *The Roma – Together for Europe*, which focused on the implementation of the measures on culture and religion within the National Strategy for Improvement of Roma Situation. The objectives are: the creation and development of a network for intercultural education and capitalization of the Roma cultural heritage; ensuring enhanced access of Roma to intercultural and human rights education in order to develop abilities for combating discrimination; granting access to vocational education with the purpose of capitalizing on the traditional skills of certain Roma communities; involvement of local traditional leaders; a greater involvement of the youth in volunteer work and consultancy in the Roma communities; reviving traditional arts and crafts, creating access to the labour market for such products; developing a folk art industry and the connected distribution network; professional requalification programs.

In the reporting period, the Ministry of Culture had a close cooperation with the National Agency for the Roma. Several successful projects worth mentioning are listed in Annex 7.

The National Agency for Roma has been an active presence throughout the reporting period in all working groups, commissions, advisory and monitoring committees dealing with the social inclusion of Roma with at central and local level.

*79. The Advisory Committee calls on the authorities, as a matter of priority, to ensure that adequate resources are made available for the implementation of the National Strategy for Roma 2011-2020 and to coordinate the implementation of the strategy at the local level.*

*80. The authorities should take more resolute measures to solve outstanding cases of lack of personal identity documents among the Roma population.*

The Strategy for the inclusion of Romanian citizens belonging to the Roma minority for the period 2012-2020, approved by Government Decision no. 1221/2011, focuses on the following topics: education, employment, health, housing and small infrastructure, culture and social infrastructure.

With regard to identity documents, Action Plan no. N 3408048/05.06.2012 was adopted. The document sets targets in terms of accountability of decision makers in the prefectures, as well as in the Public Service for Digitized Population Records (SPCEP), and stimulates knowledge of Roma issues in order to provide better services in terms of civil status/identity documents and relevant counselling.

The procedure for issuing identity documents is regulated for all Romanian citizens, regardless of ethnicity. In order to assist the members of the Roma community who did not have civil status/identity documents, the Public Service for Digitized Population Records (SPCEP), in cooperation with the police, organized mobile station campaigns for issuing identity documents, and concluded partnerships with NGOs to implement projects aimed at promoting legality among the Roma minority with regard to civil status and identity documents. Between 2010 and 2013, as many as

12,925 Romanian citizens belonging to the Roma minority received civil status documents and 99,890 received IDs. The SPCEP and the police have carried out 545 joint operations to this effect, while various projects and programs were organized in the following countries: Alba, Bacău, Braşov, Bihor, Constanta, Galaţi, Giurgiu, Gorj, Harghita, Iaşi, Mehedinti, Olt and Vrancea.

### **Housing and evictions**

*84. The Advisory Committee urges the authorities to ensure that, when Roma inhabitants are relocated from dwellings unsuitable for habitation, the persons concerned participate effectively at all stages of the process, and that adequate alternative accommodation is provided without delay. Particular attention must be paid to families with children in order to ensure that such relocations do not restrict the right of access of children to education. The authorities must pay particular attention, in consultation with the Roma families concerned, to the location of new housing units.*

*85. The Advisory Committee calls upon the authorities to improve without delay the housing conditions of Roma. The authorities should ensure that the persons concerned have the possibility to participate effectively in the consultations and decision-making processes regarding such improvements.*

Detailed considerations on housing and eviction cases were included in part II of the present report.

The National Agency for Roma continues to monitor the situation of evictions, including the cases of Baia Mare, Eforie Sud and Cluj-Napoca, detailed in Annex 1.

### **Art. 5: State support for the preservation of the culture of national minorities**

*94. The Advisory Committee calls upon the authorities to continue and increase their efforts to support initiatives aimed at protecting, preserving and developing the cultural identity of minorities, including numerically-smaller groups. Funding for cultural programmes should target, in addition to the traditional expressions of minority cultures, the every-day needs and experiences of national minorities.*

*95. The authorities should ensure that the national minority representatives are fully involved in the decisions on the allocation of funds to cultural projects.*

The financial support from the State budget was granted by the Romanian Government to all the organisations represented within the Council of National Minorities and the Parliament (19 organisations representing 20 ethnic groups), despite the economic and financial difficulties that Romania was confronted with, especially in the period 2011-2012. This positive measure was maintained and there were even slight increases from year to year for all the organisations.

It should be mentioned that the general budgets of the minorities' organisations rely to a great extent on the funds received from the State budget. Judging by the structure of the expenses made by the minorities' organisations within the reporting period, a large amount of the funds was used for the day-to-day functioning of their offices,

including salaries and publishing activities. Under the given circumstances, the Government considers that the budgets allocated to the minorities' organisations maintained a normal level. Due to the substantial sums of which the minorities' organisations benefited from within the reporting period, they became promoters of the culture of the minority they represent and very powerful non-governmental organisations.

## **Culture**

According to the Government Decision for the approval of the modality of assignment of the sums intended for the support of the organisations of citizens belonging to national minorities, *“the use and justification of funds allocated to the organisations of citizens belonging to national minorities are carried out in conformity with the protocol concluded between these organisations and the Department for Interethnic Relations”*. The protocol specifies the categories of expenses which can be covered partially from these sums, such as: expenses for the functioning of the headquarters and branches, maintenance and repairing services; personnel expenses; expenses for textbooks and publications; expenses for the organisation of cultural activities (e.g. seminars, round tables, conferences, festivals, contests in Romania and abroad); expenses for investments in movable and immovable goods; expenses for co-financing European and international programmes.

The responsibility for the legality, the opportunity and the necessity of the required sums and their justification rests upon the organisations of the citizens belonging to national minorities. Each organisation decides the manner of distribution of the sums allocated from the State budget on each category of expenses.

Despite the economic crisis, the financial resources allocated from the State budget for the support of national minorities' organisations increased every year for each organisation.

The percentage of the sums used for cultural publications varies from one organisation to another and, for the same organisation, from one year to another. For example, the Cultural Union of Ruthenians, which is the smallest organisation from a numerical point of view, spent, in 2012, 33% of the total annual budget on books and publications, representing the biggest percent use for this category of expenses within that year. However, in 2013 and 2014, this percentage decreased to 1,66% and 6,81% respectively in the case of the same organisation.

The Democratic Forum of Germans in Romania used, for books and publications, 6% in 2012, 6,73% in 2013 and 41,41% in 2014. The Association Partida Romilor Pro Europa used 41,20% of the allocated budget in 2012 for cultural programs, but in 2014 the percentage was of only 15,35%. In 2012, the Ukrainian minority (the third minority from a numerical point of view after the Hungarians and the Roma), allocated 18% of the total budget for cultural programs and in 2014 this percentage increased to 21%. The Federation of the Jewish Communities in Romania uses, constantly, approximately 9% of the allocated budget for books and publications.

As regards the cultural programmes, all the organisations of national minorities, as non-governmental organisations, have the possibility to apply for cultural grants to the Department for Interethnic Relations. According to Law no. 350/2005 on the regime of non-refundable financing from public funds for non-profit activities of general interest, the Department for Interethnic Relations organises each year a project contest

with a view to financing programs and interethnic projects. The aforementioned contest is opened to all non-governmental organisations which carry out interethnic activities. Each year, a part of the organisations of national minorities applies for financing of cultural programs and many of these applications were selected for financing. For instance, in 2013, out of 154 applications submitted by NGOs, 23 were from the organisations of national minorities.

A full list of projects financed by the Romanian Government through the Department for Interethnic Relations is available in Annex 8.

### **Activities supported by the Ministry of Culture**

The Ministry of Culture is one of the main supporters of cultural diversity and a key institution in preserving the cultural identity. It supports financially the cultural activities of ethnic minorities, as well as the preservation of their tangible and intangible heritage. Multiculturalism and inter-cultural dialogue are also promoted through a series of programs aimed at facilitating the dialogue between minorities and the majority population, as well as between minority groups.

