



United Nations



*JOINT UN-ROMANIAN GOVERNMENT*

# **SEMINAR ON THE IMPROVEMENT OF THE SITUATION OF THE RROMA IN ROMANIA**



*2 - 3 NOVEMBER 2001*

*THE SENATE OF ROMANIA, BUCHAREST*

UNITED NATIONS SUPPORT FOR THE IMPROVEMENT OF THE SITUATION OF THE RROMA IN  
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SEMINAR ON THE IMPROVEMENT OF THE SITUATION OF THE  
RROMA IN ROMANIA

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**THE SENATE OF ROMANIA, BUCHAREST**

**Co-ordinators: Winston Temple, UN Resident Coordinator in Romania**  
**Yoichiro Tsuchida, UNHCR Representative in Romania**

**Editor: Sorin Cace**

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## **Foreword**

I am most pleased to present this report, which brings together the speeches, presentations, debates and recommendations that were made at the Seminar on “The improvement of the Situation of the Rroma in Romania”, which took place in the Senate of Romania, on November 2-3, 2001.

I should highlight that this Seminar, organized by the UN Agencies in Romania and the Government of Romania, represented a joint effort of cooperation of all the UN Agencies present in the country, which I believe will pave the way for similar initiatives in the future. In this context I would like to thank my colleagues for their excellent cooperation and specially Mr. Yoichiro Tsuchida, UNHCR Representative, for having taken the lead role in this.

The objective of the Seminar was not only to discuss the present situation of the Rroma, but rather to find solutions to the problems they face using as our frame of reference the Government Strategy for the Improvement of the Situation of Rroma, which was adopted in early 2001. The issues upon which the discussions centred included issues of health, education, employment, asylum/migration and statelessness among the Rroma population in Romania.

Given the many organizations present in this Seminar, and the many voices expressing their points of views, it was to be expected that not everyone would be in accord on every issue. However, I was very pleased and encouraged to note that there was a definite consensus that they could all rally around, in a common cause, namely the Government Strategy. In this regard, therefore, and notwithstanding the differences of opinion, the contributions made by the various participants highlighted the need for an integrated approach to the Rroma issue, since as was clearly stressed by several of the participants, only an integrated approach can provide a coherent and dynamic framework for effective interventions.

I was also very encouraged that the Government stated its willingness to include the recommendations, made by the different Working Groups organized during the Seminar, into its Action Plans, aimed at improving the situation of the Rroma.

However, if we are to be successful in improving the situation of the Rroma, we need the total commitment of the Rroma themselves and they should, therefore, be encouraged to be more participative, including political participation. Only in this fashion can their living standards be improved and their cultural identity strengthened. We equally need the support of the Press – the awareness of the public at large of the issues facing the Rroma and of the need to deal with them in a positive way, is clearly a responsibility and, indeed, a mission for the Press.

We are aware that this Seminar is just one of the many steps that need to be taken in order to improve the situation of the Rroma. However, we are proud to have taken such a step and feel encouraged that, together, we can move in the right track towards a solution of the problems of this important minority in Romania.

Winston Temple,  
United Nations Resident Coordinator in Romania

**SPEECHES**



**1.1 Winston TEMPLE, United Nations Resident Coordinator**

Ladies and Gentlemen,

Dear guests,

I would like to welcome you all to the Joint UN Seminar on the situation of the Rroma in Romania. Our presence here today reflects our recognition of the important place the Rroma people have in Romanian society, as well as our commitment to support national efforts directed at improving the situation of the Rroma.

The Rroma people are facing increasing problems, which are not driven by one factor but many, spanning borders across Europe. These in turn involve the work of different actors and agencies, each one reflecting a specific perspective on this multi headed issue.

Needless to say, an integrated approach is vital, in order to maximise the effectiveness of our interventions. Such an integrated approach should be based on the National Strategy for Improving the Situation of Rroma, which the Romanian Government has adopted earlier this year, and which provides a coherent and dynamic framework for effective intervention. The formulation of the National Strategy was a highly inclusive and participatory process, in which a large variety of stakeholders – Government, Rroma organisations, development partners – took an active part. We, therefore, are here today to build on this common vision, and to identify joint solutions.

We represent many organizations and many voices, not all of which are in accord on every issue. But this Strategy reflects our consensus. I salute all the contributions to our common cause, but I would like to mention in particular the Government of Romania, the many Rroma non-governmental organisations, the European Union, OSCE, and the UN Agencies.

I should highlight, however, that the time has come to take a step further, in moving from vision towards actual implementation. The Strategy needs now be supported with concrete measures, which make a difference in the life of the Rroma people in Romania.

Our purpose here is to be a handmaiden to this process, by bringing the actors in the country together, and to empower Romanians to solve their own problems. I would like to highlight, in this context, that this seminar represents a joint effort by all UN Agencies in Romania, amongst which UNHCR has taken a leading role. All UN Agencies have a rich experience and comparative advantages in their respective fields of expertise. We have, therefore, planned for several working groups, which will focus on different areas, each of them being coordinated by the UN Agencies which have the most experience in that field.

I am confident that this seminar will prove to be a great success and will offer a model of cooperation for the future. Let me thank all of you for your excellent support and contributions, and let me add my appreciation to the Ombudsman Institution, which is a co-organiser to this event, and to the Senate, for having kindly provided the venue for this seminar.

But as with many issues that we face, it is not the concern we show with our words, but the commitment we show with our deeds, that can make a difference. It is in this spirit that I believe that today marks a challenge for us all, to seize this opportunity to take these ideas and make a decisive contribution to improving the future of the Rroma people.

Thank you.

## **1.2 Ioan MURARU, Ombudsman**

Distinguished representatives of international institutions, distinguished representatives of Romanian public authorities, distinguished representatives of associations and organisations for the protection of Rroma rights, the Ombudsman salutes your presence here and wishes you success with this seminar, which is very useful and will hopefully also be efficient.

In this short opening speech, I will not dwell on specific problems. I was impressed by Mr. Temple's speech and I would like to highlight two ideas:

- The improvement of the situation of Rroma or, better said, the improvement of the situation of all national minorities in Romania, needs to be the result of efforts from a multitude of factors. Thus, success cannot be ensured and all our debates can turn useless if we are not participating together to these efforts: public authorities, non-governmental organisations, citizens and Rroma citizens, in this case;
- It is high time to move to facts, to implementing the measures that we propose.

I have listened with great interest to the intervention of the distinguished Ms. Calinoiu, from the Senate, of the State Secretary of the Ministry of Foreign Affairs, of Minister Dancu. I have noted that some progress has been achieved, and that some activities are being undertaken. These efforts have not always had the expected results. But this does not mean that we should lose hope because, finally, when we want to protect human rights we have to militate. They are not a given, they are an offer presented to us, and we have to honour this offer through participation.

I have also listened with great interest to the intervention of the representative of Romani CRISS association, and I have noted certain failures or certain areas in which, it was said, additional efforts are needed, as results are not satisfactory.

In my quality of Ombudsman, during this opening speech, I can only promise you that we shall examine all these problems and we shall attempt to find solutions through the means

that we have available. This is a fact that you will probably note in other future meetings, because you should know, and in general citizens of this country should know, that the Ombudsman is close to citizens. The Ombudsman, according to the Constitution, has a very clear mission, and our institution will act accordingly. Many good things have also been done until now, and efforts will be made to achieve even better results. I wish to highlight – because I consider it important – that we should always refer to the Constitution. It says that Romania is a state of the rule of law, a social state, and shows in various parts that human rights are being protected and guaranteed. These rights are granted to all Romanian citizens, regardless of race, nationality, sex, or religion. It is very true that the Constitution stipulates that, but we should also mention that this is a reform, a new perspective, and that we still have great efforts to make in order to become both a state of the rule of law and a social state. These are beautiful and interesting provisions but, as you did and will notice, building such a state is a difficult process.

What I believe that we should have in mind when discussing certain sectoral issues: there are common difficulties, which we all face, regardless of our nationality or ethnic belonging. Some of us may sense these difficulties in a bigger measure than others. In general, I want us to be realistic, there are some difficulties that we should overcome, and the support of international organisations is of great use. It is an aspect that we should think about. It is like when you start a work, a construction, a house. First, you must see what you can count on, and then you use your fantasy. But if you don't consider realities, social context, as Alexis de Tocqueville was saying, you risk being left only with the fantasy. Therefore, proposals in any area of human rights need to start from realities. Some difficulties are also due to insufficient awareness of by public authorities on problems of the civil society; but these can be overcome through joint efforts. It is here where we can act more pertinent, more efficient.

As Ombudsman, I wish to convey a simple message to this seminar. In the process of identifying difficulties, problems, solutions, let us keep in mind that only joint efforts can be efficient. If we ignore the efforts of all those who concentrate in that direction, chances of succeeding are much smaller. I am certain that proposals advanced here will

take into consideration both the general and the special context of different segments of population that want to express themselves in one way or another.

Once again, I salute your presence and I am certain that this seminar will propose many solutions, if it will not even solve certain problems. I am sure that this seminar will be very useful and I wish success to the works of the seminar!

Thank you.

### **1.3 Constanta CALINOIU, Romanian Senate**

Honourable assistance,

In the name of the Romanian Senate, I have the great honour of participating to the opening session of the international seminar regarding the improvement of the situation of Rroma in Romania, organised by the Romanian Senate, the Ombudsman, the United Nations Agencies in Romania and the Association Romani CRISS. I wish to warmly welcome, with this occasion, the experts of the United Nations and the representatives of the UN Agencies, and it is my pleasure to wish you all good luck with the works of this seminar in Bucharest.

Romania, your host today, is a country in which, according to statistical data provided by the census in 1992, Rroma population represents the second biggest ethnic minority, counting to almost 1.8% of the total population. The specific problems that the Rroma communities face have been in the focus of the Romanian state since 1990, and have been approached with a view to firmly respect equality of rights for all Romanian citizens and rights of persons coming from minority populations, by promoting the preservation of ethnic, linguistic, cultural and religious identity. Romania has committed itself to obey international treaties and to fulfil its obligations in relation to these. The policy of the Romanian state has followed, in all these years, and will follow in the future, the European standards, the principles and norms provided by the Constitution, the legal deeds which stipulate ensuring and protecting the rights of persons belonging to

minorities. With this purpose, as a first step, it has been constantly attempted to improve the institutional framework related to minorities. Thus, in 1993, the Council for National Minorities has been established as a consultative body of the Romanian Government, coordinated by the Secretary-General of the Government, with the purpose of maintaining relations with the legally established organisations of the persons belonging to national minorities. Its competence was set in the area of normative, administrative and financial issues related to the exercising, by persons belonging to national minorities, of their rights to preserve, develop and express their ethnic, religious, cultural and linguistic identity. In 1997, the Department for the Protection of National Minorities was established, lead by a Minister-delegated by the Prime Minister, with the status of member of the Government, which, as you know, has within its attributions the promotion of legislative initiatives related to the rights of persons belonging to minorities, the supervision of implementation of relevant legislation and the provision of financial assistance to citizens' organisations of the minorities. In view of identifying solutions for the problems faced by the Rroma minority, especially that of harmonious integration, the Office for Social Integration of the Rroma has been established within the Department for the Protection of National Minorities, being currently in a process of formulating a series of projects aiming to improve the level of professional occupation of the Rroma and to initiate, in cooperation with national and international partners, activities of professional nature.

Within the framework of the Strategy for the Integration of the Rroma, the Ministry of Labour and Social Solidarity has formulated a special programme for professional guidance at the level of the local departments for labour and social protection, through agents belonging to this ethnic group. In parallel with these measures, the General Police Inspectorate constantly implements programmes for preventing violence, with the participation of Rroma organisations and associations, carried out in communities or in localities with potential tension sources. Through the Decision no. 430 / April 25, 2001, the Government has adopted the Strategy for the Improvement of the Situation of Rroma, which aims at stimulating the participation of this ethnic group to the economic, social, cultural, educational and political life of the society, through involving them in sectoral

assistance programmes, community development programmes, programmes for the prevention of institutional and social discrimination and for facilitating the access of these citizens to services offered by the society, support for the formation and promotion of an intellectual and economic elite as well as promotion of positive change in the public opinion with regard to the Rroma ethnic group, on the basis of principles like tolerance and social solidarity.

The envisaged duration for the achievement of these objectives is of 10 years, 2001-2010, with an action plan for 4 years, 2001-2004, and with the following targeted sectoral areas: administration and community development, housing, social security, health, economy, justice and public order, child protection, education, culture and cults, communication and civic participation. In view of fulfilling the general action plan for the implementation of the strategy for improving the situation of Rroma, the following structures have been established: The Joint Implementation and Monitoring Committee, the Ministerial Commissions for Rroma, the County Offices for Rroma and local experts for Rroma issues. At the level of the Parliament, there are standing commissions which function both within the Senate and the Deputy Chamber, which are active in areas like human rights and national minorities. Moreover, both in the previous and present legislatures, Rroma are being represented by a member in the Chamber of Deputies, as you already know.

Rroma issues and minority issues in general are also the object of the recently established Institute for the Study of National Minorities Issues, a public institution subordinated to the Government and under the coordination of the Department for the Protection of National Minorities. The Institute's role is to raise awareness of public institutions, non-governmental organisations and Romanian citizens, on issues related to the rights of national minorities, the manner in which minorities preserve, develop and express their ethnic, cultural, linguistic and religious identity and the way in which such rights are guaranteed in other countries. Equally, the Centre for European Studies on Ethnic Issues, established as an institute of the Romanian Academy, aims at studying various aspects related to ethnic, linguistic or religious groups in Europe, their evolution, inter-ethnic

communication and promotion of common standards with regard to the rights of persons belonging to ethnic, religious or linguistic minorities and preservation of their identity.

The Seminar that starts today is meant to contribute to all these efforts made along a decade by the authorities of the Romanian state, as well as the institutions and foundations concerned with the improvement of the situation of Rroma communities. In the name of all organisers, I thank you for your participation and, once again, I wish success to the works of this seminar.

Thank you.



#### **1.4 Vasile DANCU, Minister of Public Information**

Respected organisers, dear guests,

I wish to salute you, at the beginning of this seminar. As we have a separate session for presenting our achievements, I shall not dwell on what the Government has made for the improvement of the Rroma situation.

First of all, I would like to underline that, when we discussed about the organisation of this seminar, I was not really happy. This is because the seminar follows many other seminars and roundtables lately organised. I mention this thinking of the Rroma children, who do not even have what they need to go to school.

On the other hand, however, the organisers have convinced me that this might be an integrated framework for designing concrete projects and for promoting applied thinking. For that, I wish to thank them, and now I think we really need to move from words to facts.

Furthermore, I believe it is very important to develop, under the very generous emblem of the United Nations, programmes of social marketing, targeted at accepting diversity.

Gunther Verheugen once said that discrimination of Rroma in Romania obviously comes from social and cultural practice, and from history itself. I consider that the umbrella of the UN gives more credibility to this social debate that should also help us more readily accept diversity.

