



Country report: ROMANIA

Position of civil society involved in the Roma Civil Monitor

SUBSTANTIVE POLICY AREAS

STRENGTHS/KEY ELEMENTS OF THE MS APPROACH

WEAKNESSES/GAPS/RECOMMENDATIONS

EDUCATION

- From a policy development standpoint there is progress in areas of right to education in mother tongue, assistance in Roma language and the inclusion of history of national minorities in the national curriculum.
- The government utilises ESIF for support in addressing the shortage of kindergartens and teachers.
- There are 3 targeted programmes to reduce the dropout rate for Roma youth, including afterschool education, financial incentives and second chance education.
- The state has initiated the placement of Roma mediators in schools with higher proportion of Roma students.
- Several measures to improve Roma inclusion in secondary education have been adopted, including extension of the compulsory schooling to 10 years or allocation of places for Roma students in upper secondary education (affirmative action).
- In 2017 Ministry of Education provided grants to 271 upper secondary schools to implement remedial/tutoring classes, career counselling, and school infrastructure.
- The Ministry of Education established a National Commission for Desegregation and Educational Inclusion, including two representatives of Roma NGOs and several respected experts.

- NRIS has no provisions regarding concrete measure for providing access to Roma to either vocational or upper secondary and higher education. NRIS's focus is not on easing the access to education, but rather on providing access to the labour market, through professional orientation sessions and short-term training courses, which remain ineffective.
- Lack of compulsory preschool education has negative impact on Roma. Only 37% of Roma children are enrolled in preschool education, compared to 77% among majority, mainly due to financial reasons and availability of facilities.
- Despite existing programmes, Roma students still face poorer learning outcomes and high drop-out risk.
- Segregation and discrimination continue to be widespread in education. In 2016, the Ministry of Education issued a document banning segregation, but implementation of planned actions to end it has been delayed and are currently not operational.
- Teachers lack the ability and incentive to gain knowledge and skills in teaching disadvantaged or vulnerable students, as well as in topics of intercultural and/or inclusive education.
- There are budgetary challenges to employ the necessary number of mediators in all needy schools.

EMPLOYMENT

- Public employment services implement some Roma specific measures (Job Fair and regional programmes in some localities with a high share of Roma).
- Public employment services have specific outreach measure for NEETs.
- There are some successful ESF funded inclusion programmes by NGOs.
- Anti-discrimination regulation, monitoring and enforcement are relatively strong.
- Official anti-discrimination discourse and NGOs' campaigns raised awareness about discrimination in employment among potential victims.

- Mainstream public employment services are not tailored to jobseekers with specific needs such as Roma (lacking basic skills). Access to services is limited especially in rural areas, where many Roma live.
- There is a need to increase public employment services' capacity and widen range of measures especially training in basic skills and links to social services, such as day-care.
- There is a need to involve local authorities in integrated community development programmes for tackling the specific problems of segregated communities.
- Special attention should be given to development and implementation of measures aimed at stimulation employment in rural areas.
- There are no government programmes to directly address employer discrimination. Introducing affirmative action in public sector employment aimed at Roma citizens would help increasing Roma's employment and promote multicultural environment.

HEALTHCARE



- Coverage of the Roma population by family doctors appears to be relatively good (81%).
- NRIS include relevant and ambitious objectives and measures concerning the improvement of Roma’s access to healthcare, including introduction of community healthcare, affirmative action in admission of Roma to medical post-secondary and tertiary education and support for their employment after graduation, or prevention programmes and training on antidiscrimination among medical professionals.
- The government adopted an ordinance on community health care with the inclusion of adequate mechanisms for funding, monitoring and qualitative assessment.
- Some 430 healthcare mediators work in Roma communities across the country. Municipalities demand for a higher number of mediators, as they have shown to be effective instrument.
- Government has conducted 650 health-related local information, education and awareness raising campaigns in Roma communities.

- Most of the NRIS’s plans in the area of healthcare are actually not implemented.
- It is necessary to improve health insurance coverage among Roma, as the share of uninsured persons entitled only to emergency care, among them is extremely high (46%).
- Health situation of Roma is worse than average due to socio-economic conditions, lifestyle, poverty and even cultural factors. Cardiac conditions, hypertension, tuberculosis and HIV are of especial concern, as are maternal and neonatal death and cervical cancer among women. Screening rates are also very low among the Roma.
- Authorities in cooperation with NGOs should carry out health assessments of vulnerable Roma populations at local and national level. Screening and prophylactic programmes, community health campaigns and introducing health education in schools would reduce the risks associated with illnesses through community medical teams.
- The government should complete the implementation of the ordinance on community healthcare.

HOUSING

- Several mainstream programmes aim at easing the financial burden of poor families and address affordability issues of housing costs, including heating aid and minimum inclusion income (MGI).
- National level policies to combat segregation concern a fraction of ESIF: only one call excluded projects which create segregated facilities (especially housing and schools).