During the reporting period, a section of the ministry's annual budget has been allocated for the programs, projects and cultural activities organized by the associations of the ethnic minorities. The system of financing the cultural projects initiated by the NGOs of the national minorities, aiming at promoting their national and cultural identity, as well as intercultural dialogue, has been effective throughout the reporting period.

Intercultural dialogue and the culture of the national minority groups have also been financed through the Eastern European Area (EEA) Financial Mechanism. The Memorandum of Understanding for Implementing the EEA Financial Mechanism for 2009-2014 signed by Romania and the donor countries (Iceland, Norway and Liechtenstein) included the program "*Promoting diversity in culture and art within the European cultural heritage*", implemented by the Romanian Ministry of Culture through its Project Management Unit (PMU). The overall budget is 8,022,059 Euros, out of which 6,818,750 Euros from EEA Financial Mechanism contribution and 1,203,309 Euros from national Romania's contribution.

The program pursues two main goals:

Target 1: Raising awareness in respect of cultural diversity and strengthening intercultural dialogue; increasing international mobility of artists and their works; promoting education through art and culture for a wider public; intercultural dialogue; projects in performing arts; performances with and about minorities; projects in visual arts.

Target 2: Documenting cultural history; consolidating and promoting the cultural history of minorities; events/performances with and about minorities (fairs, festivals, performances etc).

An important role in preserving and capitalizing the culture of the national minorities rests upon the museums under the subordination of the Ministry of Culture or of county or local authorities. A relevant example is the Romanian

Peasant Museum in Bucharest, which has a hall, entitled “Together”, where aspects of the every-day life of the ethnic minorities are displayed. The museum also published two issues of the album-calendar “Together”, with photos of objects of the various ethnic minorities in Romania. Around 8,000 collected objects illustrative for the life of the national minorities in Romania have been documented by the Peasant Museum experts following their field researches.

The “Dimitrie Gusti” National Village Museum also promotes the activity of ensembles and persons belonging to the national minorities of Romania. The culture of the local Bulgarians, Armenians, Czechs, Serbians, Slovaks, Croats, Jews, Slavic Macedonians, Germans, Italians, Greeks, Albanians, Hungarians, Turks, Tatars, Ukrainians, Poles, and Lipovan Russians has been presented as part of the *Dialogue of Civilizations* program or in various exhibitions, fairs, festivals and workshops.

The initiative of setting up *The Alley of Minorities* as part of the South Area Extension Project illustrates the commitment of the Village Museum to bringing forth the national minorities and their habitat. Once open to the public, the area will host events that will capitalize both the researches carried out by the museum experts as part of the *Ethnic Communities of Romania*, a multi-annual research program, and the results of the cooperation with the communities and associations of the ethnic minorities. The Hungarian, Jewish and Hutsul homesteads are already in place on the alley, with the German and the Turkish one to follow soon.

The commitment of the Village Museum to promoting and preserving the heritage of the ethnic minorities also materialized in the numerous cultural programs it has developed. We could mention for instance the *Sfinții Petru și Pavel* Fair, where ensembles of the national minorities were also invited (“Hora” of the Jewish Communities Federation, “Romnori” of the Roma minority, “Serenada” of the Albanian League of Romania).

During the reporting period, the Ministry of Culture has supported the national minorities on the basis of Government decision no. 51 of 11 August 1998 regarding cultural projects and Government decision no. 90 of 10 February 2010 regarding the organization and functioning of the said ministry. Support was offered through the National Priority Cultural Program and the Emergency Cultural Needs Program.

The list of projects and activities dedicated to national minorities supported by the Ministry of Culture in the reporting period is to be found in Annex 9. These programs aimed at supporting the national and linguistic identity of the national minorities living in Romania and their various forms of expression. They have been generally organized by the minority associations themselves and quite often with partners and/or guests from kin states, similar organizations, international NGOs etc.

Besides the projects financed directly by the Minister of Culture, the organizations of the national minorities can cooperate with its subordinated institutions, such as the Administration of the National Cultural Fund (ANCF). Selection sessions for cultural projects are organized annually by the ANCF, which represents an additional source of funding. A list of the projects supported by the AFCN in the reporting period is to be found in annex 10.

### **Restitution of church property and assets having belonged to the communities**

*100. The Advisory Committee encourages the authorities to continue processing all pending cases concerning the restitution of property without delay.*

Compared to the third report submitted by Romania, important changes have been made in the legislative field as to the restitution of properties. Following the ECtHR pilot judgment in the case of *Atanasiu and others against Romania*, Romania revised its property legislation, the new piece of legislation entering into force on 20 May 2013. The law was adopted after a public debate, where any interested party had the opportunity to submit observations on the proposed draft law.

The adoption of this legislation has been done taking into account the principles derived from the ECtHR relevant jurisprudence and, most importantly, in consultation with the Council of Europe' Secretariat and the ECtHR Registry; the draft law was forwarded to the Parliament only after in-depth discussions in this consultative framework, mainly on finding the appropriate compensation modalities.

Consequently, after the law's adoption, in June 2013, the Committee of Ministers of the Council of Europe welcomed the determination demonstrated by the Romanian authorities in the execution of the pilot judgment, which has allowed the adoption of the new law reforming the reparation mechanism with a view to ensuring its effectiveness and viability. On 29 June 2013, the implementation rules for the new law on restitution have been published in the Official Journal; afterwards, the implementation process has been set in motion. Information on the progress of this process is available on the website of the National Authority for the Restitution of Properties.

In order to ensure a uniform implementation of the new law, the National Authority for the Restitution of Properties has issued several circular memos and has organized several meetings with the competent authorities as well as with the representatives of the owners' associations; this practice will continue in the future. A close and constant monitoring of the new law's application at the domestic level is important, so that the competent authorities can intervene rapidly if necessary, including by legislative measures, with a view to ensuring an effective operation of the newly established mechanism. In this respect, an inter-ministerial monitoring committee was created.

As regards particularly the restitution of church property, the recommendation issued in the previous cycle of monitoring was that the authorities continue processing all pending cases concerning the restitution of property without delay. According to an updated situation transmitted by the National Authority for the Restitution of Properties (**Annex 4**), out of a total number of 14.814 demands for restitution submitted by the representative of the religious cults, a number of 4862 have been solved and 9952 are still pending. As regards the demands submitted by the communities of persons belonging to national minorities, a total number of 2155 demands have been submitted, out of which 787 have been solved and 1368 are still pending.

As regards specifically the compensations awarded to the Greek Catholic Church and the Mosaic Cult, it is to be added that to the benefit of the Greek Catholic Church 38 compensation decisions have been issued, with a compensation total of 5.931.846 RON (1.412.344 EURO). To the benefit of the Mosaic Cult, 130 compensation decisions have been awarded, with a compensation total of 138.835.128 lei

(33.055.983 EURO). After the entry into force of the Law 165/2013, in the 27 June 2013 session, the Central Compensation Commission has issued a payment title to the benefit of the *Caritatea* Foundation, representing the Jewish community and totalling 932.963 lei for a real estate situated in Bucharest, no. 3 Georgescu Dridu Street. The real estate is composed of a construction and adjacent ground, in surface of 276 square meters.

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

*110. The Advisory Committee calls upon the authorities to make further efforts to combat the continuing manifestations of intolerance, racism, anti-Semitism and xenophobia in society. They should take all the measures necessary to promote and to intensify inter-cultural dialogue throughout the country, with particular emphasis on municipalities where tensions have arisen.*

*111. Furthermore, all racially-motivated or anti-Semitic acts should be effectively investigated, prosecuted and sanctioned. Systematic monitoring of these acts should be carried out by the authorities. In particular, the Advisory Committee urges the authorities to adopt further legislative measures and policies to combat racist manifestations in the media, in the spirit of the Committee of Ministers' Recommendation N° R(97)20 on 'Hate Speech'.*

The promotion of ethnic and cultural identity and of the intercultural dialogue were realised especially through activities proposed by NGOs and financed on the basis of projects which aimed at knowing and expressing the specific values of the cultural heritage of national minorities, the promotion of the ethnic, cultural, linguistic and religious diversity of Romania and the strengthening of the good interethnic relations.

