
Resolution CM/ResCMN(2021)13 on the implementation of the Framework Convention for the Protection of National Minorities by Romania

*(Adopted by the Committee of Ministers on 19 May 2021
at the 1404th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as “the Framework Convention”),

Having regard to Resolution CM/Res(2019)49 of 11 December 2019 on the revised monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the applicable voting rule;¹

Having regard to the instrument of ratification deposited by Romania on 11 May 1995;

Recalling that the Government of Romania transmitted its State report in respect of the fourth monitoring cycle under the Framework Convention on 1 February 2016;

Having examined the Advisory Committee's fourth opinion adopted on 22 June 2017;

Adopts the following conclusions in respect of Romania:

The authorities are invited to take account of the observations and recommendations contained in Sections I and II of the Advisory Committee's fourth opinion. In particular, they should take the following measures to improve further the implementation of the Framework Convention:

Recommendations for immediate action:²

- examine as a matter of priority, and in consultation with persons belonging to national minorities, the relevant legislation and take appropriate measures to fill in possible legal gaps with a view to a consolidated and coherent legal framework related to the rights of persons belonging to national minorities;
- increase efforts to prevent and to combat inequality and discrimination suffered by the Roma³; take further measures to eliminate all forms of segregation of Roma children and other forms of discrimination of Roma children at school with a view to including them fully in mainstream education; ensure that adequate alternative non-segregated accommodation is provided without delay to Roma inhabitants relocated from dwellings unsuitable for habitation;

¹ On 17 September 1997, the Committee of Ministers adopted decision CM/Del/Dec(97)601/4.5, which provides: “Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour”.

² The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

³ The term “Roma and Travellers” is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term “Gens du voyage”, as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

- continue to take targeted and effective action to prevent, investigate and prosecute offences committed with a racial or xenophobic motive; investigate promptly and in a transparent manner all cases of alleged police abuse and misconduct so as to ensure that the public, including the Roma, have confidence in the impartiality and effectiveness of the complaints mechanism in such cases; continue to take a robust stance against and condemn racist, xenophobic and anti-Roma language in political discourse and in the media;
- review the relevant legal provisions in order to ensure (a) equal participation of legally registered organisations within a national minority in public affairs at local level, in particular equal representation in elected bodies at local level, and (b) membership in the Council of National Minorities that is more inclusive and genuinely representative of diversity within a national minority.

Further recommendations:

- continue the dialogue with persons having expressed an interest in the protection afforded by the Framework Convention; continue to adopt measures as regards their linguistic and cultural interests and in support of their identities;
- regularly evaluate and review the implementation of the National Roma Inclusion Strategy and accompanying action plans for the inclusion of Roma, in close consultation with representatives of this community, with a view to assessing their impact in promoting the full and effective equality of Roma and strengthening them wherever necessary; make specific budgetary provision for the implementation of the current national, county and municipal action plans for the integration of Roma;
- intensify efforts at the national level to promote mutual respect and intercultural dialogue between the majority population and persons belonging to national minorities, including the Hungarian minority, as well as between national minorities, and to continue to sustain these efforts at the local level, including with the Hungarian minority, in order to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage;
- facilitate the use of minority languages in relations with administrative authorities in those municipalities where persons belonging to national minorities live in substantial numbers, in particular by establishing standardised certified administrative forms in bilingual formats both in printed form and online; take more proactive measures to ensure that the provisions on display of topographic indications in national minority languages are effectively implemented; encourage local authorities to take a flexible approach over the introduction of signs displaying street names in languages of national minorities; assess the need to amend the relevant legislative and administrative framework in order to ensure the widest possible dissemination of public information;
- assess, in consultation with the representatives of national minorities, whether the existing legal framework for teaching in minority languages and practical arrangements correspond to actual needs and, where appropriate, take the necessary steps to address any shortcomings; take specific measures to support educational initiatives of less numerous national minorities;
- consider setting up consultative structures at the county level, especially as regards the Roma.