I remember a book of one of my favourite writers, Zvetan Todorov; about torturers. Zvetan Todorov studied the psychological profiles of torturers in concentration camps, and he reached a rather surprising conclusion. The great torturers were not monsters. They were ordinary people, believing in God, who would kiss their children and spouses on the forehead in the morning before going off to work. They simply could not accept

diversity. They thought that society's fundamental law was that everybody should look the same. Everybody should behave alike, everybody should be of the same colour, speak the same language, have the same cultural customs. These were super-socialised people, and this is why I think one can be a torturer even though one feels he has a normal behaviour.

This is why I think such events do need to be organised. And I also believe the current event is important because it joins together most of the actors that may be involved in the improvement of the Rroma situation.

I would like to highlight that Government's efforts cannot be solitary. While nobody had thought of designing a strategy for the Rroma during the past ten years, we have finally done this. Now it has turned out that the Government may even be blamed for this. Six months have passed since the adoption of this strategy, and so far we have been running it according to the schedule. I would like non-governmental organisations to be more realistic and not to expect spectacular changes in the situation of the Rroma after only six months. I also wish that NGOs do not turn themselves into scoreboards, or referees or observers. There is no chance of improvement in the situation of Rroma if the Government's efforts are not backed up by the NGOs, or if the NGOs do not participate in the implementation of community programmes and in the creation of a Rroma elite and of a framework conducive to changes in the Rroma communities. Even if we do manage to raise funds from the state budget, or to obtain support from European programmes or UN bodies, it will happen what history mentions happened with the gold from Spain coming to South America: vanish like rain on the roofs.

I wish to thank NGOs for their monitoring. However, I do not believe that NGOs should be monitoring the situation. The joint monitoring committee is named "joint" as it is formed of representatives from the Government and the civil society. We have set it up precisely because we believe in the utility of a dialogue between the Government and NGOs.

We demand your support, and mention that we do not have favourites in the process of implementing the strategy for Rroma. Maybe there had been some affinities or some, let us call them, engagements at the beginning, which we can overcome and enter an open and constructive dialogue with all Rroma organisations. Perhaps we will not be able to achieve complete harmony among these organisations – something that could not have been obtained in ten years – but we could make a purpose out of this. Likewise, this could be a reason for Rroma organisations, which, even if they do not work together, should each work in their respective sectors and, with our support, achieve something together.

Finally, I would like to tell you that the Government has expectations from this seminar. As we have established since the very beginning with the organisers, based on the Government's strategy, the seminar should result in solutions, identification of financial resources and concrete projects. Therefore the outcome of this seminar will be considered as an action plan. We will promote the priorities identified by NGOs, the UN bodies, specialists and experts present here. As Mr. Winston Temple rightly said, within our strategy we shall promote initiatives based on the principle of high expertise, considering that truth always results from debate. We therefore consider that this seminar will be an essential support for us.

I wish to once again thank the organisers and all participants, and I look forward to the results of this conference, wishing you success.

**1.5 Mihnea MOTOC**, State Secretary, Ministry of Foreign Affairs

Dear Ministers,

Dear Ombudsman,

Dear Resident Coordinator,

Dear Ambassador Tsuchida,

Distinguished Diplomats

I would like to begin by thanking the organisers, on behalf of the Ministry of Foreign Affairs, for having invited me to address an opening speech at this seminar. The Roma issue has been one of the priorities of the OSCE's Romanian chairmanship. Even if this chairmanship is close to the end – there are less than two months before the end of the year – we are convinced the Roma issue will remain one of the organisation's constant concerns. The sustained activity of the Roma and Sinti focal point of the ODIHR, coordinated by Mr. Nicolae Gheorghe, has also played a significant role in raising the awareness on the importance of this issue at the OSCE level. The conference entitled "Equal Chances for the Roma and Sinti: from words to facts" that took place in Bucharest in September was the main initiative of the OSCE's Romanian chairmanship in this regard. The echoes of this event made us consider it a success. It was attended by a wide array of participants, such as representatives of the Roma community, important non-governmental organisations and prestigious specialists. The conference was structured on three working groups, as follows:

1. Fight against discrimination, measures for the improvement of living conditions of the Roma and Sinti population, East-West migration and asylum applications;
2. Strengthening the political rights of the Roma and Sinti population and the involvement of this population in the political, social and economic life;
3. The situation of the Roma people in conditions of crisis and post-conflict rehabilitation in the OSCE space.

A roundtable also took place on the subject of EU candidate countries' efforts for the improvement of the Rroma situation. The debates resulted in a set of recommendations, among which I would like to mention the following:

- The need for a comprehensive approach of Rroma issues, to include all domains of life and take account of the diversity of the Rroma community and the situation of nomad Rroma;
- Rroma policies should combine, in a balanced manner, the respect for human rights (including the rights of persons belonging to national minorities) with social policies;
- The principle of non-discrimination must be present in any approach;
- The Rroma strategies must enjoy a political consensus, with a view to ensuring continuity;
- Inclusion of the Rroma issue into bilateral agreements, with the suggested recommendation of inter-governmental agreements allowing for seasonal work as an alternative to illegal immigration etc.

These recommendations will constitute the core of a future OSCE plan of action for the Rroma and Sinti, in conformity with the documents of the November 1999 Istanbul summit. The Romanian chairmanship of the OSCE has started negotiations for the proper inclusion of its concern for the improvement of the Rroma situation within the documents of the upcoming Ministry Committee meeting to take place next month in Bucharest.

As the initiator of such a demarche, Romania is legitimately interested that the follow-up process of the September conference be as consistent as possible, and that as many OSCE states be involved in it. This is why we highly appreciate the organisation of today's seminar at a national level, in follow-up to the September conference.

The Rroma issue is quite complex. Rroma people are a disadvantaged category in an important number of fields that are thus continuously fuelling a perception of exclusion and marginalisation. This situation is partially connected to the Rroma's traditional way of life. The migration of Rroma people has become a pan-European phenomenon. The

problems currently faced by the Rroma do not simply fall within the responsibility of one state or another. This issue needs to be tackled through coordinated efforts at a national level, and there is also a need for a global approach, at the regional and European levels.

The Stability Pact for South-Eastern Europe offers an adequate framework for the development of regional projects targeted on the Rroma population. First of all, I would like to recall the project "The Rroma and the Stability Pact" which is ongoing under the coordination of the ODIHR. This project, launched at the end of April at the premises of the Ministry of Foreign Affairs, aims at strengthening the Rroma's capacities of self-organisation, of civic participation and community development in South-Eastern European countries, especially in post-conflict areas.

Another worth mentioning project within the Stability Pact is the project entitled Link Diversity, which aims at organising a national-wide awareness campaign for the promotion of a multi-ethnic society and democratic citizenship. The Romanian civil society responded with great interest to this campaign. The proposed projects aim at facilitating dialogue between the majority and the other ethnic minorities through promoting diversity, mutual respect and inter-culturality. It is worth highlighting that most of the projects are destined to a dialogue with the Rroma population. This demonstrates that the Rroma are not only perceived through the problems they face (poverty, unemployment, lack of housing, etc.) but also as our co-nationals, whose culture and traditions are a richness of our society.

Romania's active involvement in Rroma issues externally is largely reflecting its internal concerns. The improvement of the Rroma situation is a priority to the Romanian authorities. The Ministry of Foreign Affairs has contributed to the dissemination abroad of the efforts made by the Romanian Government in this regard. The Strategy of the Romanian Government on the Improvement of the Situation of the Rroma has been considered a model for the countries in the region, and it has been appreciated by the international community as a highly ambitious demarche. It goes without saying that the implementation of this strategy is being followed with real interest. Given the

considerable financial resources that are needed for the application of the strategy, we are hoping that this interest will also materialise through an adequate financial support.

Ordinance 137/2000 on preventing and combating all forms of discrimination is also of much interest to the international community. This is the first such norm in Eastern Europe, and it is particularly relevant to the subject we are dealing with today.

Precisely because of the need of an integrated approach of the Roma issue, debates such as today's represent an important contribution to solving the problems that this community is facing. The more so that the debate is supported by the presence of important personalities and experts in the field, as well as representatives of the Roma community.

This being said, on behalf of the Ministry of Foreign Affairs' leaders I am expressing the legitimate trust in the pertinence and importance of the debates which are to follow, and I also wish success to the meetings of the working groups.

## **1.6 Costel BERCUS, Executive Director, Romani CRISS**

Although I have not prepared a special opening speech, I will start by saying that we expect the results of this Seminar, organised by the UN Agencies in Romania with the support of the Ombudsman and the Romanian Senate, to be a continuation of discussions which already took place at the recent Conference organised between 10-13 September in Bucharest under the Romanian chairmanship of OSCE.

We wish to point out that the meeting in September also attempted to transpose intentions to practice, an aim equally set for this present seminar. The important thing is that measures stipulated by the Government strategy can and will produce the desired effects with regard to the improvement of the situation of Rroma in Romania. Up to the present, as a non-governmental organisation, we have not been able to achieve much progress in implementing these measures or influencing, in one way or another, the life of the Rroma communities in Romania. However, this is a start, and we have to grant our trust to the administrative bodies that are empowered with implementing the measures of the strategy, as well as to our partners, the political and civic organisations belonging to the Rroma community in Romania.

We can also state that, along with the launching of the strategy, there have been some delays. I wish to mention that, until today, no institutional mechanism is yet in place to implement the Government Ordinance no. 137, regarding the fight against, and prevention of, all forms of discrimination. We can consider that the delay in the establishment of this council was due to bureaucratic reasons. The criticism that we are bringing to the existence of this council<sup>1</sup>, according to the 43rd Directive of the Council of Europe, is that it is designed to be subordinated to the central authorities. We wish to mention that such provisions for preventing and combating all forms of discrimination manifested in the society, as well as the mechanisms for their implementation, should have an independent nature and, in this sense, we request the Romanian authorities to

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<sup>1</sup> Government Decision no. 1194, regarding the organisation and functioning of the National Council for Combating Discrimination, published in the Official Bulletin of Romania no. 792/12.12.2001 (n ed.).



keep in view that this National Council, which will probably be established soon, should have an independent status from the central state structures.

On the other hand, the mechanism for the evaluation and monitoring of the strategy on the improvement of the situation of Rroma has been created through the establishment of the Joint Committee for the Implementation and Monitoring of this strategy, which has already held a series of meetings. The committee is formed of governmental representatives, at the level of Ministers and State Secretaries, as well as representatives of the Rroma civil society. Another criticism that we would like to bring is that progress achieved in the implementation of the strategy cannot be assessed as long as this committee is under the subordination of the Government. Therefore, we cannot believe that the joint monitoring committee will have an objective point of view towards the progresses made. In this sense, we will request the Romanian authorities to consider using an independent body as an evaluation tool, with the participation of both governmental experts and non-governmental experts from the civic area of Rroma associations, as well as with the assistance of international experts delegated by various international organisations.

I will end my intervention here, hoping that the workshops starting this afternoon will come up with a series of measures that will translate in facts. Going beyond the usual statement made in meetings, we do wish to start acting, to go to facts. We want to see progress in this respect, and we also maintain our right to remain a critical non-governmental organisation, which would monitor and evaluate any progress recorded in view of improving the situation of Rroma.

Thank you

**DEBATES AND PRESENTATIONS**

**2.1 Carol A. BATCHELOR**, UNHCR Senior Legal Officer Statelessness; presentation  
in the plenary session

**“The Right to Have Rights: Statelessness and its Impact on the Rroma Population”**

1. Chairman, ladies and gentlemen, I am pleased to be able to participate with you over the course of these two days in reviewing the issue of statelessness and its impact on the Rroma population of Europe. In efforts to identify problems and to advocate solutions, it may be helpful to reflect initially on the starting points, on the foundations and pillars established in international law that serve as a guide.

2. Everyone has the right to a citizenship. No one shall be arbitrarily deprived of his citizenship or of the right to change citizenship. You will recognize the words of Article 15 of the Universal Declaration of Human Rights, elaborated by the international community in an effort to address the aftermath of World War II and to secure fundamental rights and freedoms for all persons. This provides the underlying foundation for the stability and security of all people and, in turn, all nations. It is not coincidental that major efforts to avoid statelessness and to establish the rights of citizens have been made following the events of both World Wars I and II, during which the links between discrimination, denationalisation, and massive displacement were made apparent. Article 15 of the Universal Declaration serves as a key reference point by stating this basic, human right for all.

3. International law stipulates a right to citizenship and provides guidelines for States in determining citizenship. However, despite significant developments in law and practice relating to citizenship, the international community currently faces numerous situations of statelessness and the inability to establish a citizenship. The problem has arisen in connection with State succession and the adoption of citizenship legislation by new or restored States, but is also seen in areas of the worlds which have had no recent change in legislation, and have undergone no transfer of territory. Those affected include

life-long residents of a State, ethnic minorities, and significant numbers of women and children.

4. The emergence of conflicts involving ethnic groups, numerous sudden cases of State succession, and increased displacement have brought the citizenship issue to the foreground. Statelessness and the inability to acquire an effective citizenship have, in recent years, received greater attention from the international community, as their potential as a source of regional tension and of involuntary displacement have come to be more widely recognized. The international community is, as a consequence, turning to international instruments and principles that reflect developments made in international law and were structured to resolve problems relating to statelessness and the acquisition of an effective citizenship. The 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, developed under the auspices of the United Nations, are primary reference point for international opinion on principles relating to the avoidance and reduction of statelessness.

5. An essential step, therefore, in strengthening efforts to reduce statelessness and the inability to establish citizenship, is promotion of the principles contained in international instruments which ensure, at a minimum: that persons will not arbitrarily be deprived of citizenship, that they will be granted a citizenship under certain circumstances in which they might otherwise be stateless, and that adequate protection will be available to those who, nonetheless, remain or become stateless. A ready-made international legal framework exists to ensure that statelessness can be avoided both within and between States.

6. Statelessness, however, is not merely a legal problem, it is a human problem. Failure to acquire status under the law can negatively impact many important elements of life, including the right to vote, to own property, to have health care, to send one's children to school, to work, and to travel to and from one's country of residence. Many complications arise for those who have no citizenship including, for some asylum seekers, indefinite detention in a foreign State when that State cannot determine the

individual's citizenship. This is why the right to a citizenship has been called the "right to have rights". Effective and meaningful access to many rights often depends upon first having citizenship, or the legal bond, in a given country.

7. Statelessness, therefore, is the antithesis of legal identity in a world construct of States. In the legal context, statelessness categorizes those individuals who do not have the recognized legal bond of citizenship with any State. As such, stateless persons fall outside the normal legal regime. In the social context, this legal vacuum translates into a lack of secure identity, belonging, and sense of place. Stateless persons have thus been referred to as "anomalies", often falling outside legal and social constructs. In the post-dissolution context of the CIS, Eastern Europe and the Balkans, as one example, new citizenship laws have been actively promulgated, an important aspect of addressing the statelessness challenge. Nonetheless, in order to access the provisions of the citizenship law, an individual must first be lawfully present in a country. The fate of many stateless persons has been to live without a legal identity: without the legal bond of citizenship; without lawful stay; and without effective mechanisms for normalizing their situation. Rroma populations not only face these problems, they have in many ways become the most marginalized amidst the disenfranchised.