Projects of this type were initiated by NGOs from all over the country, the evolution of the allocated non-refundable funds from the DIR budget for these projects having been the following: in 2011, DIR allocated non-refundable funds for 79 projects; in 2012 for 101 projects; in 2013 for 65 projects; in 2014 for 76 projects.

The credit line is open for all organisations, associations and foundations of Romania without patrimonial purpose, which carry out activities in the DIR's area of competence. Organisations which are members of the Council of National Minorities also have access to this grant line, although they have also budgets of their own. Each year, approximately half of the budget allocated to DIR for actions, programs, interethnic and combating violence projects is spent for this kind of financing.

The majority of the actions supported by DIR through non-refundable funds had as object the education in different languages for minority children, non-formal education, culture expressed in minorities' languages, organising cultural multi-ethnic events, stimulation of the civic spirit of young people belonging to minorities etc.

DIR allocated a part of the resources for organising and carrying out of its own programs or organised in collaboration with other fora having similar objectives.

A list of the programs organised by the Department of Interethnic Relations is available in Annex 12.

### **Activities supported by the Ministry of Culture**

Promoting tolerance and intercultural dialogue, ethnic diversity and interdisciplinary interaction can be achieved by capitalizing on the tangible and intangible cultural heritage of all minorities living on the territory of Romania. The most efficient vehicle to achieve these goals is through intercultural festivals and events that aim at displaying the richness of local traditions by using the instruments of contemporary expression. In this effort of fostering intercultural dialogue governmental and non-governmental institutions, cultural centres, universities, museums, linguists and experts in various fields of culture have joined forces.

Some of the most representative events financed by the Ministry of Culture in the reporting period are presented in Annexes 8 and 9.

### **Legal framework**

As regards the legislative framework, several amendments have been made, in addition to those analysed in part II of the present report: Law no. 61 of 21 March 2013<sup>5</sup> modifies the provisions of the Government Ordinance no. 137/2000 on preventing and sanctioning every form of discrimination, stipulates the reverse of the burden of proof in favour of the plaintiff. Also, the Government Emergency Ordinance no. 19 of 27 March 2013 amends the Government Ordinance no. 137/2000 on preventing and sanctioning every form of discrimination extends the number of situations in which a deed is deemed a contravention, if not already incriminated as a criminal offence.

### **The Judiciary**

The following seminars for magistrates have been organized in the reporting period:

May 2011 – August 2012 – The National Institute of Magistracy (NIM) was partner in a project entitled *Equal Access to Justice for Roma*, coordinated by the Romani CRISS Association. The project was financed by the European Commission and developed within the “Criminal justice” program. The project consisted of 4 seminars of continuous training for judges and prosecutors in the field of national and international legislation in fighting racism, especially in criminal matters. The trainers were NIM trainers and trainers proposed by the Romani CRISS association.

January 2012 – July 2012 – 71 magistrates (35 judges and 36 prosecutors) attended 3 seminars on the national and European legislation on fighting discrimination, as well as on the ECHR and the European Court of Justice relevant case law on the ethnical grounds in cases of abuses committed by law enforcement representatives.

In 2012, 8 seminars were organized within the PROGRESS Program coordinated by the National Council for Combating Discrimination (CNCD) in partnership with the NIM. The topic was *„The Right to Equality and Non-discrimination in Delivering*

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<sup>5</sup> Art. 27, para (4) reads as follows: (4) *The interested person shall present facts on the basis of which the existence of an indirect or direct discrimination may be alleged, and the person against whom the complaint was filed has the burden to prove that no violation of the equality of treatment principle took place. In front of the court any means of evidence may be invoked, with the observance of the constitutional regime of the fundamental rights, including audio or video recordings or statistical data.*



*Justice*”. 212 magistrates (106 judges and 106 prosecutors), 1 Superior Council of Magistracy expert, 2 Ministry of Justice experts and 2 National Administration of Penitentiaries experts participated at the seminars. The training sessions were an opportunity for the participants to become familiar with the highest standards in their field of work, with regard to ensuring equal opportunities and fighting discrimination. The seminars were held by NIM trainers and experts proposed by the CNCD.

### **Police conduct**

*117. The Advisory Committee urges the Romanian authorities to investigate effectively, prosecute and sanction as necessary all forms of misconduct by the police. The authorities should take further, more resolute steps to put an end to police misconduct and abuse, including of a racist nature.*

*118. Further efforts should be made to promote the recruitment into the police force of persons belonging to national minorities, in particular Roma. Efforts undertaken to provide training of the police in the field of human and minority rights, as well as regular dialogue between the police and persons belonging to national minorities, should be pursued and expanded.*

The Ministry of Internal Affairs has organized a series of campaigns and training programs for the police focused on human rights and the rights of persons belonging to national minorities. The most relevant ones, including some specific activities carried out by the National Agency against Trafficking in Human Beings, are listed in Annex 13.

As to the Advisory Committee’s recommendation from the previous reporting cycle to promote *the recruitment into the police force of persons belonging to national minorities, in particular Roma*, it is to be mentioned that, in January 2014, there were 1735 minority representatives in the structures subordinated to the Ministry of the Interior, out of which 188 were Roma (3 of these were in management positions).

### **Art. 7: Freedom of association**

*121. The Advisory Committee reiterates its recommendation that the authorities review the registration conditions envisaged for organisations of national minorities in order to bring them into line with the requirements of the Framework Convention, and more particularly with Article 7.*

The registration of the organizations belonging to the national minorities is regulated by the Government Ordinance no. 26/2000 concerning associations and foundations. The lack of special procedures for the establishment, registration and functioning of the organizations of national minorities does not limit their right to take part in the electoral process, as the legislator created a favorable legal framework for their involvement in the electoral process and the public life at the highest level. The organizations of Hungarians, Ukrainians and Roma, other than those represented in the Council of the National Minorities, could enjoy freely their right of assembly and association, participated in local elections and obtained mandates within the local administration.

**Art. 8: Religion and faith**

In Romania, the right to religion and faith of the citizens belonging to the national minorities is guaranteed, and various ways of expressing religion exist.

In 2013, the State Secretariat for Religious Affairs has offered support to the organisation of numerous internal and international events which aimed to promote the interreligious and inter-Christian dialogue and to defend freedom and the fundamental human rights.

The main actions undertaken in 2013 by the religious denominations in order to promote the inter-Christian and interreligious dialogue, which were financially supported by the State Secretariat for Religious Affairs, are the following:

- The Romanian Patriarchate: the symposiums “Saint Emperors Constantine and Helena – Promoters of the Religious Freedom”, 21<sup>st</sup> April – 3<sup>rd</sup> May (Bucharest); and “The Reception of the Work of Fr. Dumitru Stăniloae Today”, 2<sup>nd</sup> – 5<sup>th</sup> October (Bucharest).
- The Archdiocese of Vad, Feleac and Cluj: the international conference “The Current Orthodox Theology in Context. Themes and Tendencies”, 23<sup>rd</sup> – 28<sup>th</sup> May (Cluj Napoca).
- The Archdiocese of Craiova: the symposiums “The Christian Paradigm of a United Europe”, 26<sup>th</sup> May – 1<sup>st</sup> June (Craiova) and “Saint Emperors Constantine and Helena”, 27<sup>th</sup> – 29<sup>th</sup> November (Tismana Monastery).
- The Archdiocese of Tomis – the symposium: “The Edict of Milan – 1700 Years of Christian Liberty”, 16<sup>th</sup> – 18<sup>th</sup> May (Constanța).
- The Archdiocese of Alba-Iulia – the symposium: “Politics and Theology”, 14<sup>th</sup> – 17<sup>th</sup> May (Alba-Iulia).
- The Diocese of Caransebeș – the symposium: “The Days of Faith and Culture”, the seventh edition, 12<sup>th</sup> – 19<sup>th</sup> May (Caransebeș).
- The Roman-Catholic Archdiocese of Bucharest – the events occasioned by the beatification of Monsignor Vladimir Ghika, 30<sup>th</sup> August – 1<sup>st</sup> September (Bucharest).