- There are no effective large-scale policies designed to solve the poor housing conditions of vulnerable people. Geographically segregated Roma communities lack access to public utilities, clean water and sanitation.
- The impact of governmental social housing initiatives is marginal compared to the scale of the challenges (over 60,000 Roma families live in informal housing, on the outskirts of villages and towns) and allocation rules are unclear and ineffective (entire population is eligible, the most marginalised have less access).
- Social housing programme launched in 2008 envisaging construction of 300 dwellings has not been finalised yet.
- There is little evidence on the actual poverty reduction impact of housing allowances. According to surveys, only 25% of the Roma families received MGI, and 44% of the Roma received heating aid. Also, other programmes in place are difficult to access for vulnerable groups, among them Roma.
- Spatial segregation and discrimination in housing remain challenges: more than half of the Roma live in spatially segregated communities.
- Discrimination when accessing social housing is still present and there are very few initiatives to fight it. Forced evictions affecting vulnerable mostly Roma communities are still an issue in several parts of the country.

HORIZONTAL MEASURES

STRENGTHS/KEY ELEMENTS OF THE MS APPROACH

WEAKNESSES/GAPS/RECOMMENDATIONS

ANTI-DISCRIMINATION



- Racial Equality Directive was incorporated into national legislation in 2000. The law includes ethnicity within discrimination criteria, allows for affirmative measures, and defines the concept of multiple discrimination.
- Romania has introduced affirmative action in education, reserving certain number of places for Roma students in secondary education and at universities; affirmative action is used as well in programmes of Roma health mediators and community nurses, employment in communities with high numbers of Roma, and social housing for Roma communities.
- In 2016 a new order prohibiting school segregation was issued.
- The National Council for Combating Discrimination (NCCD) was established as the main national body responsible for promoting equal treatment and non-discrimination.
- The NCCD does not have any specific program, dedicated personnel or resources to prevent anti-Roma discrimination. There have been very few Roma related complaints and in the even smaller number of successful cases established by the NCCD, the fines, generally set at the minimum are not dissuasive.
- School segregation persists despite being prohibited by ministerial order in 2007. The absence of dissuasive sanctions and a lack of official data hampered progress.
- In many cases the authorities fail to observe the law that prohibits evictions in winter. They also fail to provide suitable alternative accommodation for evicted families, offering only temporary housing in social centres, which involves separation of children from their parents and adult men and women from each other.
- There are concerns with the stop-and-search tactics of police against Roma people, the disproportionate imposition of fines for minor infractions and the excessive use of force.

FIGHTING ANTIGYPSYISM

- Despite a Senate resolution from 2017, explicitly condemning the antigypsyism and the need for combating it, the antigypsyism is not recognised among the main actors in Romania. In addition, even the NRIS focuses only on improving Roma socioeconomic status, virtually overlooking manifestation of antigypsyism.
- Romania has amended its Criminal Code to prohibit deeds of a fascist, racist or xenophobic nature.
- Hate speech regulations are part of the Romanian legislation. Article 369 of the Criminal Code, incitement to hatred or discrimination, is the most relevant in this regard.
- Starting with the 2017-2018 school year the Ministry of Education approved the compulsory study of Roma slavery and the Holocaust of the Roma and of the Jewish within the history curriculum for the 8th grade.
- A good tendency is that the horizontal issues such as equal opportunity and antidiscrimination are to be approached in all public funding projects, especially the EU structural funding areas where the guidelines ask for details on such issues.
- NRIS should change its focus from Roma as a social group to also cover the relationship between Roma and non-Roma by addressing all the manifestations of antigypsyism which is particularly important at times of potential radicalisation of the extreme right.
- ODIHR observed that Romania’s law enforcement agencies did not record information about the bias motivations of these hate crimes.
- Roma remain the favourite target of hate speech in Romania (along with the LGBT minority); the violence of the messages has increased. The term ‘crime’ is frequently associated with ‘Roma ethnicity’ and sometimes public officials refer to ‘natural rate’ of delinquency among Roma.
- There is still a lot to uncover about the 500 years of slavery of Roma in Romania.

ADDRESSING SPECIFIC NEEDS OF MOST VULNERABLE GROUPS AMONG ROMA

- The Youth Guarantee employment programme, in accordance with the NRIS, targets Roma NEETs as well.
- Dual training in cooperation with private companies seems to offer promising perspectives regarding the educational and labour market inclusion of vulnerable youth.
- Cooperation between the authorities and UNICEF Romania promotes a complex approach to ensure that each child has access to basic quality services in health, education and child protection.
- There are no evidence-based initiatives aimed at addressing the labour market disadvantages of Roma women.
- No measures have been adopted to address (explicitly) Roma LGBT issues.
- National-level data collection on children's rights issues, including the phenomenon of early/child marriages, would be needed to improve the life opportunities of Roma children.