8. This situation can be exacerbated by confusion about who is a stateless person and how to identify cases of statelessness. Stateless persons do not necessarily cross borders, seek asylum, or emerge as a distinct group in a given population. Few national registration systems are equipped to accurately identify the number of stateless persons on a State's territory. Some stateless persons are registered as foreigners, some as non-national residents, and many are categorized as nationals of another State even in instances where the other State in question does not consider them as its nationals. In other cases, persons may be registered as stateless but this information is not widely available. There are situations in which persons are not registered at all, meaning there is at a minimum de facto statelessness resulting in a lack of access to full rights, inability to play an effective role in civil society, and increased risk of displacement.

9. In theory, the root causes of statelessness might be readily addressed. All States have laws concerning citizenship and, by definition, all States try to enumerate which persons have citizenship and which persons do not. However, States do not make this determination in precisely the same way or in consultation with other States. Instances continue to arise in which individuals are not granted citizenship by any State. The situation is further exacerbated by political tensions, varying ethnic and racial notions of national identity, social or economic challenges, conflicts between or within States, transfer of territory, and issues such as marriages, birth registration and the civil status of women and children. Efforts to address the problem of statelessness must encompass both legislative developments as regards citizenship laws and take stock of mechanisms for accessing the law for resident stateless populations and individuals.

10. UNHCR's mandate involves the promotion of the prevention and reduction of statelessness through the dissemination of information, training of staff and government officials, and cooperation with other interested organizations. In pursuing these activities it is important to identify stateless persons in whatever circumstances they may be. The cooperation of States and partner organizations is critical in assessing situations of statelessness, so as to promote both appropriate strategies for prevention as well as durable solutions. It is also important that stateless persons understand in full the implications of statelessness and steps they can take to assist themselves. What are the basic causes of statelessness and how many of them impact the Rroma populations of Europe?

Transfer of territory or State succession. All of us here today have had some experience with the State dissolutions, restorations, and successions of the past decade. Everyone with the citizenship of, for example, the former Soviet Union or former Czechoslovakia has been directly affected in terms of citizenship status. If the former citizenship no longer exists, what is it replaced with? Like all others, Rroma citizens and residents of States in which these changes took place have been impacted generally. Rroma populations have in some instances faced additional problems. For example, in cases where the principle of continuity of former internal citizenship was used to determine

status after the succession, Roma have been negatively impacted when they were not resident in the successor State in which they were registered, creating cases of de facto statelessness. In some cases, they were obliged to give up the citizenship of the other State, making themselves stateless, in order to apply for citizenship where they had always lived. For others, given frequent migration, they were not registered anywhere and consequently were excluded from acknowledgement, registration, and citizenship altogether.

Laws relating to marriage. There are also instances in which statelessness affects individuals through situations of marriage, having in turn an impact on family status and unity. Problems may arise with regard to the registration of marriages or to the recognition of traditional marriages under national legal regimes, with the result that the woman is not considered lawfully wed and has no entitlements flowing from the marriage, including any which pertain to citizenship. This can also happen in cases where she may have lost or forfeited her citizenship of origin in order to marry. Women may face major difficulties in passing their citizenship to their stateless spouse or to their children even in those exceptional cases where the father is stateless, unknown, or not present. This situation certainly impacts Roma populations where traditional marriages may not be recognized, or lack of registration of the marriage may carry severe consequences for both of the spouses. Lack of registration of marriages can be a secondary problem arising from the lack of registration of individuals generally.

Conflicts of laws. In the field of citizenship, this simply means that States have different approaches to citizenship and do not always coordinate so as to avoid statelessness. For example, if a child is born in a country that grants citizenship by descent only, and the child is born to parents who hold citizenship in another State that will grant citizenship to the child only if born on that State's territory, the child can become stateless. Given migration, seasonal or longer term, there is a higher risk of such oversights by States in relation to the Roma population as it may be unclear who is responsible for granting citizenship. The birth of the child may not even be known if there is no registration. Again, persons who are not themselves registered and cannot establish lawful stay in a

country are more likely to have secondary level problems in registering the birth of their children and resolving conflicts between the laws of different States.

Laws relating to the registration of births. Related to the problem of conflicts of laws, one of the principle problems of statelessness for children is access to birth registration. In order to lay any claim to citizenship an individual must be able to show where s/he was born and to whom. However, birth registration does not always take place. In many instances the citizenship status of children also suffers as a result of their being orphans. UNHCR has encountered thousands of stateless children in orphanages, including cases of Rroma children following the dissolution of States in Europe. Lack of birth registration leads to the inability to establish identity and, therefore, to establish the basis for a claim to citizenship.

Administrative practices. In some cases, a person who is eligible for citizenship and perhaps even a successful applicant in the initial stages may not actually receive citizenship due to insurmountable administrative procedures. These might include excessive administrative fees which are unaffordable, additional deadlines which cannot be met, inability to produce required documents, lack of information on required procedures or means of meeting obligations, and so on. Cases such as these impacting the Rroma population are well documented.

Discrimination. This cause of statelessness arises due to an inability to acquire citizenship, despite a genuine and effective link or appropriate connection, because of discrimination based on ethnicity, religion, gender, race, political opinion and so on. Citizenship legislation in all States contains distinctions and individuals are not entitled to citizenship in all countries. Discrimination within a State between persons who have appropriate links is, however, a cause of statelessness. In the case of the Rroma populations in Europe, there have been instances of discrimination, sometimes at the State level, sometimes generated by media or within the local population. Discrimination may arise as a result of fears on all sides, which generate a lack of trust, discouraging even applications or other efforts to acquire citizenship.



Inherited statelessness. We can see here a special impact on the Rroma as well, for the problems of the parents appear also for the children including an increased marginalisation in societal structures given lack of registration and related issues.

Denationalisation. Denationalisation can lead to statelessness, particularly when the process of deprivation of citizenship has been arbitrary. Also of concern, although not denationalisation per se, are instances of arbitrary denial of access to a citizenship one is entitled to.

Renunciation without guarantees or proper procedures. Many cases have arisen in which individuals have renounced citizenship without the acquisition of another citizenship. The Romanian Government is specifically to be commended for altering the law and practice to avoid such cases. It will be important that persons who have already lost citizenship can have this citizenship restored.

Automatic loss by operation of law. This cause of statelessness can arise in a number of ways, notably when persons are temporarily abroad and cannot meet or are not informed of certain obligations. This is another instance of statelessness that has impacted the Rroma.

11. This is a very quick overview of primary root causes of statelessness. What is both noteworthy and worrying is that the Rroma community in Europe is negatively impacted by all of these root causes, demonstrating the number of ways in which statelessness can arise for Rroma and the need for a comprehensive approach. Moreover, given the myriad of derivative rights that are based on citizenship status, combined with the fact that many Rroma do not have lawfully recognized stay in any country, the continued marginalisation of the Rroma population might be leading to a worsening of the situation from generation to generation. This will certainly have consequences of destabilization, unrest and displacement on a deepening scale. The consequences of a problem of this magnitude will impact not only the Rroma, but also the States and

societies where minority populations such as the Roma are unable to secure a place in the political, economic and social construct.

12. I opened my presentation with a recollection of historical events surrounding World Wars I and II, events that demonstrated the links between marginalisation, statelessness and displacement. It was this overlap and the dire consequences faced which led the international community to establish the right of all persons to a citizenship and the pre-eminent need to avoid statelessness. The 1954 and 1961 Statelessness Conventions were drafted to set out a legal framework, a map for States to use to achieve this goal.

13. In conclusion, UNHCR would advocate continued enhanced cooperation between concerned Organizations, States, civil society and the Roma community in assessing situations of statelessness, in identifying the scope of the problem, and in devising appropriate solutions as an important step in ensuring all stateless persons have a legal status and that citizenship is a viable option. Collaboration in promoting accessions to the Statelessness Conventions to address the particular problems faced by stateless persons and to reduce cases of statelessness is of ongoing benefit both in the fight against statelessness and in the promotion of basic standards of treatment. This legal framework will also assist States in adopting measures to ensure identity documentation and the proper registration of births and marriages, a primary interest in securing basic human rights.

14. The linkage between population displacement, conflict prevention, post-conflict resolution and the avoidance and reduction of statelessness is clear from practical experience. Open dialogue and common purpose is crucial to successful movement forward on the eventual elimination of the legal anomaly known as “statelessness” and fulfilment of the right to a citizenship for all. Toward this end, this session is an important venue for pursuing these consultations and setting concrete objectives.

Chairman, ladies and gentlemen, thank you.

## 2.2 Yoichiro TSUCHIDA, UNHCR Representative in Romania; presentation in the working group on statelessness

Ladies and gentlemen,

Statelessness, like motherless, is not having an identity, not knowing who you are, where are you coming from, where are you heading. Nationality is a fundamental human right, we can more exactly define it as the right to have rights. The right to nationality has evolved significantly along this century, especially after World War II and mainly within the UN context. In spite of the theoretical and practical evolution of the concept of nationality, the international community currently has to deal with a large number of stateless persons, whose nationality is impossible to clarify. This problem has emerged particularly in the context of a succession of states, where the new or reorganised states adopted legislation on citizenship, or as a result of spontaneous and massive displacement of populations, but it could have also been generated by other causes. Stateless persons are vulnerable.

Statelessness is a source of difficulties for the stateless person him/herself as well as for the reception country and the country of origin. In order to solve these difficulties two main complementary problems have to be considered:

- a) The improvement of the status of stateless persons, which is only a temporary solution, designed to attenuate the difficulties resulting from statelessness, even if it is necessary and urgent;
- b) The elimination of statelessness aiming at abolishing the difficulties themselves, and is therefore the final goal.

Since statelessness appears to be an on-going phenomenon, the international community resorts to several international instruments drafted and adopted with a view to solving these problems. Such instruments are the **1954 Convention Relating to the Status of**

**Stateless Persons and the 1961 Convention on the Reduction of Statelessness**, elaborated under UN auspices.

UNHCR has always retained responsibility for stateless refugees, on the basis of its international protection mandate and according to the provisions of the 1951 Convention on the Status of Refugees. Moreover, the UN General Assembly entrusted UNHCR with carrying out the tasks stipulated in Article 11 of the 1961 Convention on the Reduction of Statelessness, namely those "of a body to which a person claiming the benefit of this Convention may apply for the examination of his claim and for assistance in presenting it to the appropriate authority".

As an agency designated to act as an intermediary between the states and stateless persons, according to the 1961 Convention and UN General Assembly Resolutions 3274 (XXIV) of 10 December 1974 and 31/36 of 30 November 1976, UNHCR has the duty of offering contracted states its expertise in matters relating to citizenship legislation and "to actively promote adhesion to the **1954 Convention on the Status of Stateless Persons** and the **1961 Convention on the Reduction of Statelessness**".

Now allow me to comment on the stateless situation among the Roma population in Romania:

- A number of Roma had never had identification documents even if they were born in Romania;
- At the time when the movement of the Roma population towards Western Countries occurred, some of them renounced their citizenship;
- When their application for residence, citizenship or asylum in the country where they wanted to settle was rejected, thereby forcing them to return to or to stay in Romania, their civil status was left uncertain;
- During elections for various levels (either general or local), absenteeism among the Roma population has been high because a number of Romanian Roma did not own an identification document that would allow them to exercise their right to vote.

- In addition, the absence of the identification documents generates very alarming social problems such as: impossibility of exercising civil and administrative rights; insurmountable difficulties for legal employment; impossibility of benefiting from welfare, unemployment support, medical assistance, the family physician, difficulties in sending children to school, receiving state child support, benefit of social stipends, etc

UNHCR is following the legal trends in Romania relating to nationality, with a special emphasis on issues pertaining to the reduction of statelessness. UNHCR has constantly encouraged the Romanian authorities for the country's accession to the two UN Conventions on statelessness (**the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness**) and the ratification of the European Convention on Nationality – signed by Romania in 1997.

It should always be taken into account that the competence of States in matters of citizenship is limited by international law. At present, there are also disagreements that have not been settled yet with some EU member states regarding the stateless persons of Romanian origin. The disputable *de facto* situation of the former Romanians (including Rroma population) who gave up their Romanian nationality during the past decade and even earlier has a better chance to be solved if Romania will become party to the **two UN Conventions on Statelessness** and the **European Convention on Nationality** and fully co-ordinate its relevant legislation with these international/regional instruments.

It is therefore suggested that a high priority should be given to the ratification of **two UN Conventions on Statelessness** and the **European Convention on Nationality** (which was already signed by Romania in 1997).

Thank you.

**2.3 Dan JURCAN**, State Secretary, Ministry of Public Information; presentation in the plenary session

Respected guests and organisers,

The Ministry of Public Information is the responsible structure for the implementation of this strategy. It is, somehow, the executive body that ensures the management of this strategy. The Joint Committee for the Implementation and Monitoring of the strategy is also functioning within the Ministry of Public Information. The reason why we call it „joint”, with the risk of repeating what Minister Dancu already highlighted, since I have the impression that it was not very well understood, is because we wanted to include representatives of non-governmental organisations in this structure for the implementation of the strategy. This is what we considered to be a fair initiative, because we could as well keep only governmental structures, since the responsibility for implementing this strategy belongs to the Government. It is the Government strategy for the improvement of the situation of Rroma, but we wanted, and still do, to create a bridge of communication between administrative structures and non-governmental organisations. Nonetheless, there can be parallel structures, independent from the Government, which could monitor the modality in which the strategy is being implemented, but the role of this committee is to ensure the implementation of the strategy and to conduct its own evaluation. If other bodies wish to also conduct evaluations, they are free to do it, we do not mind.

There is a problem of the Rroma in Romania, and not only in Romania. There is a problem of the Rroma in Europe; there are countries that had promoted strategies for the Rroma, as for example Spain, in which even after 10 years, problems still exist. Solving the problems related to the situation of the Rroma is not something that can be done overnight – and, in six months, we believe that we have achieved what we have proposed in an important degree. It is not easy to change a state of facts, especially since, beyond economic issues, we are talking here of a change in mentalities, acceptance of diversity, tolerance. These things are to be learned, assimilated through socialising and they have to

be institutionalised, but the role of institutionalising tolerance is a role that belongs to us when it comes to Rroma. It is the role that the Government assumes, but it is not an exclusive role – others can also compete in this field.