The members of the Consultative Council of the Religious Denominations held their annual meetings in order to assess the activity of their commissions (The Commission on Family, Health and Human Dignity; The Educational Commission; The Commission on the Patrimony of the Religious Denominations and on The National Patrimony; The Economic and Juridical Commission).

**Art. 9: Access of persons belonging to national minorities to the media**

Regarding the publications in minority languages, it should be mentioned that each minority group has at least one publication either in their mother tongue or bilingual,

but their number and circulation vary depending on financial resources and number of members of the community.

There are over 40 publications of the national minorities, other than Hungarian. Their content has diversified in recent years, covering a wider range of topics of interest to minority members. Also substantial investments have been made for the improvement of the graphic format of the publications, most of which are now printed in colour. It is also worth mentioning that the distribution area of these national and regional publications has widened, and they are now also received by members of the communities originating from Romania who live abroad. More details are provided in Annex 14.

Interested primarily in preserving and promoting their language and culture, many minorities focus on cultural publications: the Lipovan-Russians have a socio-cultural newspaper and a cultural magazine (both bilingual), the Polish community publishes a quarterly journal for children in Polish, while Ukrainians have 5 publications (4 in Ukrainian and one in Romanian): political-social-cultural, literary, and also for children.

Many minorities have posted also online editions of their publications (Armenians, Bulgarians, Jews, Lipovan Russians, Turks, Hungarians, Germans, etc.), and also posted on their websites selections of articles from their printed periodicals. The financial and logistical support was mainly provided by the Government.

*131. The Advisory Committee encourages the authorities to increase their efforts to ensure access of persons belonging to national minorities to radio and television programmes destined for them, and in particular to take the necessary measures to provide adequate radio and television broadcasting at suitable times.*

*132. The authorities should also assure continuity of reception of public service broadcasting, even during the transitional switch-over period, by persons belonging to national minorities, in particular by ensuring simulcast broadcasting in analogue and digital formats. They should only discontinue analogue broadcasting when digital reception is possible in all sectors of the population, including persons belonging to national minorities on reasonable conditions.*

More information about the radio and TV stations that broadcast in minority languages is available in Annex 16.

#### **Art. 10: Use of minority languages in public administration and justice**

*138. The Advisory Committee calls on the authorities to ensure that the legal provisions on the use of minority languages in dealings with local administration are fully implemented.*

*139. The Advisory Committee invites the authorities to consider, in consultation with representatives of national minorities, the adoption of measures which would facilitate the use of minority languages in dealings with local administrative authorities.*

*140. The authorities should review the situation of the use of minority languages in relations with administrative authorities, on the basis of the results of the census of 2011, in particular as regards the number of municipalities where the use of minority languages is authorised. All such efforts should bear in mind that any reviews should be conducted in a manner promoting intercultural dialogue and everyday contact rather than increase the isolation of persons belonging to minorities.*

### **Public administration**

In Romania, the use of minority languages in relations with public authorities (Article 10 of the Framework Convention) is guaranteed by law. This right is regulated by the Romanian Constitution and Law no. 215/2001, as follows:

- right to be informed in their own language on normative decisions of local and county councils (art. 50 and art. 98 of Law no. 215/2001);
- right of communication, written or oral, in mother tongue, with the local government and decentralized public services (art. 19, art. 50, art. 76 para. (2) and art. 98 of Law no. 215/2001 and art. 19, para. (1) of Law 340/2004 on the prefect and the prefect's institution, republished);
- right of official ceremonies and marriages in the mother tongue (Article 9 of GD no. 1206/2001 for the approval of the application of the provisions on the right of citizens belonging to national minorities to use their mother tongue in public administration, stipulated by Law no. 215/2001).

These rights of the persons belonging to national minorities are applied in the administrative units where the percentage of minority population exceeds the 20% threshold of the whole population of the respective territorial-administrative unit.

### **The use of minority languages within prefectures**

The prefect's institutions of Alba, Bihor, Braşov, Covasna, Harghita, Mureş, Satu Mare and Sălaj counties employed Hungarian speakers within the Public Relations Department.

The prefect's institution of Arad county employed within the Public Relations Department persons speaking Czech, Croatian, Serbian, Slovakian and Ukrainian. At the same time, drawing up answers in Slovakian and Czech language is provided.

The prefect's institution of Bihor, Mureş and Harghita counties accept the questionnaire for getting the driving license in Hungarian and can answer in Hungarian to the applications submitted to the services in charge with simple passports issuing and those responsible for driving license issuing.

The prefect's institution of Cluj county receives oral or written requests and provides answers in Hungarian, if requested. At the same time, documents for getting land

registry book excerpt, contracts, etc. drawn up in Hungarian are accepted, if they are accompanied by a legalized translation.

The prefect's institution of Maramureş county employed persons speaking Hungarian within the community public service for driving license issuing and cars' registration. At the same time, it provides answers in Hungarian, if requested.

The prefect's institution of Mureş county accepts oral or written requests in Hungarian, has employees speaking this language and provides answers in Hungarian, if requested.

The prefect's institution of Harghita and Covasna counties have Hungarian version websites, containing information of public interest (e.g. for simple passports issuing, activities carried on within the institution, audiences timetable).

No condition concerning the necessity to have knowledge of Hungarian language is requested when recruiting or transferring personnel in case of vacancies within the above mentioned prefect's institutions, but there are cases when this is considered an advantage against the other candidates.

### **The use of minority languages within public deconcentrated services**

Within the Public Relations Departments of the public deconcentrated services in Covasna, Bihor and Harghita Hungarian speakers are employed in order to provide communication with Hungarian ethnics and in Mureş, Sălaj, Satu Mare counties, some public deconcentrated services (mainly in the field of agriculture, education, culture, finance, customs, social protection) also have Hungarian speaking personnel. They receive oral or written applications in Hungarian and most of them can provide answers in this language, if requested. In Covasna and Harghita counties, all the public deconcentrated services can provide answers in Hungarian, if requested.

At the same time, in Covasna, Bihor and Mureş counties, some public deconcentrated services accept documents drawn up in Hungarian, mainly in the field of agriculture, education, culture, labour, social protection, environment, waters and forestry.

Most of the public deconcentrated services in Covasna, Bihor and Harghita counties can provide, on request, the use of Hungarian language, mainly in the field of health, education, culture, labour, social protection, environment, waters, forestry, finance and customs.

All the public deconcentrated services in Harghita county can provide answers to Hungarian ethnics in their language, if requested, while in Covasna, Bihor, Mureş and Sălaj counties, only some of the public deconcentrated services can do that.

### **The use of minority languages within the territorial structures of the Emergency Situations Inspectorate General**

Within Harghita Emergencies Situations Inspectorate, the Hungarian ethnics represent 30-35% of the personnel, working mainly in the public relations structures. In case that the person in charge with solving the specific problem does not know Hungarian, the inspectorate can provide the translation of the respective request. At the same time, materials aimed at promoting civil protection activities and fire prevention are published both in Romanian and Hungarian (e.g. rules of conduct and actions in case

of earthquakes – Felkeszules foldrengesre; the institution's name is displayed in three languages: Romanian, Hungarian and English).

The personnel working within the public relations office in Covasna Emergency Situations Inspectorate is able to communicate in Hungarian. The Hungarian ethnics can submit requests and get answers both in Romanian and Hungarian. They can also submit documents in this language. On the institution's website, information is displayed in both languages.

Personnel speaking Hungarian is also employed within Emergency Situations Inspectorates in Bihor, Mureş and Sălaj counties, thus being able to provide communication with Hungarian ethnics in their mother tongue.

Although the population speaking Hungarian stands for less than 20%, in Alba, Bihor, Braşov and Maramureş, in the respective Emergency Situations Inspectorates Hungarian speakers were employed in order to provide communication and formulate answers in that language.