STRUCTURAL MEASURES

STRENGTHS/KEY ELEMENTS OF THE MS APPROACH

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STAKEHOLDER INVOLVEMENT AT THE CENTRAL LEVEL

- Both the NRCP and the National Agency for the Roma (NAR) have high level policy coordination role.
- NAR supports the implementation of Roma integration strategies and through its regional structures, facilitates cooperation with the County Offices for Roma, with local public authorities, and with decentralised public services.
- NAR receives updates twice a year from County Offices for Roma about the NRIS implementation at county level, based on which they should produce reports on the status of NRIS implementation at national level.
- In response to a slow progress in Roma inclusion and ESIF spending, the central government selected several measures from the NRIS and identified financial resources for their implementation; some of those measures will be financed through non-competitive project funding.
- While the NAR is responsible for the implementation of the NRIS and while updates on the implementation are submitted twice a year by the County Offices for Roma, published information on the assessment of the implementation of NRIS is not made available. The last available reports being from 2012-2014 period.
- Even though the NAR organised regular consultations with actors interested in the Roma social inclusion, it is not considered as an effective consultation platform.

CIVIL PARTICIPATION AND EMPOWERMENT

- Roma contribute to Working Groups within ministries and the Romanian Presidency, mostly about education.
- The Advisory Council of the NAR, consisting of several Roma and pro-Roma NGOs active at national level, was re-activated in 2017.
- The Roma Culture National Centre at the NAR decided to form a Consultative Council with seven Roma representatives to meet at least twice a year to give the Roma Culture National Centre input.
- Many pro-Roma and Roma NGOs have emerged since 2000 to meet the need of social inclusion work not being done by the state (602 formal organisations). Roma participate as civil society members in the Non-discrimination Coalition, the NGO Structural Funds Coalition; the Roma Democratic Federation; and the Roma Sounding Board – World Bank Romania.
- However, civic groups aiming to influence public decisions for the benefit of their communities have no way to lawfully register and are not offered any support by the state authorities. Such informal groups face political pressure from local public institutions, are not considered relevant actors to be consulted, and are left out of the loop about decisions made by public authorities.

MAINSTREAMING OF ROMA INCLUSION AT THE LOCAL LEVEL

- The local experts for Roma serve as mediators between the Roma community and the local public authority.
- In the public institutions, a significant number of staffs are taking specific roles in Roma inclusion, in positions such as county offices for Roma inspectors, local experts on Roma issues at the municipal level, health mediators, school mediators, community nurses, school inspectors for Roma education, Romani language teachers, etc.
- Alongside with the NRIS, regions and municipalities develop their Roma inclusion plans, which are however not well-connected with each other and there is little information about achieved results in their implementation.

DATA COLLECTION

- Some data about the Roma communities is available. Data is collected at the local level by County Offices, during their monitoring activities, which is then centralised at the county level.
- In 2014-2017, public authorities conducted a country-wide sociographic mapping of Roma communities "[SocioRoMap](#)".
- Data on social inclusion indicators regarding the Roma in Romania are sparse and sporadically produced; therefore, it is hard to use them for Roma inclusion policy-making.
- Data provided by regional authorities is not verified at national level, and generally, qualitative data is not collected.
- The monitoring and evaluation mechanisms on the implementation of the NRIS are not uniform across the country.



- In 2016, the government published data on ethnic origin of prison inmates, what was condemned by NGOs and condemned as discrimination by the National Equality Body.

FUNDING FOR CIVIL SOCIETY

- NAR runs an annual programme for Roma social inclusion funded from the state budget that can support Roma civil society (eight projects in 2017).
- ESIF calls in 2016 covered creating Local Development Strategies and Local Action Groups as well as promoting inclusive education. Civil society organisations are eligible for these as main applicants and as partners, and the programme requires no financial contribution from NGOs.
- Following critiques by feminist NGOs, the government included the gender-based violence among priorities for funding from Norway grants.
- Government's support for empowerment initiatives by NGOs is very low, and the civil society development depends on private donors or public international donors and EU-funding (through provision of services).

EXAMPLE OF PROMISING PRACTICE

In 2016, the Ministry of National Education issued a Framework Order on prohibition of school segregation and the improvement of quality in pre-university education. Apart from the already existing ethnic criterion, the order stipulates criteria of disability or special educational requirements, family's socio-economic status, residence environment and school performances of the primary beneficiaries of education. This ministry order gives a new perspective on the issue, establishing National Commission for Desegregation and Educational Inclusion and special commission in schools to eliminate violence, acts of corruption and discrimination within the school environment and to promote multiculturalism for preventing and eliminating all forms of school segregation. Taking into consideration the high percentage of segregation in Romanian schools, the initiative is a step forward towards developing inclusive schools with high quality of education. The National Commission is operational now and adopted in February 2019 a set of rules for its functioning. Two of the members (17) of the Commission are well-known Roma NGOs activists, while other members are respected professionals in the field of education, minorities, research, human rights etc.

MOST IMPORTANT PRIORITIES TO BE ADDRESSED

- Improvement of housing conditions of the Roma, in particular legalisation of informal settlements and protection against forced evictions.
- Combating residential segregation of Roma.
- Introducing affirmative action in public sector employment of Roma, including intervention to support the employment, e.g. through on-the-job training, apprenticeships and tutoring.
- Comprehensively addressing the quality inclusive education for all children and supporting the schools that are in real need (disadvantaged schools) with financial and human resources.