The Government's approach with regard to the Rroma situation envisages coherent policies, of social, civic, economic and political inclusion. Otherwise said, it promotes civic participation with equal chances of Rroma individuals in a democratic system: non-discriminating access to jobs and decent living, equal access to social services provided by the state and facilitation of political and social organisation of Rroma communities. Why do we need such policies? There is a significant number of Rroma individuals who have no identity cards or birth certificates. Because of that, some of the adults cannot exercise their right to vote, cannot benefit from social protection, cannot buy or sell property, and children cannot benefit from allowances and social support. Only one third of the Rroma have constant jobs, and out of these, only half undertake qualified activities. An even smaller number of them are employed on the legal market, the result of this situation being that most of the Rroma do not benefit from social insurance and state protection. Only half of the Rroma children attend school on a regular basis, and the degree of illiteracy amongst adults over 45 reaches one third. The lack of investment in education, combined with the effect of social marginalisation generated by stereotypes and prejudices, leads to a reduced access to the labour market and, implicitly, to an increased level of poverty in Rroma communities. Poverty and social exclusion generate surviving techniques that often reach the edge of lawfulness, having social consequences that encourage existing prejudices towards Rroma. There are, in general, two perspectives regarding the change of the situation of Rroma:

- The economic perspective, a perspective that regards the Rroma problem as a problem of poverty. If we solve the problem of poverty, then automatically we solve the problem of discrimination;
- Another perspective, which is more focused on discrimination and which states that, when an environment of tolerance, in which Rroma will no longer be discriminated, is established, then the Rroma problem will be implicitly solved.

We believe that these perspectives are, in fact, complementary, because, in reality, there is a circular causality, as prejudices generate marginalisation and marginalisation determines a decrease in the living standards. The increased poverty and low living standards generate behaviours that only confirm or reconfirm the existing prejudices and stereotypes. It is not easy to change such a state of facts – because what we discuss here is the strong essence of attitudes – as these attitudes, stereotypes and prejudices had been formed in hundreds of years, and the change of mentalities will probably take long years to occur. It will have to occur both at the level of the majority and the minority. When we speak about change at the level of the majority, this role is of the Government, but when it comes to change within the minority, we believe that the main role should be played by Rroma non-governmental organisations and political leaders.

The strategy formulated in April was based on partnerships with the non-governmental organisations. We have relied on non-governmental organisations in formulating the strategy and will also do so in the future. We are still, however, looking for the optimal formula. I mention this because, many times, the Government is in difficulty in what regards dialogue.

There are some tensions among non-governmental organisations or representative organisations of the Rroma, and we do not want to interfere – nevertheless, we do not wish to assume the role of a mediator, but we wish to have a partner. We want to have a partner for the implementation of the strategy and, we believe, so far, significant steps have been made. A meeting of the representative organisations of the Rroma was held just yesterday, with the participation of over 40 associations. The list is still open and we hope to build a solid partnership for the implementation of the strategy regarding Rroma. Why do we need such a partnership? Because in this management concept for the implementation of the strategy, there are several dimensions: there is a governmental and political dimension at the same time, through the partnership that the PSD is having with the Rroma Party, and a non-governmental one. The governmental dimension can be approached at two levels: a central level, in which we speak about macro-social measures, which are to be assumed by the Government of Romania (Government



Decisions, decisions of Ministers, which would initiate change in their respective areas of responsibility), and another level, that of local implementation, in which we speak about local administration, prefectures and town halls, which would have to create their own plans and assume their own objectives in the implementation of the strategy. At all of these levels, starting from the central one, the joint committee, to the level of experts, established within town halls, we wish to create partnership structures between administration, non-governmental organisations and Rroma leaders. We have very much focused on such structures because we believe them to be the only viable option in order to determine a real change, in order to ensure the success of this strategy, because, beyond the macro-social measures which will be taken at the governmental level, what is most important is the real change of the state of facts in Rroma communities.

In order to determine this change, we need a very accurate community diagnosis on all dimensions: infrastructure, education, health, culture, civic participation, which should constitute the basis for implementing local development and social intervention projects that would eventually bring that change in the state of facts existing in Rroma communities. This macro-social dimension of the strategy is very important, because if we are not able to identify concrete solutions to concrete problems, if we are not able to produce a change that is visible to Rroma individuals living in these communities, then we have not done anything. I wish to ensure the representatives of the NGOs that, even if in six months we have not reached this level, at the right moment we shall, and then we will have to make an evaluation. When we make this evaluation, it will have to be done in accordance with the objectives that we have aimed for the respective stages. I do like to speak about the partnership with NGOs, and I do want this joint committee to be criticised, but let it be criticised when it should be. I do not believe in partnerships with people who sell words, or who have made a profession out of it, whose reason for living is non-argued criticism. We do accept argued criticism and dialogue, because without criticism, we risk dwelling in our own mistakes.

It is not my purpose here to make a presentation of the strategy because most of you already know it. You know that the strategy has clear objectives; there are 10 sectoral

areas, action lines and an action plan for 4 years. The strategy has been conceived for 10 years – some have enquired *why do we need a 10-year strategy?* This is the time frame that we have set for ourselves. There might still be problems in 10 years from now, and probably another strategy will be formulated then. But what we need is a change in time, an assumed change in a certain period of time.

What has been done since April: the 14 ministerial commissions were established in May. The ministerial commission is that structure responsible for the implementation of the strategy at the level of the Ministry, according to the measures stipulated in the action plan included in the strategy. Each commission is formed of a State Secretary, for the political foundation of change, and experts and civil servants from the Ministry. Also, based on the partnership principle that we have proposed, at the level of each commission there is a Rroma expert. There are still problems with regard to the legitimacy of this expert. However, we hope that a unitary approach will exist as soon as possible with regard to the legitimacy of these experts at the level of ministerial commissions and at the level of prefectures.

In June and July, based on proposals from the Ministries, a joint committee for the implementation of the strategy has been established. It includes the State Secretaries from each Ministry and a State Secretary from the Ministry of Public Information, who coordinates the committee. The current administration of activities for the implementation of the strategy is provided by the National Office for Rroma, lead by an Under-State Secretary belonging to the Rroma ethnic minority.

In July and August, the county offices for Rroma have been established, with the role of coordinating the implementation of the strategy at county level.

In September, the financial evaluation activities were started, which were finalised at the beginning of October. We can inform you that the estimated budget for 2002 is of around 105 million Euros. Funding from the budget will be covered in a percentage of 31%, and we will try to ensure funding of around 68.5% from extra-governmental sources. The

budget has been drafted in collaboration with the ministerial commissions for Rroma. Also in the month of October, we have prepared and held training courses for Rroma. It was a very important activity for us, as we have managed to achieve another perspective on problems that these experts face at the level of county offices and ministerial commissions. It was an initial training course, which will be followed by others. What we have found very interesting in these meetings was the perception of the situation of Rroma at local level and the degree of understanding related to the vision that the Government has promoted with regard to the implementation of the strategy for the improvement of the Rroma situation. But, first of all, we wanted to come in contact with the concrete problems that Rroma experts faced. It was a very useful experience, and following these training courses several recommendations also came up, addressed to the joint committee, concerning the need to formalise, to institutionalise them, and we hope that, at the next meeting of the joint committee, we would be able to present a set of regulations for the organisation and functioning of ministerial commissions and county offices, as well as an accurate draft for the job descriptions of Rroma experts from the level of ministerial commissions and county offices. We hope that this formalisation will provide Rroma experts with a more precise image of what they should do and of the manner in which they should relate, at local level, with local authorities, Rroma communities and non-governmental organisations.

There are also problems related to equipment. In the nearest future, we will try to provide the county offices with adequate equipment, which would allow a more accurate communication with the Ministry of Public Administration, Joint Monitoring and Implementation Committee and these representatives of the administration in the field. Equally, based on consultations between the National Office for Rroma and the EU Delegation, the foundation which will administer funds for the non-governmental dimension of the strategy has been selected. During the Phare 2002 programming exercise, an application from the National Office for Rroma has been approved by the European Commission, for the formulation of terms of reference and project documentation for point 20, chapter 9 of the general action plan, regarding community development.

There are a series of results at the level of Ministries regarding the improvement of the situation of Rroma. The Ministry of Labour and Social Solidarity has initiated labour programmes that would promote the practice of traditional crafts by Rroma; equally, training programmes for the employees of the National Agency for Employment have been started, on the issue of facilitating the access of Rroma to the labour market. It is estimated that a number of approximately 3,700 Rroma individuals would be employed through MLSS in 2001. Law no. 416 regarding the minimum guaranteed revenue has been adopted, and the Rroma people will be direct beneficiaries of this provision. Also, Ordinance 337 has been adopted, stipulating the provision of school materials for pupils coming from families with reduced revenues. Thus, Rroma individuals have been one of the main beneficiaries of these measures. In collaboration with NGOs, identity cards have been issued for around 3,000 Rroma.

The Ministry of Health and Family has initiated a series of actions for medical assistance and vaccination in Rroma communities, especially amongst children. For the year 2001, there are around 200 teachers, both Rroma and non-Rroma, who teach in *romanes* language, as mother tongue, to more than 10,000 pupils, and almost 150 Rroma students can enter Universities each year, following affirmative action programmes initiated by the Ministry of Education and Research.

Concerning legislation, Ordinance 137 has been adopted. We are still in delay with the Government Decision regarding the establishment of the National Council for Combating Discrimination. There is a bureaucratic procedure that we have to follow, but I can assure you that this Government Decision will be adopted. Also, at the non-governmental level, a series of results have been achieved. A partnership fund of 900,000 Euros was launched in January 2001. Out of over 300 project proposals received for the partnership fund, 40 projects have been selected for funding and are in course of being implemented. I can also give you some examples: in the field of public administration, the town halls in Arad, Bicz, Caransebes and Jimbolia, and the National Agency for Environment Protection have obtained funding for projects aiming at including Rroma communities in

local development programmes. In Bicaz, the town hall will work with a group of Roma representatives for the establishment of a brick factory. At Jimbolia, the town hall will hold professional training sessions for the members of the Roma communities. In Sibiu, there is a Waldorf school for Roma children.

There are also projects for the stimulation of school attendance implemented in collaboration by the town hall in Lehliu Station and the Roma Party. In Hunedoara, there is a social housing project, involving the renovation of 44 apartments inhabited by Roma families with small revenues. The Roma news agency is a project of the Romani CRISS association, in collaboration with the Independent Centre for Journalism and the Press Agency *Catavencu*.

Therefore, I believe it would not be fair to say that nothing has been done in six months. I believe we have managed to make very important steps at the level of institutional building. We understand that expectations towards these absolutely necessary changes are very high, but I believe they should not be exaggerated, and we should impose a certain pace – we are, in this sense, willing to cooperate with the non-governmental organisation in order to establish a common schedule. I wish to assure you that the Government of Romania, the Ministry of Public Information and this Joint Committee for Implementing and Monitoring the strategy intend to respect their promises, and when we will be able to provide each Roma community with concrete solutions to concrete problems, we will then be able to state that our mission is accomplished.

Thank you.

**2.4 Ivan GHEORGHE**, Under-State Secretary, Ministry of Public Information;  
presentation in the plenary session

I will start with the experts. There are forty-two experts working in the County Offices for Rroma. Out of these, thirty have graduate degrees and are not politically involved. For example, Ms. Viorica Gotu and Ms. Letiția Mark are not members of the Rroma Party. Twelve have studies at high school level and, among them, some are older persons, coming from the area of activists. This is the reality and we have to inform the public opinion on the exact situation.

At my appointment, during the press conference organised by the European Commission in Bucharest, I stated that I assume responsibility in fulfilling, point by point, the government plan of the present executive with regard to Rroma issues, and that I accept criticism, under the condition of objectivity. Unfortunately, the criticism brought by Mr. Bercus is not at all objective. There is only one point that has not been achieved by now; all the rest of the strategy is being implemented according to our schedule, through very hard work. The National Office for Rroma has five employees. These five persons work very much and with great seriousness for the implementation of the strategy. In a very short time, this body that we are all waiting for, the Council for Combating Discrimination, will also be established. We have to keep in mind that this is a newly designed structure, a novelty for Eastern Europe, that it will be very hard and that we have to pay great attention as not to make mistakes. We have to create a body that will work for people and not one that would generate reactions amongst the public opinion.

For 10 years, I have been working for the Rroma community as I deemed fit, but practice proves that I have worked well. When they criticise, my colleagues should be as objective as possible. There are people who have developed careers in bringing criticism, who have received money because they are critical, and who have most of the time neglected objectivity in doing so, in an elegant manner of speaking. Do not turn this seminar, which should have a beneficial role for the strategy, in a dispute, because it is not right. You have upset Minister Dancu for no reason; he is a very well intended person, and very

open in implementing the measures of the strategy. That is all I have to say and I thank you.

**2.5 Vasile IONESCU**, President, Rroma Centre for Public Policies; presentation in the plenary session

I believe we should start by congratulating the UN for the interest that it continues to show to the Rroma issue. Likewise, I would like to congratulate the UN for this year's prize that had again restated the importance of this institution, as well as for the organisation, this year, of the world conference in Durban, an event in which my organisation had the honour of being part of the organisation committee. I can see here different UN bodies with whom we have cooperated, and which opened the way for a worldwide, and especially European, reflection on the Rroma issue.

I would like to start by mentioning that we are talking, in fact, about the Phare programme for the improvement of the situation of Rroma, and not necessarily about the strategy of the Romanian Government. I am saying this because the same problems, which are discussed today on a harsh tone, had existed since the beginning of the formulation. Back then, the Rroma civil society had called for the principle of proximity and subsidiarity. And I am sorry not to agree with the representatives of the Ministry of Public Information, but I hope we will be able to identify a common formula, in the sense reflected by the principle of proximity, which states that decisions should be taken as close to the citizens as possible. Therefore, we are not only talking about a strategy of the Government, but of an involvement of Rroma themselves in the process of improving their own living conditions. At that time, calling for the other principle – that of subsidiarity – we have invited representatives of the EU and the Council of Europe to a seminar. This objective has been included in the terms of reference of the programme, which I now see that the present leadership of the public information wants to elude. We will probably organise another seminar in which we will also invite you, so that this principle be reintegrated, eventually, in the strategy of the Romanian Government. In my

opinion, the strategy was intended to be one that would improve the situation of the Rroma, but perhaps it is in the nature of state institutions to be proud.

We have another perspective – we do not necessarily believe that we are involved in a war against state structures, but this is the role of the civil society: to raise signals where something is wrong. We have raised signals to Romanian speakers, we have distributed a document, but unfortunately, we have no reply to our interventions. This political bias of the strategy, this preference for a political organisation, has blocked, unfortunately, the strategy itself. We are raising the signal that the strategy is blocked, and it is not really so difficult to make it function again. But for this purpose, the National Office for Rroma should be formed of people with expertise (and also maybe experience), and not amateurs. My words are harsh, but such is the civil society – crude. We can always provide qualified people, who can at least understand what this strategy is about. Given the fact that political criteria had been used for the employment of people, both at the central and local levels, we are now in a paradoxical situation of having an excellent strategy in which the role of both parties had been proportionally equal. That means, we do acknowledge the merits of the present administration to publish this strategy for which, in fact, the civil society worked to formulate. This is not always mentioned, and we will have to clarify things. Unfortunately, the speech is not very precise in this respect, although it was the civil society that elaborated the strategy. Thus, we are being asked by the MPI to start working for the implementation ... there is no need for us to be asked, because this is what we do, this is what we have been doing since the beginning of the Rroma movement, in 1990. We wish to continue doing this, but it is obvious that there is a gap between our vision, the civil society, and that of the Government.