At the same time, employees speaking minority languages – Hungarian, German, Turkish, Tatar, Serbian, Russian, Bulgarian and Ukrainian – are working within the Emergency Situations Inspectorates of Alba, Arad, Bistriţa-Năsăud, Braşov, Constanţa, Giurgiu, Hunedoara, Maramureş, Mehedinţi, Mureş, Satu-Mare, Sălaj, Sibiu, Timiş, Tulcea and Bucureşti-Ilfov.

#### **The use of minority languages within the Romanian Gendarmerie territorial units**

Romanian Gendarmerie paid a special attention to the observance of minorities' rights by monitoring its own personnel's conduct towards the persons belonging to national minorities. In 2012, 90 training sessions were organised on issues related to human rights and non-discrimination towards national minorities.

At the same time, within the territorial units, persons belonging to different minorities were employed. The distribution of minority languages speakers is the following:

- Bulgarian – 2 persons;
- Hebrew – 2 persons
- German – 62 persons;
- Greek – 4 persons;
- Italian – 87 persons;
- Hungarian – 83 persons;
- Russian – 94 persons;
- Serbian – 17 persons;
- Slovak – 1 person;
- Turkish – 13 persons;
- Ukrainian – 32 persons.

Special places are provided for Hungarian and Roma ethnics within the Romanian Gendarmerie's Educational Institutions (Police Academy – Gendarmerie Section; the schools for agents in Drăgășani and Fălticeni).

### **The use of minority languages within the National Archives territorial units**

Within the territorial units where a Hungarian minority stands for at least 20%, the public relations activities, the reading room and office for solving the citizens' applications concerning the reconstitution of certain individual rights based on archive documents are provided by personnel speaking both Romanian and Hungarian.

The applications for reconstituting certain individual rights based on archive documents submitted in Hungarian are registered in Hungarian, and then translated into Romanian. The resolution is written on the Hungarian original. As the documents issued in such cases bear legal value against other institutions on Romania's territory, the answers are provided in Romanian, thus the Hungarian-speaking Romanian citizens do not have to support the costs for translating them in an authenticated version.

Information of public interest concerning the functioning program of the public relations office, reading room, list of services provided by National Archives, information related to applications, the Treasury account where payments must be made, free of charge phone line belonging to the Ministry of Internal Affairs where corruption deeds can be reported, as well as the list of documents and collections available for study in the reading room are posted both in Romanian and Hungarian, on the bulletin board placed in the hallway of those units.

The territorial units of Bihor, Covasna, Mureș, Satu Mare, Harghita, and Sălaj counties have Hungarian-speaking personnel.

### **The use of minority languages within the Police Inspectorate General territorial units**

Law no. 275/ 4.07.2006 on the enforcement of sentences and measures decided by judicial bodies during criminal trials and the G.D. no. 1897/ 21.12.2006 for the approval of the Regulation for its implementation provides for the obligation of judicial bodies to inform in their mother tongue, the persons deprived of freedom about the rights and obligations they have.

Regarding the rights and obligations of the retained and arrested persons from retention and pre-trial centres, these are available in ten languages in all centres subordinated to the Romanian Police.

At the same time, the new Criminal Proceedings Code, Title V, Chapter 1, Preventive measures, section 2, retention, the item 209 para. 2 provides that "*the crime one is suspected of and the reasons of one's retention must be brought to the notice of the retained person in the language he understands*".

683 persons belonging to national minorities are employed within the Romanian Police, as follows:

- 417 Hungarian employees;
- 169 Roma employees;

- 21 Ukrainian employees;
- 18 Turkish employees;
- 12 Tatar employees;
- 10 Slovak employees;
- 7 Russian employees;
- 7 Serbian employees;
- 5 Bulgarian employees;
- 5 German employees;
- 2 Polish employees;
- 1 Lipovan employee

### **The use of minority languages within the territorial units of the Romanian Border Police**

The minority languages speakers employed by the Border Police are as follows:

- The Territorial Inspectorate Sighetu Marmăției – Ukraine border: 412 Hungarian speakers; 188 Ukrainian speakers; 129 Russian speakers; 3 Serbian speakers.
- The Territorial Inspectorate Oradea – Hungary border: 134 Hungarian speakers ; 24 Serbian speakers; 2 Ukrainian speakers; 2 German speakers; one Slovak speaker;
- The Territorial Inspectorate Timișoara – Serbia border: 83 Serbian speakers and 17 Hungarian speakers;
- The Territorial Inspectorate Giurgiu – Bulgaria border: 82 Bulgarian speakers; 56 Turkish speakers; one Hungarian speaker;
- The Territorial Inspectorate Iasi – Moldova border: 2 Ukrainian speakers; 5 Turkish speakers; 2 Hungarian speakers;
- Coast Guard: 27 Russian speakers; 11 Bulgarian speakers; 8 Turkish speakers; 4 Ukrainian speakers.

Within the territorial structures where minority languages speakers have a significant weight, oral and written applications are received and answers given in those languages.

At the same time, within the joint contact structures on the border, bilingual forms for assistance requests are used, including English, answers being given in the languages the requests were submitted in.

The petitions addressed to the territorial Border Police Units written in another language are translated, the replies being given in Romanian language.



### **Seats reserved for the representatives of national minorities in the educational institutions of the Ministry of Internal Affairs**

Distinct seats for minorities have been provided as follows: Roma ethnics (since 2006), Hungarian ethnics (since 2010), and other minorities (since 2011). The candidates must fully comply with the conditions and criteria provided by Order no. 665/2008 concerning activities related to human resources management within Ministry of Internal Affairs. In addition to the documents necessary for the entry exam, the candidates running for the special seats dedicated to minorities must submit a certificate issued by an ethnic organization, established according to the law, stating that the person belongs to the respective ethnical group (except for Hungarians). According to the request of the Democratic Union of Hungarians in Romania, the candidates belonging to this ethnic group applying for the Police Academy „Alexandru Ioan Cuza” must prove that they graduated a highschool with teaching in Hungarian.

### **Justice**

With reference to the number of cases when the use of minority languages was requested by the citizens belonging to national minorities, as stipulated in Law no. 282/2007, the following figures can be reported:

- At the level of prosecutors' offices subordinated to the Prosecutor's Office attached to the High Court of Cassation and Justice a number of 1,316 cases have been registered, as follows: Bulgarian (7), Czech (1), German (32), Greek (2), Italian (11), Hungarian (1,175), Polish (3), Romani (19), Russian (15), Serbian (4), Slovakian (7); Turkish (10); Ukrainian (30).
- At the level of courts, the use of minority languages was requested both in civil and criminal matters, as follows: in civil matters, the use of minority languages was requested in 13,776 cases where 13.776 interpreters have been used; in criminal matters, the use of minority languages was requested in 6,524 cases.

The use of minority languages before the courts is provided for both in civil and criminal matters, as indicated in Annex 16.

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

*143. The Advisory Committee encourages the authorities to pursue, in consultation with organisations of national minorities, a constructive dialogue with regard to the use of minority languages to indicate place names.*

According to the Romanian legislation, minority linguistic rights are granted for local linguistic communities representing at least 20% of the population in the local administrative unit. Since demographic processes may lead to positive evolutions, a list of such communities will be presented for consideration for the implementation of the linguistic rights as stipulated by the domestic regulations and international conventions signed by Romania. In the event of an unfavorable demographic evolution, if the share of a given minority population falls below the threshold of

20%; they will enjoy the most favorable linguistic status granted by the Law no. 215/2001 (art. 131 of the aforementioned law, republished on 29 February 2007).

There are several counties (Sibiu, Timiș, Constanța, Arad and Bacău), where bilingual signs have been kept in place, although the share of the minority population has fallen beneath the 20% threshold, according to the 2011 census. In Bacău county, the place-name signs in Hungarian were maintained in the villages of Făget, Tarhăuși, Ghimeș and Făgetul de Sus. In Arad County, there are 30 localities that display bilingual place-name signs, most of them in Hungarian. In 13 of these localities, the share of German and Hungarian ethnics has fallen beneath 20%, but the respective place-name signs were maintained. In Constanta county, there are 5 localities that display bilingual place-name signs (all in Turkish except the locality of Ghindărești that displays the place-name in Russian). In two of these localities, the share of minority ethnics has fallen below 20%. In Timiș county, there are 29 localities that display bilingual or multilingual place-names. In 14 of these localities, the share of minority ethnics has fallen below the legal threshold. The same is true for the county of Sibiu in which bilingual or multilingual place-name signs have been maintained although the share of German or Hungarian ethnics is below 20%.

#### **Art. 12: The multicultural and intercultural dimension of education**

*150. The Advisory Committee calls on the authorities to ensure that all students, irrespective of the language of education, are provided with quality information on the history and cultural heritage of persons belonging to national minorities. Efforts aiming at promoting mutual respect and intercultural dialogue should be pursued.*

The orders of the minister of education no. 1528/2007 on promoting diversity in education and no. 3774/2008 on intercultural education in schools have been implemented and their provisions were broadly disseminated among teachers. Specific provisions which ensure a better implementation of the principles stated in the above mentioned documents were included in chapter on *Education* of the *Romanian Government Strategy for the inclusion of Romanian citizens belonging to Roma minority 2015 – 2020* (adopted by Government Decision in January 2015), such as:

- Art. (3) para. 9 – Organizing courses on initial and continuous training of teachers in the field of intercultural education, promoting diversity, nondiscrimination and equal opportunities. Continuous training programs for teachers who work in schools attended by Roma children, including in schools where classes on Roma history and culture are taught.
- Art. (3) para. 21 – Design and implement training programs for civil servants and for the personnel within the public education, health, social assistance and protection services on issues related to preventing and combating discrimination, promoting diversity (historic/ethnic/linguistic/cultural/religious/gender/physical etc.) and interculturalism, in partnership with the National Agency for Roma, Ministry of

Regional Development and Public Administration, Ministry of Culture and/or NGOs.

Various courses on promoting diversity and intercultural education have been included in the curricula at national level. The most important ones are listed in Annex 17.

Starting with 2014, the Department for Interethnic Relations and the nongovernmental organization *Srita* from Târgu Mureş have been organizing *The Intercultural Schools*, which is a training program for high school students. In 2014, three training sessions were held in Mangalia, Văliug and Târgu Mureş. In 2015, the program continued with two sessions for students held in various multiethnic areas and one training session for teachers.

Another program, initiated in 1999, involves the winners of high schools minority languages school contests. During summer break, students participate in visits throughout Europe to explore the historic and cultural European diversity. For example, in 2014, the program included a trip to Germany with the aim to get acquainted with the *EU Strategy for the Danube Region*, as Romania is one of the participating countries.

### **Access of Roma to education**

*158. The Advisory Committee urges the authorities to take specific measures without delay to eliminate all separate Roma classes and to integrate all Roma pupils fully into mainstream education. The situation at all levels should be closely monitored in order to avoid any segregation based on ethnic affiliation. The authorities should redouble their efforts to combat school absenteeism and early drop outs among Roma children. Such efforts should include the expansion and development of the long-term use of school mediators who can assist Roma children and their families in their contact and inclusion in the educational system.*

It is first to be mentioned that Romania does not have a tradition of school segregation of Roma. The Order of the Ministry of Education no. 1540 of 19 July 2007 strictly forbids school segregation when forming the 1st, 5th and 9th grades.

The Ministry of Education issued the Order no. 3774/2008 for the approval of the school curricula for the elective subject “*Intercultural education*” for gymnasium level and also Order no. 1529/2007 regarding the development of diversity in the national curriculum. As a result, significant changes of school curricula and implicitly textbooks were set in motion in order to ensure that the historical, ethnic, religious, gender and physical diversity are reflected accordingly in school textbooks and particularly in the history textbooks.

New school curricula were drafted for the preparatory grade, 1<sup>st</sup> and 2<sup>nd</sup> grades, approved by the Order of the Ministry of Education no. 3418/19.03.2013.

In conformity with Law no. 1/2011, in the 6<sup>th</sup> and 7<sup>th</sup> grades, in the schools with tuition in mother tongue, the history and traditions of each respective minority are studied. Textbooks were elaborated by the DIR, in cooperation with the Ministry of Education and the respective minority organisations. For the 10<sup>th</sup> grade, the textbook “*History and traditions of national minorities in Romania*” was elaborated, which is dedicated for schools with tuition in Romanian. This subject matter is elective in

these schools. This textbook covers the history of the national minorities of Romania and was written by history specialists belonging to each national minority.

In order to promote diversity and intercultural education, several projects and contests are regularly organised (such as the “*Diversitate*” contest, organised with the support of the Ministry of Education) to which both students belonging to national minorities as well as students from the majority participate. The projects are initiated by the schools and are monitored by the county school inspectorates, the organisers or NGOs.

As early as 2003-2004, the Roma NGOs in Romania have intensified their activity of identifying, instrumenting and signaling to the Ministry of Education the cases of Roma segregation in kindergartens and schools. As a result of the cooperation between the Ministry of Education and these NGOs, beginning with August 2007, the Directorate for Education in the languages of national minorities within the Ministry of Education has started to request the school county inspectorates to present updated situations of cases of segregation in each county, accompanied by plans to desegregate. The Ministry of Education has also intensified its activities of monitoring and preventing segregation and started to request the county school inspectorates to draft action plans aimed at reducing drop-out cases for pupils aged 6 to 16.

Starting with 2010, a new system for combating segregation was put in place in the Ministry of Education. The Secretary of State for education in the languages of national minorities issued the Notification no. 28463 of 3 March 2010 *regarding the prevention and the elimination of segregation of Roma pre-schoolers and pupils as well as some measures aimed at preserving the study in minority languages/ of minority languages in the Romanian school system.*

Beginning with August 2010, the Ministry of Education has transmitted at the beginning of each schoolyear a circular letter to all county school inspectorates in which it requests that Roma pupils should not be segregated when forming the preparatory grades, first grade and fifth grade. A deadline is set within which the county school inspectorates have to report on the fulfilment of this request, as well as on concrete measures of desegregation of study groups segregated in the previous school years, where it is the case.

The prevention of segregation and the situation of the desegregation process are thus elements on which the county school inspectorates are supposed to report to the ministry on a yearly basis. This system is already in place and it prevents and controls the occasional cases of Roma segregation.

As to the particular measures undertaken in order to ensure the access of Roma to education, the Government would like to recall that these were presented in detail when analysing the implementation of Article 4 of the Framework Convention with regard to Roma.

#### **Art. 14: Teaching of minority languages and in these languages**

*171. The Advisory Committee also calls on the authorities to continue monitoring the situation, in consultation with the representatives of national minorities, to assess whether the framework for teaching in minority languages, established under the provisions of the new Law on Education, corresponds to actual needs and, where appropriate, take the necessary steps to address any shortcomings. The less*

*resourceful minorities should be supported especially when they are not able to launch and support their own educational initiatives and all efforts should be pursued in order to promote intercultural dialogue and contacts between persons belonging to minorities and the majority population.*

*172. The Advisory Committee urges the authorities to increase their efforts to ensure that an adequate supply of textbooks in minority languages is available at all levels of education.*

According to the Romanian current legislation, “*teaching in the languages of the national minorities*” refers to:

- The type of education whereby all subjects matters are studied in the native language except for the “Romanian languages and literature” class. The number of hours allocated to the study of the mother tongue is in accordance with the curriculum frameworks in place for each cycle;
- The pupils belonging to national minorities who attend schools with instruction in the Romanian language or in other languages than their mother tongue can study, upon request and according to law, their native language and literature, as well as the history and traditions of their respective national minority.

In addition, new curricula were developed for the preparatory class, grades I-IV mentioned at item a). Also, under NLE 1/2011, pupils belonging to national minorities can study the history and traditions of their minority in grades VI-VII at schools with instruction in the native language. Moreover, for grade X there is a textbook entitled “The history of the national minorities from Romania” targeted, as an optional subject, at pupils from schools with instruction in the Romanian language. This textbook covers the history of minorities in Romania and was drafted by specialists in the history of each minority.