I can give you one example, that reaction of the local authorities (Piatra Neamt), which shocked the entire world, and even the authorities in Romania. It required a very strong intervention from Prime Minister Adrian Nastase and President Iliescu to state that creation of ghettos should not be allowed. We are breaking all possible norms. And, well, the Rroma Party, the favourite partner of the MPI, had no reaction. Otherwise, we are being „reduced to silence” under various modalities.



The RAXI Fund (racism, anti-semitism, xenophobia), which exists at the level of the Romanian government, is now being spent by the Roma Party „in the family”. In fact, it is about this network extending at the level of prefectures. The Social Democratic Party itself is about to reconsider this state of facts, because otherwise the strategy will be blocked. Improving the situation of the Rroma is a political criterion for EU accession. Lots of funds are, and will be, disbursed for this purpose. On the other hand, the Romanian state should not only expect to receive money from the EU or UNDP, but has to come with its own contribution. We are in the situation in which the mayor of Piatra Neamt is stating that no more houses will be given to the Rroma, as if he would give that money himself. As if funds would not come from abroad, or from the state budget, from our pockets, of the contributors. This is why we demand the de-politization of the strategy and we want it to be lead by technicians, not politicians. We know what politics mean, especially in a country like Romania.

I would like to also highlight that the documents and reports related to Romania’s pre-accession to the EU, especially the one last year, contained clear signals from the European Parliament that in Romania the problems rest with the local public administration. Why is the MPI pretending that this terrible error of management does not exist, in relation to the delegation of expertise to the local level, as long as employees of the prefectures are only amateurs? They are obedient people, they say „yes, Mr. Prefect”, they are not bad people like us, in the civil society, to say: „Mr. Prefect, you have broken that law”.

And I will give you another terrible example: there are lots of recommendations and resolutions of the international institutions that the Romanian state is not even considering. We have reached the situation in which the mayor of Piatra Neamt asked me, Vasile Ionescu, to give people recommendations and resolutions to eat. In the sense that he was giving from his own pocket, a terrible confusion between his own pocket and the public pocket. We are stuck in a paradox from which the MPI will only get out if it will really involve professionals in the coordination of this strategy. If not, we will once

more call for the principle of subsidiarity and will ask for international expertise, since there is a clear interest to blame fault on the civil society. We do not want to be subordinated to politics, obedience, and silence. Instead of having a real diagnosis – how many disadvantaged communities are there, how we can solve the problems in Zabrauti on a UN project – we have no reflections in this sense, but only declarations, a full list of achievements.

Thank you.

**2.6 Mihai SURDU**, Researcher, Institute for Research of the Quality of Life;  
presentation in the working group on education

### **School attendance: causes and consequences in the case of the Rroma population<sup>2</sup>**

#### **Features of pre-school and school attendance**

- The pre-school attendance rate of the Rroma population is about four times smaller than the one at the level of the entire Romanian population.
- Within population of school age (7-16 years old) there is a high percentage of Rroma children who had never attended school (17.3%).
- School abandon at the level of compulsory education system (1-8 grades) is estimated at around 12 to 20% from the total population of school age.
- The conditioning of child allowance to school attendance has decreased, in a certain measure, the rate of non-attendance and school abandon (but not more than 5% in 1998, in comparison with 1992).

#### **Causes of non-registration, non-attendance and school abandon**

The causes of non-registration, non-attendance and school abandon are of social, economic, cultural and systemic nature.

- The incidence of non-attendance is almost three times bigger in the case of poor or very poor households, in comparison with average or rich households.
- Although education itself is free of charge, the collateral expenses required for a family to send their children to school (materials, food, clothes and shoes, transportation) are very high for some Rroma families.
- The low level of education in parents, their lack of occupation or employment in unqualified works influences the low level of school attendance in children.

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<sup>2</sup> Data presented in this material come from studies of the Institute for the Research of the Quality of Life, from 1992 and 1998, the latter being currently under printing.

- In some Rroma households, children start working from very early ages, fact that negatively influences school attendance.
- The seasonal migration of some Rroma families, for various agricultural works, during spring and autumn, diminish school attendance of children.
- The incidence of school non-attendance is almost three times bigger in households that are self-identified as Rroma.
- The incidence of school non-attendance is twice and a half bigger in children coming from families where romani language is spoken, in comparison with children coming from households in which only Romanian language is being used.
- The majority of Rroma regard school with mistrust. School education does not represent a fundamental strategy in life but for a small number of the Rroma subjects interviewed (4.1%).
- The poor knowledge of the Romanian language and the reduced pre-school attendance diminish the rate of school attendance and increase that of school abandon.
- Geographic isolation, long distances between schools and Rroma communities situated at the margins of big cities or communes also negatively influence pre-school and school attendance.

### **Internal causes within the education system**

- One important cause of the poor school performance and high rate of abandon is represented by the education of the Rroma children in exclusive Rroma schools and/or special schools. Direct observation data lead us to the work hypothesis that exclusive Rroma schools are much under the standards of other schools, with regard to: qualified teachers, space allocated for education process, material endowments and funding. In this context, the only pursued objective is achievement of literacy, even this being hard to obtain.

### **Level of education reached and incidence of illiteracy on generations<sup>3</sup>**

- The lowest incidence of the lack of education is with the *mature generation* (26-45 years old), and the highest is with the *older generation* (over 45 years old). The period of transition brings an increase in the level of school non-attendance.
- At the level of all generations, the education cycles that are most attended by individuals (primary and secondary) are under the required level for occupying a minimal position on the labour market, and only allow for employment in unqualified works.
- The preference for graduating a vocational school is more accentuated<sup>3</sup> at the level of the *mature generation*, a percentage of 10% of this generation being represented by persons who had graduated a vocational school, which lead to obtaining certain qualifications. Also in the case of the mature generation, the highest percentage of high school graduates is to be found, in comparison with the other generations.
- While the percentage of persons lacking education (on the total generations) reaches in the case of men the value of 14.5%, in the case of women this value is of 23.5%.
- The most important difference between sexes in what regards lack of education is found in the *older generation*, in which the percentage of women who had never attended school is **over two times bigger** than that of men. In the case of the mature generation, this difference tends to decrease, although the percentage of women who had never attended school is still **almost** double in comparison to that of men. With the young generation, the differences between women and men who lack education are very small. On the one hand, there is a slight tendency of emancipation in women, and on the other hand there is a tendency of growth in men without education, comparing to the mature generation.
- The lowest rate of illiteracy is to be found in the mature generation, where almost 30% of the individuals can be considered illiterates, and the highest in the older

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<sup>3</sup> The labels attributed to generations (transition, young, mature and old) do not necessarily reflect the age of the subjects. They have been applied in order to distinguish among different periods of time in which Rroma generations did or could get education (before 1960, between 1960 and 1980, between 1980 and

generation, with a percentage of 60%. The transition is characterised by an increase in the rate of illiteracy, almost 40% of the subjects from the transition generation being illiterate (with 10% more than in the case of the mature generation).

- Although with the total population over 10 years old there are no considerable differences between sexes with regard to the rate of illiteracy, these differences are much more accentuated within some generations. Thus, in the case of the older generation, women are illiterate in a bigger percentage than men, their number being almost double in comparison with men. An increased level of illiteracy in women is also to be found with the mature generation, although there is a slight tendency of decrease in the percentage of illiterate women in comparison with men. Starting with the young generation, there is an equal level of distribution of the number of illiterate persons on sexes and, moreover, the number of illiterate men is slightly over passing that of women. These differences are maintained in the transition generation, where the number of illiterate men is higher than that of women.

### **Conclusions**

Data from this presentation show, once again, the necessity of intervention from authorities, in view of improving the situation of the Rroma at the level of school education. The differences of formal education between the Rroma population and the majority population are translating into sources of marginalisation and social exclusion of the Rroma. These differences tend to maintain or even to deepen after 1989, in the absence of systemic educational policies targeted at the Rroma population.

At the formulation of educational policies for Rroma, due account must be given to the economic, social, cultural and systemic causes (related to the education system), as to improve school attendance and performance of the Rroma population.

In order to be efficient, educational policies oriented to the Rroma population must be correlated with active employment policies, so that, together with the increase of the

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1989 and after 1989). These time intervals proved to have the maximal relevance in order to assess differences in the level of education between generations.

education in Rroma, their level of trust in school also grow, as well as the level of their social opportunities.

Thank you.

**2.7 Mihaela GHEORGHE**, Expert on Migration/Asylum issues, Romani CRISS;  
presentation in the working group on migration

Romani CRISS develops programmes in the benefit of Rroma communities, in areas like education, health, social assistance and economic sector.

We shall present a research report on the **migration of Rroma from Romania to Poland**. The objective of the report was to analyse the phenomenon of migration of the Rroma from Romania to Poland and their situation at the beginning of the migration period, after the Revolution. Rroma from Romania started to claim political asylum in Poland in 1999, although they had began to migrate even from the period between 1992 and 1998. In the first three months of 1999 there were no Romanian citizens considered for asylum procedures. Starting with September 1999, their number recorded a significant growth. Thus, in the first months of the year 2000 there were around 180 asylum-seekers, according to the estimations of Polish authorities. What we have found is that, last year, around 2000 Rroma immigrants from Romania were in Poland. The majority of the Rroma were migrating from economic reasons, due to difficult living conditions in Romania and their difficult situation with regard to education, employment and access to public places. These were the reasons that they were stating when migrating to Poland. The reason why Poland had been chosen was due to rumours that settling in Poland had some chances.

Between 1990-1994, the first migration waves to Poland occurred, as a transit country for the destination of Germany. After 1994, another wave of refugees went to Poland in order to stay there for a longer period and practice street begging. Then, another wave of persons with a better education came, people who were looking for jobs and wanted to return home with a certain amount of money that would ensure a decent living in Romania. What we considered to be interesting was that, during interviews with the Rroma placed in asylum-seekers camps, 50% of them were aware of the procedures for obtaining the status of refugee. They were motivating economic discrimination, while other 50% were motivating persecution. In reality, the percentage of persons migrating



for reasons of persecution is much lower, as their majority are aware of the fact that chances for obtaining the status of refugee on economic grounds are very small. At the time when we have conducted the research, Rroma people from Romania were only claiming the status of refugees to extend their stay and work. They were saying that they had information on the procedure, but they were not aware of the international norms for obtaining the status of refugees. We have then tried to identify their needs with regard to knowledge of the refugee status and formulated this report in order to identify alternative solutions to illegal migration. We have attempted to undertake a training course for the Rroma people there, so that they get better acquainted with the procedures for obtaining the status of refugees. One of the solutions that they had proposed, at that time, was to establish an NGO on Polish territory, through which they could develop certain activities to improve their image and bring them a revenue. Also, they wanted to apply this solution in order to ensure means of surviving on Polish land, as well as legal permanent stay. This was not possible, as Polish legislation did not allow it. In fact, it is not allowed in the present time either. Thus, the first wave of expulsions of the Rroma started in December 2000, little before Christmas. At first, 180 Rroma were expelled. The second round, with around 100 persons, came in March 2001. In April, 70 Rroma were expelled and in May 2001 another 10 persons. In August, the number was of 7 and in September 24. Thus, out of approximately 2000 persons from Polish territories, from our information, 329 persons had been expelled. Some of the Rroma persons from Poland who had not been expelled to Romania had voluntarily required the authorities to be sent back, as they were aware of the fact that there were no chances to stay there. In general, one or two members of one family were expelled and the repatriation claim was made precisely for the families to remain together, in Romania. The first persons expelled were men, husbands, fathers or brothers, who represented the main financial support of the Rroma families, and women and children were depending on them in an important measure.

When military guards had surrounded the camp, the Rroma responded with resistance, being afraid not to be expelled, arrested or beaten by the police. Their goods were confiscated, and each person was only allowed to carry one luggage of 20 kg.

We have identified several special cases, effects of forced expulsion of the Rroma. One of the special cases was that of a young woman who got mentally ill when guards came in the Rroma camp. The woman had been transported to a hospital for mental diseases in the Czech Republic, together with her 8-months child. For one month, nothing was known on the situation of this woman. Meanwhile, her relatives asked for the intervention of the Romanian embassy in the Czech Republic, and the answer that came from the embassy was that the young woman was not on Czech territory. Finally, her relatives managed to find her through their own methods.

There are some cases of Rroma families who were going to Poland with the intention of treating some diseases, for which a big amount of money was necessary. One family from Harseni village, which we identified, had six children, out of which four with eye deficiencies. The family has attempted to treat two of them in Poland. Although the parents had scheduled the medical intervention at a hospital in Warsaw for only one child, they were sent back to Romania. They had been returned to Romania before the surgery took place. Even the two children stayed in Poland, the medical intervention had been cancelled, since the two parents were no longer there to give their consent.

Another case is that of a man aged 40, who following an ulcer operation, developed a hernia. In July 2001 he went to Poland, where his wife and three children were. His wife, who had a visa for staying, had scheduled him for a new medical intervention, in one week after he had reached Poland. The man was meanwhile arrested and spent 3 weeks in prison, as he was not holding a legal visa for staying, after which he had been sent back to Romania. The man does not currently benefit from adequate medical care.

What we have found out from interviews is that part of the reasons for the expulsion of the Rroma were their occupations. Rroma people were usually activating in black market trade, as no other occupation was available. They were buying merchandise at small prices and, together with women, selling it in markets from Polish localities. Begging together with children was yet another method of making money. It is interesting that persons who were practicing illegal trade were obliged by police officers, according to

their statements, to pay a certain fee in order to be allowed to undertake their activities in Polish markets. Most of the times, the Rroma were forced to give a part of their revenues to policemen, they were taken to little circulated places, undressed and beaten, as policemen were thinking that they were in the possession of considerable amounts of money gained from trade activities. Likewise, children who were begging were asked by policemen to pay certain fees in order to be allowed to beg. Sometimes policemen were even offering to take children to places which were good for begging, requiring a part of the gains at the end of the day. When expelled, one third of the Rroma people from Poland had visas for 1 to 3 months. Very few had obtained permanent residence permits. We are only aware of one person who had obtained such a permit, but claimed repatriation as his family did not have such a status, its members having been forcibly expelled.

Also, another reason for expulsion was that many of the Rroma were losing their passports, or they were being stolen.

Another reason for expulsion was constituted by involvement in illegal activities. In reality, according to the declarations of the Rroma, these alleged deeds were not true, and they were built on by authorities in order to determine the imprisonment of the Rroma, as well as the interdiction to enter Polish territory. Once released, they had interdictions to enter Polish territory for 2 to 5 years. According to the declarations of some Rroma families, they were often accused of theft and arrested by policemen, without the real occurrence of the alleged facts. Even if they were in the possession of visas, Rroma were arrested from the moment when they were interrogated, for periods from 24 hours to 9 months. One relevant example is represented by that of two Rroma brothers who were arrested while undertaking trade activities. During interrogation, they were searched for money. Since one of the brothers had a certain amount of money, it was confiscated by Polish authorities. Policemen had introduced the money in an envelope, after which they accused the man of having tried to bribe them, sending him to 9 months in prison. The other person, who did not have any money, was shortly sent back to Romania, thus avoiding imprisonment.