In the areas where national minorities live the progress of the educational process for national minorities is also supervised by dedicated school inspectors within the county school inspectorates.

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Various anthologies, handbooks, studies and high schools textbooks for mathematics, chemistry, geography etc. classes (for 11<sup>th</sup> and 12<sup>th</sup> grades which are not included in the compulsory education system) have been published in addition to the textbooks printed by the Ministry of Education.

Exchange programs and visits to multiethnic high schools in Bucharest, Sibiu, Braşov etc. were organized for teachers who trained high schools students to take part in minority languages school contests.

During a common session of the Committee for Minorities’ Education and Youth and the Committee for Education of the Chamber of Deputies, the remarkable performances of the Romanian students belonging to national minorities at international mother tongue school contests (German, Hungarian, Russian, Turkish

etc.) were acknowledged. It was also highlighted the increased interest of students for the minority languages school contests in general.

### **Study of the Romani Language**

*177. The Advisory Committee considers that the authorities should continue pursuing their efforts to improve the possibilities of Roma children to study the Romani language.*

It is to be mentioned that, according to Government Decision no. 430/2001 for the approval of the Government Strategy for the improvement of the situation of the Roma, the Ministry of Education annually provides a number of places exclusively dedicated to Roma in state universities (approximately 550-650 places annually).

The Roma are however in no way precluded from taking part in admission contests for any other university place, but the dedicated places represent an additional support given to the development of this community.

These places are mostly given for the study lines that help prepare experts in fields that contribute to the development of the Roma community such as: teaching, health, police forces, law, etc. The allotment of these places is done following the request of the universities and after consultation of the organisations representing the Roma community. The admission contest for these places is held separately as only Roma candidates are permitted to participate.

As to the development of a comprehensive offer of Romani teaching, taking into account the needs and wishes of the speakers of regional and local varieties of Romani, the following elements are to be taken into account:

At present, there are 220.000 to 260.000 Roma pupils (from kindergarten to the last class of highschool) annually. Out of these, 32.158 students study Romani language and literature in classes taught in Romanian or Hungarian as a subject (3-4 hours/week) and also study 1 hour/week of Roma history and traditions (only for grades VI and VII). In 2012-2013 schoolyear, 863 pre-schoolers were taught Romani at kindergarten and grades I-IV. In Măgura neighbourhood from the town of Lugoj, in Timiș county, 12 classes are taught in Romani language, from kindergarten to the eighth grade included.

For the purpose of teaching the language at the preschool, school and highschool level, Romania published an entire set of textbooks, edited and financed by the Ministry of Education in cooperation with UNICEF. In 2012-2013, the two partners also published mathematics textbooks for grades 1<sup>st</sup> to 4<sup>th</sup>. A similar set of textbooks in Romani exists, from 2000, at the Department of Foreign Languages and Literature, Faculty of Foreign Languages and Literatures - University of Bucharest, where the study of Romani began as early as October 1992.

Other ways to promote the Romani language are the Romanian national competitions in schools with Roma language and history profile: the National School Contest of Romani language (April 2013, 72 contestants on the national phase), the National Competition of Roma history and traditions (April 2013, 65 participants), the National Creative Arts contest in Romani (April 2013). In June 2013, the first International Romani School Contest was organized by the Ministry of National Education -

General Directorate for Education in Minority Languages, with the participation of students from Romania, Serbia and Turkey.

**Art. 15: Participation of persons belonging to national minorities to public affairs**

*186. The Advisory Committee considers that the authorities should, when drafting the Law on National Minorities, create conditions for free and fair competition in the electoral process between different organisations representing national minorities. They should also ensure that the allocation of seats is done in a simplified and transparent way.*

**Parliamentary representation**

**a) Political representation – reserved seats in the Parliament**

According to article 62 (2) of the Constitution “*the organizations of citizens belonging to a national minority who failed to obtain the required number of votes to be represented in Parliament are entitled to one deputy seat each, under the Electoral Law*”.

The Romanian electoral system was reformed in 2008. Law no. 35/2008 established the shift from the proportional vote to a mixed voting system that combines the uninominal vote and the proportional vote. The constitutional provisions on the representation of national minorities in the Chamber of Deputies were kept. Following the last parliamentary elections (held in 2012), the national minorities from Romania are represented in the Chamber of Deputies and the Senate as follows:

- **Democratic Union of Hungarians in Romania (UDMR)**, organization which represents the largest national minority in Romania, has a parliamentary group in the Senate (8 persons) and a separate parliamentary group in the Chamber of Deputies (18 persons);
- **The Parliamentary Group of National Minorities** within the Chamber of Deputies consists of 18 deputies representing the following organizations of citizens belonging to national minorities:
  1. Association of the League of Albanians in Romania
  2. Union of Armenians in Romania
  3. Bulgarian Union in Banat – Romania
  4. Union of Croats in Romania
  5. Hellenic Union in Romania
  6. Federation of the Jewish Communities in Romania
  7. Democratic Forum of Germans in Romania
  8. Association of Italians in Romania RO.AS.IT
  9. Union of Poles in Romania “Dom Polski”
  10. Association Partida Romilor “Pro Europa”

11. Community of Lipovan-Russians in Romania
12. Union of Serbs in Romania
13. Democratic Union of Slovaks and Czechs in Romania
14. Democratic Union of Tartar and Turkish Muslims in Romania
15. Turkish Democratic Union in Romania
16. Union of Ukrainians in Romania
17. Association of Macedonians in Romania
18. Cultural Union of Ruthenians in Romania.

b) Direct participation in the Parliamentary bodies

All Members of Parliament representing national minorities participate in the activity of the committees and structures in various fields, such as human rights, education, finance, agriculture, public administration, foreign affairs etc. There is a Committee on Human Rights, religious Denominations, and Minorities in both chambers of the Parliament.

c) Representation in the European Parliament

UDMR and Association Partida Romilor “Pro Europa” participated in the elections for the European Parliament. In 2014, UDMR obtained 2 seats in the European Parliament. 1 Roma ethnic was also elected in the European Parliament.

**Participation at governmental/executive level**

a) Participation within the Governmental activity

After 1996, during more governmental mandates, the Democratic Union of Hungarians in Romania (DUHR) was part of governmental coalitions and participated directly to the social and economic processes in Romania. In this context, DUHR nominated a Vice-Prime Minister, several Ministers and several State Secretaries within different Governments. All governmental programs in recent years included a significant chapter dedicated to national minorities and interethnic relations.

b) The consultation mechanism

The Council for National Minorities, a consultative body at governmental level, is the interface between the Government and the ethnic communities. It was founded in 1993 and repeatedly reorganized after elections in 1997 and 2001. During recent mandates, the membership of the Council has not changed. Presently, all the organizations mentioned above are part of the Council.

Permanent cooperation and consultation between the Government, through its specialized structure – The Department for Interethnic Relations (DIR), – and the Council for National Minorities is taking place through the specialized commissions: the Education and Youth Commission, the Culture, Cults and Mass-media Commission, the Financial Issues Commission, the Legislation and Administration



Commission, the Socio-economic Affairs Commission the Commission for relations with the civil society and international organizations. After consultations, most important initiatives are submitted to Government approval.

Starting 1994, through annual budgetary laws, the Governments supported the organizations of the Council for National Minorities, to build capacity to be active in promoting the interests of the minorities. According to existing legal provisions, such support is directed to partially cover the following spending categories: functioning and equipment for the organizations' headquarters, staff salaries; press, books, manuals and other publications; organizing cultural and scientific activities meant to maintain the ethnic, linguistic, cultural and religious identity of the minority communities.

During the recent years, the Council for National Minorities enhanced its position in the Romanian public life and created a strong material basis to allow for a more active involvement in the social, cultural, political and economic processes in Romania.

### **Participation of national minorities in the decision-making process at local level**

According to the Romanian legislation, the organizations of citizens belonging to national minorities have the right to participate in local elections.

The results of the local elections in 2012 indicate that numerous representatives of organizations of national minorities were elected for different positions. The statistics of the Central Electoral Bureau<sup>6</sup> reveal the following results:

- 3 organizations of Hungarians participated in elections and obtained a total of 2 mandates for county councils presidents, 212 mandates for mayors, 2741 mandates of local counselors, and 102 mandates of county counselors. UDMR/DUHR obtained 2 mandates for county councils presidents, 203 mandates for mayors, 2261 mandates for local counselors, and 88 mandates of county counselors.
- 3 Roma organizations participated in the elections and gained 1 mandate for mayor and 161 mandates of local counselors.
- Other mandates for various positions were gained by representatives of Russian, Lipovan, German, Bulgarian, Croatian, Czech, Slovak, Polish, Serbian, Ukrainian and Ruthenian communities.

### **Effective participation of Roma in social and economic life**

*192. The Advisory Committee strongly urges the authorities to take resolute steps in order to prevent, combat and sanction the inequality and discrimination suffered by the Roma. The authorities must step up their efforts, in particular at local level, in*

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<sup>6</sup>[http://www.beclocale2012.ro/DOCUMENTE%20BEC/REZULTATE%20FINALE/10%20Iunie%2024%20Iunie/PDF/Statistici/Situatie\\_mandate\\_part.pdf](http://www.beclocale2012.ro/DOCUMENTE%20BEC/REZULTATE%20FINALE/10%20Iunie%2024%20Iunie/PDF/Statistici/Situatie_mandate_part.pdf)

*order to improve the employment opportunities and living conditions of Roma and to promote their integration into the mainstream society.*

As stipulated in the Government Strategy for the Inclusion of the Roma for the period 2012-2020, the National Agency for Roma annually conducts a call for projects aimed at stimulating the participation of the Roma minority in the economic, social, educational, cultural and political life of the country. From 2011 to 2013, the National Agency for Roma financed a total of 151 programs in the fields of education, culture, health, media, sports, community development, professional qualification (details in Annex 18). They were carried out by NGOs that are active on Roma issues.

The most successful projects, which received financial support through the European Social Fund and the Sectorial Operational Program for Human Resources for 2007-2013, are the following:

- *Together on the labour market:* 854 Roma were employed, 1103 Roma were professionally counselled, 1329 benefited from professional training, 1015 school children were included in programs to stimulate school participation and prevention of school drop-out;
- *The participation of vulnerable groups in social economy:* 313 persons were schooled on social inclusion, 10.500 vulnerable persons were counselled, 1364 persons benefited from professional training, the, 60 business plans were drafted in order to set up 50 social enterprises;
- *The national local Roma experts network for the implementation of social inclusion of Roma, social vulnerable group subjected to social exclusion:* 210 Roma were qualified for local Roma expert, an intranet network was set up for local Roma experts, 185 Local Action Plans were drafted by local Roma experts, 252 representatives of local authorities were involved in the implementation of social Roma inclusion measures; in 2011, the project received the “European Public Sector Award 2011”;
- *Education of Roma children- the path to a stable job:* 2800 grants were given to over 2.300 pupils starting with 7<sup>th</sup> grade, over 2500 sets of manuals were distributed, 159 protocols were concluded with schools;
- *Together for a better society,* 8 regional resource centres for the promotion of social economy were set up, 40 experts were specialised on social economy, 43 Roma were employed, 600 new jobs were created;
- *School - a chance for everyone:* 1415 pupils participated in afterschool programs in 20 counties, 500 teachers were qualified on inclusive education and interculturality, 500 persons were qualified for the afterschool system, 8000 pupils were counselled to prevent school drop-out, 20 county level networks were set up in order to prevent school drop-out;

**Art. 16: Territorial reform**

*194. The Advisory Committee urges the authorities to ensure that the rights of persons belonging to national minorities are duly taken into account when planning and implementing the reform of territorial administration in Romania and that there is no negative impact on the right of persons belonging to national minorities to participate effectively in public affairs at local level. Such efforts should ensure the maintenance and promotion of intercultural dialogue, tolerance and everyday contact between minorities and majorities throughout the country, in accordance with the principles enshrined in Article 6 of the Framework Convention.”*

Romania is in a complex process of administrative reform, decentralization process that requires serious analysis and debate on economic and financial issues and legislation. In this context, for the definition and implementation of policies aimed at the process of regionalization, decentralization, the Romanian Government through the Ministry of Regional Development and Public Administration, provides a framework participatory and transparent, involving all stakeholders: central and local public authorities, academia, civil society, business.

The profile of future territorial administrative regions will be based on expert analyses, reports and data on the experience of other European countries that have implemented regionalization systems, based on issues related to demography, economics, history, geography, areas and natural resource and last but not least, considering the specific needs and challenges of Romania.

We emphasize that one of the functional criteria which will be the basis to define future administrative regions is the high degree of multiculturalism in terms of cultural, linguistic, ethnic or religious diversity, in order to provide social interaction and avoid regional segregation trends and to facilitate the participation of minorities in decision-making on the local community / county / region.

The process of administrative reform, decentralization is carried out with respect for the rights of minorities without affecting the unitary character of the Romanian State, according to Article 1 para. (1) of the Constitution, which reads that "Romania is a national, sovereign, independent, unitary and indivisible state".

**Art. 17: International contacts**

According to the data transmitted by the organizations member of the Council of National Minorities, all communities maintained and developed a fruitful collaboration with their kin states, with the support of the respective embassies and consulates in Bucharest, members of Parliaments, universities, academies etc. On the basis of bilateral treaties signed with various kin states of national minorities, there are numerous intergovernmental and inter-ministerial agreements that allow permanent collaboration in the fields of education, culture, youth, sport etc.

The Government of Romania has also stimulated the cooperation between the persons belonging to national minorities in Romania and their kin countries, as well as between the ethnic communities in Romania and similar communities in other countries. In the agreements concluded with the states that have a minority on the territory of Romania, provisions that stimulate cultural exchanges to the benefit of the

respective minorities have also been included. Here are a few examples of such agreements and cooperation programs:

Collaboration program in the fields of culture, education, mass-media, youth, sport and tourism between the Government of Romania and the Government of the **Russian Federation** for the years 2011-2014;

Collaboration protocol between the Ministry of Culture and the national Patrimony of Romania and the Ministry of Culture and Transports in **Ukraine** for the period 2012-2015 (under negotiation);

Cooperation program between the Government of Romania and the Government of Republic of **Turkey** in the fields of education, culture and arts, mass-media, youth and sport;

The cooperation agreement in the fields of culture, education and sciences, youth and sport between the Government of Romania and the Government of **Czech Republic**, signed in 2007, which entered into force in November 2008;

The agreement between the Government of Romania and the Government of the Republic of **Hungary** regarding the functioning of the Romanian Cultural Institute at Budapest and the Cultural Centre of the Republic of Hungary at Bucharest, signed at Bucharest, on the 20<sup>th</sup> of October 2005;

The collaboration agreement in the field of culture between the Ministry of Culture and National Patrimony in Romania and the Ministry of Culture in the Republic of **Croatia** for the timeframe 2012-2016;

The framework agreement in the field of culture and education between the Government of Romania and the Government of the Republic of **Serbia** (under negotiation);

The collaboration agreement between the Ministry of Culture in the **Slovak Republic** and the Ministry of Culture in Romania for the timeframe 2014-2016 (under negotiation);

#### **Art. 18: Bilateral co-operation**

*196. The Advisory Committee encourages the authorities to implement the existing bilateral agreements in the spirit of good neighbourliness, friendly relations and co-operation between states.*

The relations of all organizations of national minorities in Romania with countries that share the same language, culture, and traditions have grown and diversified in recent years.

It should be noted the increased co-operation with embassies, cultural centers based in Romania as well as with other institutions from abroad. There are many bilateral assistance and co-operation programs in the fields of education, culture, economy etc.

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