Although the Rroma were only gaining enough money for daily living, in a country with higher living standards than Romania, they still wish to go back to Poland. Almost 90% of the expelled Rroma are convinced that Poland is a much better country for ensuring their day to day living. Their perception on the reasons for expulsion contains the conviction that they did not undertake serious illegal deeds during their stay in Poland. They admit having had illegal occupations: speculations, begging, work on the black market, and that many of them have illegally stayed in Poland for some periods of time, but do not agree that these reasons justify their bad image or the rough treatment they had received.

Thank you.

**2.8 Malina VOICU**, Researcher, Institute for Research of the Quality of Life;  
presentation in the working group on migration

I will present a study on **migration and intention of migration in Rroma population**. My presentation today will try to address two issues. First, I would like to approach the issue of migration, with the purpose of determining if Rroma migration is a traditional behaviour. In other words, if this behaviour is a continuation of the traditional nomad behaviour of Rroma, or it is determined by a series of different causes. On the other hand, I will try to present the features that characterize migrating Rroma people, especially those migrating outside the country. I will try to focus on the second part of the presentation.

The presentation is based on a series of references from specialised literature with regard to Rroma migration, especially concerning the historic aspect of migration, and from data provided by a research of the Institute for Research of the Quality of Life, 1998, for the description of current internal and external migration. The study has been formulated following the application of questionnaires on a sample of 1730 Rroma households. For the beginning, I will refer to a short historic presentation of the nomadism and sedentarisation of the Rroma. With regard to the process of sedentarisation of Rroma, we can mention that it had started centuries ago, from the entrance of the Rroma in Romania. The process of sedentarisation has occurred in a different manner in the three Romanian provinces, during Middle Ages. In Moldova and the Romanian Country, Rroma had been used as slaves, part of them having been settled and used for agricultural works, and another part having kept the nomad style of life, practicing a seasonal nomadism. They were the slaves of a certain boyar, and were indebted to the respective family. They were practicing their traditional crafts, and coming back from time to time to the boyar, for paying their debts. The faster modernisation of Transylvania, as well as the policies promoted by the Habsburg Empire had imposed a more rapid sedentarisation of the Rroma in that area. Thus, at the beginning of the 19<sup>th</sup> Century, an important part of the Rroma in Transylvania was sedentary. A migration wave, basically the second migration wave of the Rroma, was recorded after the abolishment of slavery, in the 19<sup>th</sup> Century,

when even if the great land owners had attempted to produce a new sedentarisation, many Rroma individuals who had escaped slavery had immigrated, especially towards Western Europe.

The end of World War I brings a new stage in the process of sedentarisation of the Rroma. Around year 1920, along with the agricultural reform, many Rroma who had fought in the war had been granted small surfaces of land, being thus tied to a certain space. Sedentarisation has somehow ended during the communist regime, in the 70s and 80s, when most of the Rroma were obliged to settle in certain areas and houses, and received their identity documents. We cannot state that the Rroma population presents an important territorial mobility, but on the other hand it does not mean that the nomad-type of behaviour had completely disappeared. It is clear that it exists, but in very small proportions.

I shall now refer to the current territorial mobility of the Rroma population. It is obvious that seasonal nomadism has been kept, and it is clear that definitive migration is yet to be found. Basically, Rroma people still change their permanent domicile; migrate from one place to another. Seasonal migration has also been kept: Rroma go from one locality to another, work where they reach and then come back. This is conditioned by agricultural type of works: they go, work there, gain some money and then return. Practically, we can consider that at the end of the 20<sup>th</sup> century the process of sedentarisation of the Rroma in Romania is finalised, and it is hard to say, at this moment, that this behaviour is a continuation of the former nomad behaviour. It is obvious that it is another type of behaviour, which does not necessarily relate to the tradition and culture of the Rroma. They do leave – but still they have a house, they are tied to something, and do not migrate because of their lack of ties.

In support of this statement, I would like to present a few data related to migration and intention of migration in the case of the Rroma population within the country. How much they have migrated or like to migrate within the borders of the country. For this purpose, I will make a comparison with the data referring to the entire population at the national

level. Speaking about migration and intention of migration, the volume of people is almost the same with the one registered at the level of the entire population at national level; thus, out of 1730 persons interviewed, 5% declared that they would like to change their domicile in the following 5 years, and 7% declared that they had changed domiciles in the past 5 years. These figures are very similar to the ones recorded for the entire population at national level, which are situated at around 6%. We cannot say that Rroma migrate more or less than the rest of the population, but they are matching a certain pattern of migration identified at national level.

What is different with regard to internal migration, between Rroma population and the population at national level, is the destination and the distance on which migration occurs. While at the level of the entire population the main target is the urban environment, Rroma people usually migrate from one rural area to another, and on shorter distances, within the same county. I believe that one explanation in this sense is the fact that the Rroma population has little human resources, in terms of education and qualifications. Having been involved, for a long time, in agricultural occupations, it is much easier for them to find something to do in the rural area. It is much more difficult to find something to do in a town. On the other hand, moving to a town involves housing problems. This part has referred to internal migration.

I will now speak about external migration, a subject which was already very much debated today, so I will only point out some issues related to the features of Rroma families migrating outside the borders of the country. Although the general perception is that the Rroma migrate from East to West, outside the borders, in a bigger percentage than other categories of population, the European Committee for Migration was showing that in 1997, migration of the Rroma from Eastern and Central Europe was not higher than migration of population from countries of Eastern and Central Europe towards West. Basically, their number is not much higher than that of other ethnic groups and categories migrating from East to West. The problem is that they are much more visible, due to their traditional style of life and their habits. Also, migration of the Rroma cannot be classified as *immigration*, since they do not permanently leave the territory of the country. They

leave with the intention of staying for maximum two years, and come back. This is not seasonal nomadism either, like they used to practice before, due to their traditional occupations and conditioned by their work. Another feature that is highlighted by the specialised literature is the fact that migration outside the borders of the country is not made individually, but in groups. It is not an individual type of migration, but a family or extended family migration. Or, otherwise said, it is a migration of a larger group of persons who know each others and leave together. Their justification is that the group offers support for its most vulnerable members. These people leave assuming great risks, have no certainty of the place they would reach, and then they need support, this support being granted by the group they leave with.

I will now shortly refer to those Rroma families whose members have migrated outside the borders of the country. I shall present these features, considering three groups of factors:

- ◆ The external and social environment in which the respective household lives;
- ◆ The human resources of the household – education of household members, quantity of information from mass media, age of members of the household;
- ◆ The material resources – revenues and accumulated gains of the household.

In the category of environment factors, we have included the **perception of existing conflicts** in the community. We wanted to see if the perception of certain conflicts in the community determines or not the adoption of a migrating behaviour. We have noticed, using IRQL data, that Rroma who live in communities where conflicts have existed or still exist are more likely to attempt migrating outside the borders of the country than Rroma people from communities with no record of conflicts. Equally, the **type of community** in which they live is important, and through *community* we understand either compact Rroma communities, mixed communities in which Rroma and other ethnic groups co-habituate, or communities where Romanian or Hungarian ethnics represent the majority. We have noted that those who migrate are not the Rroma from traditional communities, but Rroma who live in mixed communities. They are pushed towards a behaviour of external migration. Thus, external migration is not a behaviour of traditional



type, adopted by traditional communities that live under their old rules, but it is a new type of behaviour. Also, the **residential area** has an important significance. People living in urban areas are more inclined to external migration than those living in rural areas.

**Human resources.** The influence of educational level – by which we refer to the education of individuals forming a household. Data show that persons migrating come from families that are more educated than those which do not migrate. Also, those who migrate come from households where mass media consumption is higher and the average age of the adults is lower. Basically, migrating families are young households, more educated, and with a higher level of mass media consumption.

The third category of factors refers to **material resources**. The migrating Rroma usually come from families with better revenues. They do not necessarily belong to the category of the rich, but they represent, on average, households with better revenues than those who are not migrating. Equally, they come from families where the endowment with long-term use goods (the accumulated gains of the family) is better than in the case of Rroma families who are not migrating. The revenue sources of Rroma families with migrating persons are small trade, business or, obviously, work abroad. In the case of families with no migrants, their main source of revenues is agriculture. The fact that households of migrants are richer and better endowed can have a double explanation: either the accumulation of gains in time, due to repeated trips abroad, or the existence of a material capital before departure. It is, however, a precondition of departure, because money is needed for the journey. In order to get there, one needs something to start from. Households of the Rroma who are migrating usually have better living conditions, meaning that they generally have access to water, sewerage, electricity and gas. They have a reduced density of inhabitants, meaning that the number of inhabitants per room is smaller than in the case of non-migrating households. About external migration, we can say that it is clearly determined by economic factors, poverty, also possibly determined by the existence of certain perceived conflicts. It is not a migration of the poor segment of the Rroma population, as concerns human and material resources.

Thank you.

**2.9 Sorin CACE**, Researcher, Institute for Research of the Quality of Life;  
presentation in the working group on employment and local / community development

### **Prevention of Rroma child labour**

The International Programme for the Elimination of Child Labour (IPEC) of the International Labour Organization takes action in view of a progressive prevention and elimination of child labour, referring to the worse forms of child labour as stipulated in the Convention no.182 that was adopted in Geneva on the 17<sup>th</sup> of June 1999.

The IPEC Programme, that was introduced in Romania for the first time, benefits from the financial support of the USA Government and it is expected to have a duration of 2 years starting with the 1<sup>st</sup> of March 2000.

The International Programme for the Elimination of Child Labour (IPEC) intends to assist Romania in:

- ◆ Preventing the expansion of child labour;
- ◆ Enhancing the capacity of governmental and non-governmental agencies in this sense;
- ◆ Conducting qualitative and quantitative surveys in order to assess the nature and magnitude of child labour;
- ◆ Raising the awareness of the general public regarding child labour.

The project “Enhancing the capacity of Rroma communities in selected areas for the withdrawal of Rroma working children from the streets and/or other hazardous works” is developed by The Foundation for Social Rehabilitation, Promotion and Integration – ECHOSOC in partnership with The Ministry of National Education, The General Department of Education for National Minorities, Agency for Community Development “Together” and “Save the Children” Romania.

The project is funded by the International Programme for the Elimination of Child Labour (IPEC) of the International Labour Organisation, UNICEF and the Phare programme for the Improvement of the Situation of Rroma in Romania.

## **Main results of the research**

### **The concept of child labour**

Along the entire research, we have referred to the concept of child labour, defining it as any activity undertaken by minor children under 16, generating revenues, products or time resources for the members of the family, taking away from them some of their daily tasks. The significance of this concept has been extended beyond the usual scope of the concept of “labour”, other revenue-generating activities being added, like begging, car windows washing, small theft for surviving.

In general, adults included in the research showed that they negatively assess child labour. Most of the times, they denied the involvement of their children in any revenue-generating activities, being aware of their illegal nature and of the consequences that child labour could have.

In the commune of Calvini, Buzau county, local public authorities have openly spoken about and described the types of labour that children from the locality undertake, while parents have strongly denied “sending children to work”. The most important categories of activities that involve the work of children from Calvini are: itinerant trade, agriculture and foundry of non-ferrous metals.

The areas of Zabrauti and Iacob Andrei from Bucharest’s Sector 5 have certain specificity. Being part of a big town, opportunities are varied, both for adults and children. Nevertheless, at the beginning, representatives of public authorities denied involvement of children in any labour activities. They had declared that children do not work because they do not have where to do it, or because this is not a specific behaviour

for Rroma in general. Along with the study, once it was clearly defined what is understood by labour, the interviewed persons mentioned several activities that children were undertaking. It was concluded that the inconsistency of declarations resulted from a very strict definition of the concept of “labour”. This was initially including, in their view, only those formal activities (legally undertaken), well delimited from other current activities and necessarily paid.

The case of Pata Rat, Cluj County, brings quite a different situation, in the sense that everybody is aware of the illegal and dangerous nature of activities undertaken by children. In there, children work together with adults on the “waste platform” of the Cluj-Napoca city. Parents are very aware that the environment there is unhealthy and that access of any persons on the waste platform is strictly forbidden. Many of them had however denied that their own children worked on the waste platform. However, other interviews clearly demonstrated the contrary.

### **Forms of Rroma child labour**

The results of the studies carried out in the three communities allowed us to structure activities in which children are involved on two main categories, depending on the location: activities undertaken within households and outside households. Another criterion that we have considered was the retribution of work. In most of the situations, children are not directly paid. Families are the ones that receive the retributions of children’s work. Also, there are cases in which retributions are not in money, but in kind.

In Calvinii, we have encountered two distinct situations: activities within households (small agricultural works, house keeping, foundry of non-ferrous metals) and seasonal agricultural works, undertaken in other localities, more or less in the neighbourhood of Calvinii commune. In none of the situations children were directly receiving material rewards. Families are those which collect the “salaries” or in kind rewards (agricultural products) of children, in the case of agricultural works, and in the case of foundry,

children are not at all paid, as it is considered that they assist their parents in making “kettles”.

The neighbourhood of Zabrauti brings a great variety of activities, as it was expected. In there, a very clear distinction could also be made between work undertaken by girls and boys. Girls are being usually involved in usual women activities (either housekeeping in their own house or at other women, tailoring, confections) while boys are being considered to be ready for more difficult works, even from very early ages. The most frequently mentioned activities specific to boys are: unloading of merchandise, work in constructions, unqualified work in factories. Trade is an activity that both girls and boys are undertaking.

In Pata Rat, there is only one activity that involves both adults and children: collection of recyclable waste. All the interviewed children declared that they “work” on the waste platform. The type of waste collected is: non-ferrous materials, glass, paper.

### **Revenues and working conditions**

In comparison with labour conditions of the adults, we can say that, with no exception, minor children are disadvantaged. Basically, their employment being illegal, the fundamental rules applying to remuneration and duration of labour are ignored.

It is hard to estimate the period of time that children are dedicating to work. In most of the cases, labour undertaken by children is occasional. Many of the activities carried out by children included in the research are of seasonal nature: agriculture, constructions and agro-food markets.

In Calvini, children involved in agricultural activities declare that they work between 7 and 10 hours a day. In the case of household works, the number of hours is more reduced, rarely reaching 4 hours a day. In what regards the remuneration of child labour, we have not found any situation in which this is made directly to them. Either parents are the ones

who receive payment for children's work, or their contribution is not at all paid, being only reflected in final products (in the case of foundry of non-ferrous metals). Both in agriculture and in foundry, the working conditions are extremely hard for children. Even if they are not involved in the most difficult activities, there are great risks for their health: increased temperatures, deprivations (water, food etc.). In the case of working in foundry, the risk of accidents is very high, as work is being done at high temperatures, with incandescent metals.

In what regards the neighbourhood of Zabrauti, due to the large variety encountered, the situation cannot be easily generalised. The duration and remuneration of children's works usually depend on the type of labour. There are activities of a permanent nature (work in factories, manufacturing units, "with employers"), which require the presence of children for more than 10 hours a day, and there are also temporary activities, which depend on seasons (constructions, itinerant trade). In the majority of cases, children are paid directly; they are the ones who give most of their revenues to their parents. The amounts that they gain are small, in most of the cases, smaller than amounts that parents are being remunerated with.

In Pata Rat, on average, children work between 5 and 10 hours on the waste platform. There are days when they can even stay there for over 8 hours. The duration of time spent on the platform varies with seasons and school attendance. During summer, it sometimes happens that they spend their nights there, in order to be the first present when a garbage truck comes the following morning. Payment is never made directly to children, parents being the ones who sell the recyclable waste. In here, children are being exposed to inherent dangers generated by the environment in which they work. The waste platform is also a potential source of infections and a danger, due to the presence of trucks carrying waste. There were already cases in which children were hit by these cars.

### **Justification of child labour**

While in other countries child labour has a special significance for the national economy, in Romania it is only important for the economic situation of their families. The encouragement of children to participate to various forms of generating revenues is usually done by the family, as it brings an improvement of the economic situation of the family on a short term. In the opinion of the interviewed persons, labour fulfils some very important functions: it is a form of education, it develops certain necessary abilities for a future wife, it offers useful experience for professional formation and it facilitates the adaptation to the status of adults.

In the traditional culture of the Rroma, children should participate to work that brings welfare to the family, thus preparing themselves to manage in life and to perpetuate the traditional professions of the Rroma.

In any case, all the arguments which are brought in favour of child labour only have the role of justifying and self-justifying this phenomenon. None of the subjects identified could find reasonable explanations for the fact that they send their children to work. The precarious economic situation is the only one meant to clarify why revenues from children are needed.

## **Other results**

### **School and labour**

No direct relation between school attendance and labour involvement could be precisely drawn. Depending on the nature of the activities undertaken (work place, hours of work), children abandon school or not, attend school more or less regularly. The low level of education reached by children from the three communities is not a consequence of a negative image about school. The most probable explanation is constituted by the fact that they reach the level of education that they can afford, in the context of material constraints and economic priorities.

In Calvini, children attend school. The motivations for school attendance vary from generation to generation. For the parents, the most important are children allowances,

which are not granted unless children attend school. Children appreciate the possibility of studying and are aware that school can offer them the chance to escape day-to-day life and the possibility to leave the community.

Most of the interviewed children expressed their wish to continue their studies, by attending high school. Most often, however, the continuation of studies is impossible to achieve, due to the existence of two factors: the long distances from the locality to the nearest high school and the decrease of the family revenues through the departure of one of the members “able to work”.

The school situation of children who migrate on a seasonal basis, together with their parents, had been solved. The school director had applied a legal measure of shortening the school years, so that these children manage to finalise their school year before term.

In Zabrauti, also, the obligation of school attendance in order to obtain child allowance leads to an increased school participation rate. However, school performances are low, in spite of the school attendance rates. In this community, the number of Rroma children abandoning school is very high, the fifth grade usually representing a threshold for many Rroma pupils, few of them being able to reach the level of the sixth or seventh grade.

We cannot make a generalisation in what regards the types of activities undertaken by Rroma children. Three communities had been studied, each having certain specificity. In each of the three, children do work, being involved in different types of activities.

Thank you



**CONCLUSIONS AND RECOMMENDATIONS OF WORKING GROUPS**

### **3.1 Working group on issues related to the education of Rroma children**

Within the working group on *Education*, a series of presentations have been made on various experiences accumulated in the area of experimental projects / programmes for Rroma children education.

What has been done? How was it achieved? What could not be done and why? These were some of the questions that the participants tried to answer.

Based on these experiences, problems and obstacles have been identified and several recommendations have been made, in order to contribute to an increased participation of Rroma children in the education process.

Important elements from the Government Strategy for the Improvement of the Situation of Rroma, regarding education (point H):

- ◆ Drafting programmes for encouraging school attendance and cutting down school abandon, particularly with the poor segments of the Rroma population.
- ◆ Analysing the possibility of organizing secondary and vocational school institution for the Rroma (arts and trades, vocational education, formation and professional reorientation).
- ◆ Drafting and implementing programmes for school mediators' training, as well as improvement programmes for teachers within the intercultural educational system
- ◆ Introducing the themes for preventing and fighting discrimination within the general school programmes.
- ◆ Introducing teaching modules for the Rroma social and economical problems into the training programmes of the specialists in public administration, social assistance, health, police and education.
- ◆ Drafting and implementing programmes for encouraging Rroma parents to participate in school and extra curricular educational process.

- ◆ Adopting legislative measures for Rroma support, in order to provide them with incentives as far as education is concerned and in order to promote the Rroma for jobs within schools administration (principals and school inspectors).
- ◆ Further granting incentives and subsidized places especially for young Rroma who wish to attend universities or colleges.
- ◆ Obligation of the school units and county school-inspectorates to organize permanent catch-up courses for Rroma, throughout all the approved forms of education, upon individual or Rroma organizations' request.
- ◆ Drawing the attention of the young Rroma towards institutions that form civil servants and the staff for public institutions (faculties of social assistance, public administration, medicine, military academies and schools for officers and non-commissioned officers for Police Departments, Ministry of National Defence, RSS etc.).
- ◆ Stimulating the access to education by offering a free lunch to all the pupils in primary and secondary schools.

### **Projects implemented or in course of implementation**

The National plan for the stimulation of school attendance and the reduction of abandon rates with Rroma children, a programme of the **Ministry for Education and Research**, representing the national strategy for the education of Rroma.

#### **Objectives:**

- ◆ Stimulation of children's participation to the education process;
- ◆ Reduction of the rate of school abandon;
- ◆ Programmes for catch-up in schools.

Several experimental projects have been launched within the framework of the National Plan of the Ministry for Education and Research.

**a) Good start for school**, a project implemented in partnership by UNICEF, Ministry of Education and Research, Romani CRISS, Institute for Education Sciences, with the objective of reintegrating Roma children in the education process.

An initial evaluation of the project highlighted that:

- ◆ All the children included in the programme are registered with the education system;
- ◆ There are no cases of school abandon until the present;
- ◆ Children have the ability to participate to the education process;
- ◆ Children have good performance and results.

**Withdrawing Roma children from dangerous forms of labour:** ECHOSOC Foundation, ILO-IPEC, Ministry of Education and Research, General Education Department for National Minorities, UNICEF, Phare Programme for the Improvement of the Situation of Roma.

Target group: 2,000 children aged between 6-15 years.

**Objectives:**

- ◆ Identification of causes which determine child labour in the case of Roma children and formulation of intervention directions for the prevention of the phenomenon and the integration of children in schools;
- ◆ Changing attitudes and perceptions regarding child labour, through the distribution of information materials and organisation of awareness campaigns.

The first qualitative research on causes determining Roma child labour has been formulated within this project. Also, a series of local social actors have been identified, who could contribute, in an important measure, to the actions of prevention of child labour.

**School attendance by Rroma children. Problems, actors, solutions – partnership of the Ministry of Education and Research, UNICEF, Institute for Research of the Quality of Life, Institute for Education Sciences.**

This project has aimed at producing a diagnosis that would present the school situation of Rroma children, at all levels of education, and identify legitimate and efficient solutions.

**The NETA Project** is a regional project in which the Ministry of Education and Research is a partner, together with other European institutions, implemented in the framework of European Socrates programmes. The target group of the project is formed of young adults who had interrupted school education, and the project aims at identifying solutions for this category of youth.

The plan includes the following measures:

- ◆ Formation of school teachers of Rroma ethnicity for distance learning;
- ◆ Inclusion in the occupations register of the school mediator. At the level of Rroma communities, persons will be trained to become school mediators, following which they would be hired by schools;
- ◆ Identification of young Rroma who could be trained to become teachers and institutors.

**Phare Projects – Delegation of the European Commission**

- ◆ Formation of qualified staff of Rroma ethnicity;
- ◆ School mediator, a profession acknowledged by the registry of occupations;
- ◆ Capacity building of the Ministry of Education and Research and its local institutions in order to solve certain problems;
- ◆ Stimulation of participation to pre-school education;
- ◆ Reintegration in the education system of Rroma people who had interrupted school.

**Programmes of the Ministry of Education and Research together with UNICEF and Romani CRISS**

- ◆ Formation of teaching staff;

- ◆ Teaching romanes language;
- ◆ Teaching Rroma history and traditions;
- ◆ The most beautiful Rroma stories;
- ◆ Trilingual vocabulary;
- ◆ Trilingual leaflet / brochure: *my daily schedule*

#### **Programmes of Education 2000+**

- ◆ The second chance;
- ◆ Equal chances for Rroma children.

#### **Programmes of *Save the Children***

Together for a world without discrimination.

#### **Problems identified in the process of school education of Rroma children**

- ◆ Increased rate of school abandon (over 20% in the case of the Rroma minority – ICCV);
- ◆ Increased rate of lack of education (18% in the case of the Rroma minority – ICCV);
- ◆ Access to education blocked by poverty;
- ◆ Ethnic discrimination encountered in education processes;
- ◆ Low level of education in parents;
- ◆ Lack of education materials;
- ◆ Labour undertaken by minor children;
- ◆ Seasonal migration of Rroma families;
- ◆ Lack of trust in school of the Rroma, strengthened by the general attitude of the population in Romania;
- ◆ The decrease of the value of education and education institutions is a process that has affected the entire population, but mainly those with a low educational and economic status;
- ◆ Poor knowledge of the Romanian language, especially in the cases of compact Rroma communities.

**Identified needs**

- ◆ The reform of the education system is a complex process, with implications for the education of Rroma children as well;
- ◆ Inter-disciplinary interventions meant to respond in an integrated manner to problems occurred;
- ◆ Formation of school teachers for working with Rroma children, through integrated multi-cultural education;
- ◆ Teaching methods oriented to children and their specific needs;
- ◆ Creation of a positive education environment, which values cultural diversity;
- ◆ Qualification of non-Rroma and Rroma teaching staff for the education of Rroma children;
- ◆ Pre-school education and success in the first years of school are crucial factors;
- ◆ Efforts for over-passing linguistic barriers;
- ◆ Efficient models are needed for a good start in school;
- ◆ Need for monitoring and evaluation of projects, in order to identify key success factors;
- ◆ Special assistance for Rroma communities and children so as no animosities are created from the side of majority;
- ◆ Need for education / training and materials that value diversity.

**Recommendations:**

- ◆ Promotion of multi-cultural / inter-cultural education in schools;
- ◆ The whole education process must be promoted on the basis of success recorded in the first years of school;
- ◆ Creation of manuals of history and tradition / culture of the Rroma and integration of them in the school curricula;
- ◆ Creation of a stimulating environment for disadvantaged children in the education process, by offering daily meals for all children, starting with kindergarten and until the 4th grade inclusively;
- ◆ Changing the attitude of school teachers through formation programmes;
- ◆ Replication, at national level, of successful experimental projects;

- ◆ Building capacity of the implementations structures of the strategy (county offices, school inspectorates and schools);
- ◆ Formulation of a programme / curriculum of inter-cultural education, as object included in the school curricula;
- ◆ Creation of school structures teaching in romanes language;
- ◆ Inclusion of development and affirmation of ethnic identity in school processes, as an important element in the education system;
- ◆ Allocation of an increased number of places in the secondary and higher education for Rroma young people, on the basis of affirmative actions, for different specialisations (political sciences, theatre, medical school etc.).

### **Rapporteur**

Costel Bercus – executive director, Romani CRISS.

## **3.2 Working group on health issues**

Although the working group does not consider that health is a closely related problem to the socio-economic situation, education and civil rights, it will attempt to identify a series of problems concerning this issue, as well as potential solutions for increasing access to quality health services for the Rroma population.

### **Issues discussed**

#### **1. Improving the access of Rroma population to health services**

Two types of problems that limit the access of the Rroma population to health services were identified:

a) Specific to the medical system, through limited access of the Rroma population on the records of family physicians, leading to a consecutive limitation of the access to packages of services offered by health insurance:

- Objective – isolated communities, limited medical staff (in some areas), non-eligibility for the health insurance system;



- Subjective (less objective): lack of interest from family physicians in registering on their lists persons belonging to the Roma population, lack of interest from certain communities in entering the health insurance system, lack of information regarding the rules for entering the health insurance system;

b) Not specific to the medical system:

- Lack of identity documents (lack of interest from the community, but also from the authorities, and complicated procedures, hard to solve by a community which does not even have the necessary information);
- Lack of social assistance for the population that could benefit from support and could, thus, be included in the insurance system.

The medical system is in the middle of a structural reform process in the transition from a centralised system to the system of health insurance, respecting the principles of market economy. The role of the family physician is increasing, and the patient has the right to choose the provider of medical services. Also, the separation of providers and payers of medical services has been made, in the context of a joint funding from employers and employees.

This situation, especially in the transition period, has led to a lack of organisation and a limitation of access to services. In spite of the positive aspects, a series of obstacles are also to be noted in the access to services, like the following:

- ◆ Lack of territorial distribution, leading to deficiencies in solving public health-related issues;
- ◆ The possibility of the medical doctors to choose their patients, which can lead to the refusal of some family physicians in registering patients from disadvantaged categories on their lists, including Roma etc.

The main laws that regulate the functioning of the medical system are:

- The law on social health insurance – regulating the funding of services based on health insurance (based on the principle of solidarity, which allows access to the whole package of services for the entire population);
- The public health law – regulating the funding of national health programmes for solving some priority public health problems at national level (there are 33 health programmes at the moment, but it is intended that they be reduced to four, out of which one for community assistance). The system is dependent on state budget.

There are programmes and activities funded with the support of international donors, like: UN Agencies (UNFPA, UNICEF), bilateral projects (USAID, Swiss Agency for Development etc.).

The participants agreed that there are no legislative problems limiting the right to medical services, but rather obstacles that need to be identified and solved.

The Ministry of Health and Family has attempted to identify problems and causes which generate them, with regard to the access to public health services for the Roma population, based on a questionnaire applied to the County Departments of Public Health.

The main problems identified by the Ministry of Health and Family are:

- 1) Poverty and lack of information regarding prevention of diseases;
- 2) Lack of representative statistical data;
- 3) Limitation of access to services;
- 4) Insufficiency of resources;
- 5) Deficiencies in communication and collaboration at governmental and non-governmental, institutional and individual levels.

The main causes identified to limit access to services had been the difficulties of communication with the members of the ethnic group and the limited financial resources.

In order to solve this situation, the Ministry of Health and Family and Romani CRISS had signed an agreement for the institutionalisation of the sanitary mediators system, as facilitators between different systems of values, which would reduce discrimination.

The working group agreed that the community, with the support of Rroma NGOs, should make the recruitment of sanitary mediators. The sanitary mediators will have attributions related to providing advice and information, as well as promoting public health measures and healthy life behaviour.

There had been debates related to the funding of this new professional category, its inclusion in the medical and social structures in the field, as well as the institution that could be able to provide adequate training.

The issue of identifying and training sanitary mediators in vulnerable multi-ethnic communities had also been raised.

Other measures had also been proposed, as to favour including the Rroma population into the health insurance system, as well as to create a system of incentives for medical staff acting in very poor areas. The issues discussed could not be deepened due to the absence of the main partner for such matters – the National Health Insurance House, but the working group has validated the proposals.

One proposal which could determine positive discrimination within poor population, including Rroma, and which the working group supported, was the establishment of the „care nurse”. These nurses would ensure territorial integration of medical-social problems.

The Ministry of Health and Family informed the working group that, within the Social Assistance Law, recently adopted, the establishment of such medical-social structures is stipulated, and the funding for this structure would probably be covered through the community assistance programme.

It was also mentioned that negotiations were taking place with regard to the modification of the framework contract for primary care. Modifications stipulate that, besides solving the health problems of patients registered on the lists, the family physicians would also have the responsibility to solve public health related problems of the population which is not registered on their list, from a certain area.

### **1) Epidemiological studies on the state of health of the Rroma population**

Studies on population estimate that the real percentage of the Rroma population represents about 10% of the total population in Romania, but there are no official statistic data to confirm this situation.

The only epidemiological data which show the inefficiency of some immunization programmes show that, out of eight cases of neo-natal tetanus, six have been diagnosed with Rroma children, and out of thirteen cases of polio (from the latest 10 years), nine have been found with Rroma children.

The representatives of Rroma NGOs have underlined that there is a certain degree of reticence in promoting health-related data collection disaggregated on ethnic criteria. It was proposed that consultations be held to approach this sensitive issue, which could however contribute to the promotion of national or local measures and policies for positive discrimination.

**Facilitators:** Dr. Mihai Horga, Ministry of Health and Family, Director of the Department for Social Assistance and Family and Dr. Hanna Dobronauteanu, Counsellor of the Minister of Health on Rroma issues.

### **2) Needs of the Rroma population regarding reproductive health**

It was presented the experience of the project, funded by „Medicins du Monde”, Switzerland, for medical assistance and integration of the population in Zabrauti, Bucharest. The project, including measures which allow the integration and the continuation of medical assistance after the finalisation of foreign funding has been positively appreciated, even if it was considered that it had not necessarily been addressed to a Rroma community.

Also presented were the experiences of the „Association of Rroma women” and SECS in implementing programmes of assistance specifically targeted on reproductive health issues, provided to disadvantaged communities not registered on the lists of family physicians, though utilizing socio-medical mediators.

Given the fact that several situations of abuse from medical doctors who had refused to provide services to certain categories of the population, and Rroma population especially, were reported, it was proposed that an inter-departmental commission be established for such cases.

The group appreciated, however, that the Commission of the Ministry of Health and Family for Rroma issues is able to assess and solve such situations, based on written complaints. What needs to be done is the elaboration of accurate criteria regarding the categories of services that should be provided on a compulsory basis, regardless of the capacity of the patient to prove or not his / her status of an insured person and regardless of the existence of the patient on the list of the respective doctors.

Also proposed was the identification of resources for the establishment of medical units funded by the state, in the context of health programmes for some disadvantaged and vulnerable communities (there are difficulties related to the financial legislation, which is rather inflexible).

The specific data referring to Rroma population, included in the Study on Reproductive Health (1999), have also been presented. The study had been made on statistical

representative samples at the level of the entire population and the Roma population. This study highlights the fact that the pre and postnatal medical assistance is scarcer in the case of Roma women. These women chose more often abortion as a measure of controlling fertility, being more often affected with *post-abortum* complications and having a bigger degree of mortality through abortions. Also, it means that Roma women are aware of the necessity to plan the dimension of the family, but do not have the possibility to chose an alternative solution to abortion.

The study on sexual behaviours of the Roma population from Bucharest and Glina, carried out by UNAIDS in 1999 also shows an increased vulnerability towards STIs and HIV/AIDS, due to:

- 1) The disadvantaged socio-economic status;
- 2) The low level of knowledge;
- 3) The attitude towards disease, reported to the risk of infection;
- 4) The increased frequency of sexual behaviours with risk of contracting diseases.

However, it is mentioned that the behaviour aspects are not significantly different from the ones of the majority population.

The members of the working group considered that these studies, which should be presented in detail to Roma NGOs, can and should set the basis for the elaboration of specific local measures and programmes.

The existence of success stories was mentioned, in some counties, which had been assisted by international agencies in order to organise consultative groups that would identify and implement local solutions to local problems related to reproductive health. It was proposed that these groups also include a representative of the Roma population and that Roma NGOs active at national level become involved with the purpose of facilitating access in specific communities.

The participants also highlighted that it was necessary for the sanitary system to identify, based on the best practices of some pilot programmes, adequate resources from government bodies or donors, in order to implement long-term programmes for the facilitation of the access of Rroma population to services and information related to reproductive health, in the context of respecting the right to reproduction.

**Facilitator:** Dr. Borbala Koo, executive director, the Society for Contraceptive and Sexual Education.

### **Health-related needs of Rroma children**

Romania holds one of the first places in Europe in what regards the situation of infantile mortality (children between 0-1 years). This indicator is significantly influenced both by the state of the medical system and the socio-economic conditions in the country.

The facilitators underlined the fact that there are no specific data related to the mortality and morbidity rates for Rroma children. In the past, there had been some proposals to implement a basic system for collecting data related to mortality on ethnic criteria. Due to the fact that it has been considered that problems were similar to those of children from poor families, these initiatives were not applied.

From the studies regarding infantile mortality (children between 0-1 years) and mortality of children under 4 years old, it came out that there is a significant correlation between the causes of death and the level of knowledge and socio-economic status of the mothers. The majority of deceased children come from mothers who had at most graduated four grades.

It was also noticed that 40% of the deceased children presented deficiencies in nutrition.

The study concerning the situation of nutrition in children, elaborated by the Institute for the Protection of the Mother and Child in 1999, on 20 counties and the municipality of

Bucharest, has indicated that nutrition problems in children can be significantly correlated, from a statistical point of view, with the level of knowledge and the socio-economic status of the mother. Thus, mothers with a lower level of education and a poor socio-economic status have, more frequently, children with a smaller weight and height at birth, and it is also noticed that these children have lower physical development indicators as they grow up.

It is also statistically proven that children of bigger ranks (meaning more than the fourth child of the family) are exposed to an increased risk of morbidity and mortality.

Studies have also shown a significant correlation between the feeding habits for children under one year (with the reduction of the breast-feeding period and the premature administration of alternative food products, especially products with a low nutritive value) and the frequency of illnesses and deaths in these children.

Given the fact that an important percentage of the mothers with a low level of education and a poor socio-economic status come from Rroma women, it can be indirectly considered that a big part of these children who are more exposed to the risk of illness and death are Rroma children.

Equally, studies show that an important percentage of deaths of children under one year occur at home, fact that reflects serious deficiencies of the sanitary system. It was again raised the issue of certain abuses from the medical staff, through refusing to provide services to children who are not on the list of patients, including Rroma children.

As measures which could contribute to improving this situation, it was again mentioned that it was necessary to implement the system of sanitary mediators, of assistance and care, as well as to identify possibilities to organise basic medical services for communities which are not enough covered by the health insurance system.



It was mentioned that the programme of distributing powder milk through the current system is more often interpreted as a social benefit, although it is not less important from the medical point of view. Being a complex formula product, and rather expensive, it was proposed that it be distributed through pharmacies, on the basis of medical prescription.

The difficulty in providing medical services for children who have no identity documents has also been highlighted. The issuance of such documents for children under one year is simpler, but for children over one year it is necessary to issue a medical-legal certificate, which costs 400,000 lei, and the procedures are also rather complicated. In this sense, it was proposed that, in the case of children (under 18), this fee should not be charged and the procedures for the issuance of identity documents should be simplified.

A pilot-project implemented in Ilfov county was presented, in which following the implementation of an education programme for mothers regarding the adequate care of children, the health indicators of children have improved. It was recommended that such programmes for the education of mothers (*mothers' school*) be formulated and implemented, especially for mothers with a low level of education, using as resources the sanitary mediator and, where possible, the medical staff.

**Facilitator:** Dr. Alin Stanescu, Director, Institute for the Protection of Mother and Child, Luminita Marcu, Health programmes coordinator, Institute for the Protection of Mother and Child.

### ***RECOMMENDATIONS***

**1) Implementation of the sanitary mediators system,** institutionalised through the agreement between the Ministry of Health and Family and Romani CRISS:

- ◆ Recruitment of mediators by the community, with support from Rroma NGOs;
- ◆ Formulation of the curriculum and organisation of the training programme;
- ◆ Identification of funding resources.

**2) Measures to stimulate medical staff in order to include Rroma individuals on their lists:**

- ◆ Additional benefits for working in special conditions;
- ◆ Elimination of the obligation of retroactive payment of the insurance for Rroma persons who are not employed;
- ◆ Issue a temporary „special health book” for Rroma who are in course of obtaining identity documents.

**3) Adoption of modifications to the framework contract for basic medical assistance** which should include, besides services provided to persons on the lists, the obligation of solving certain public health problems in a defined area (including preventive and curative services for children and pregnant women), without ethnic discrimination.

**4) Implementation of the system of care nurses**, which would achieve the integration of medical-social problems from the territory.

**5) Facilitation of the issuance of identity documents for Rroma children (under 18)**, through the elimination of the 400,000 lei fee for the medical-legal certificate and the simplification of procedures.

**6) Organisation of consultations for establishing a minimal system for the collection and interpretation of medical data** (at least the ones related to mortality) disaggregated on ethnic criteria, in order to set the basis for formulating special programmes of positive discrimination.

7) Establishment of medical services, funded from the budget, for certain disadvantaged communities.

**8) Long-term programmes aimed at facilitating access of the Rroma population to services and information related to reproductive health**, strictly respecting the right to reproduction and involving Rroma NGOs with experience in the field.

**9) Organisation of special information programmes for the Rroma population with regard to child care (*mothers' school*)**

**10) Identification of possibilities to fund, out of public money, the activity of some NGOs (including Rroma) active in disadvantaged communities.**

**11) Implementation of a mechanism for the assessment and solving of abuse related to refuses to provide medical services to the Rroma population.**

**12) Promotion of Rroma medical staff within the administration of the medical system at national and local level.**

### **3.3 Working group on migration and asylum**

#### **Studies:**

- Aspects concerning migration from Romania – Programme of voluntary repatriation, counselling and assistance to Romanian citizens whose asylum application have been rejected in Belgium, The Netherlands and Finland: IOM, September 2000
- Migration among Rroma: ICCV 1998
- Seeking asylum and its alternatives: The case of Romanian Rroma seeking asylum in Poland, during September 1999 – October 2000: Romani CRISS, November 2000
- Documentation report concerning the situation of Rroma repatriated from Poland, during 2000-2001: Romani CRISS, November 2001
- Background Paper on the situation of Rroma in Romania: UNHCR Romania, October 2001

Relevant provisions in the Government Strategy concerning improvement of the situation of Rroma:

- Respect for the fundamental human rights, civil, political and social rights, as well as the rights of national minorities, in compliance with the international standards and obligations assumed by Romania;
- Implementation of public information programmes targeted to Rroma leaders, the management of public institutions and non-governmental organisations, meant to identify and resolve cases of discrimination;
- Hiring citizens of Rroma origin in the public order services and the police force.

## CONCLUSIONS AND RECOMMENDATION

*“People don’t leave their countries in order to become rich somewhere else, but because they have lost hope of what they can achieve in their own country” (Romano Prodi)*

Any right includes a correlated duty. In the context of the right to freedom of movement, it should be also emphasised that a State has the sovereign right to regulate the entry of aliens into its territory.

1. Among the Rroma population, migration and migration potential are comparable to those of the Romanian population. Similarly, migration of ethnic Rroma from Central and Eastern Europe to Western Europe is comparable to migration of other ethnic groups from Central and Eastern Europe to Western Europe. This is also valid with respect to illegal migration.
2. Rroma traditions, culture, and nomadism cannot be considered primary causes of migration of Rroma.

Characteristics of *external* migration among Rroma population from Romania:

- There is no intention to settle abroad (the maximum duration is 2 years)
- Foreign countries are perceived as opportunities for employment and accumulation of capital, rather than as “homes”
- Use of illegal channels to reach a Western country, after, in general, having left Romania legally, motivated by more difficult access to visas, compared with ethnic Romanians, as well as easier access and use of informal information channels concerning the life in foreign countries;

Characteristics of *internal* migration among the Rroma population in Romania:

- The direction/destination: from rural to rural areas
- The distance: relatively short

3. Causes of migration among the Rroma population are predominantly of an economic nature: the possibility to find employment and generate resources to provide for the family or to establish a family (always, in Romania).

Possible solutions:

- Improvement of living conditions in Romania
- Vocational reorientation/skills training
- Increasing opportunities to find employment in traditional jobs, on the Romanian labour market as well as abroad, through bilateral agreements with other countries
- Intense media support to provide ethnic Rroma with information concerning the recruitment criteria for jobs in state institutions, promotion of already existing best practices (e.g. employment of Rroma in the Ministry of Interior structures) – see Government Strategy, point F (8)

4. Measures to combat illegal migration are the same for the Rroma population, as for the majority [ethnic Romanians]:

Recommendations:

- Information programmes concerning opportunities for legal migration and the consequences of illegal migration
- Programmes (bilateral, between Romania and other countries) to facilitate legal migration (e.g. transfer of labour force for jobs that are accessible including to the Rroma), with accessible systems to obtain visas
- Measures to strengthen border control
- Measures to ensure return of illegal migrants by respecting the fundamental human rights

5. When migrating to another country, Rroma sometimes apply for asylum in the absence of alternatives to obtain permission to stay in a foreign country. Furthermore, depending on the national asylum legislation, they may be attracted to the social benefits available as asylum-seekers (accommodation, employment).

6. Departure from Romania as a result of discrimination and harassment, ill treatment by authorities, arbitrary arrests etc., although significantly smaller, exist. If the reasons mentioned above amount to a well-founded fear of persecution in Romania, the asylum-seeker may obtain international protection through recognition of refugee status under the 1951 Convention on the Status of refugees.

**Possible solutions:**

- Identification and amendment of the legal provisions in force, such as Ordinance 112 of 30.08.2001, sanctioning the mere act of illegal border-crossing by imprisonment of up to two years, which could in itself be considered a disproportionate measure amounting to persecution
- Improving protection mechanisms in Romania (possibility for redress for victims of discrimination)
- Measures to eliminate overt and covert discrimination and abuse, on the basis of adequate legislation, complemented by measures to control law enforcement
- Co-operation with the media, in order to eliminate actions which directly, or indirectly, promote discrimination and racism
- Information campaigns promoting awareness of the legal remedies against discrimination; providing effective redress for police violence and ensure investigations of complaints regarding ill-treatment of Rroma
- Approval of Ordinance 137/2000 on the Prevention and Punishment of All Forms of Discrimination, through Parliamentary procedure and firm implementation measures, including against hidden forms of discrimination

**7. Other conclusions and recommendations**

Sometimes, discrimination perceived by the Rroma in their relationship with ethnic Romanians, is based on lack of knowledge about each other and the “guilt” of responding to a prejudice on the part of the Romanians, by another prejudice, on the part of the Rroma. For example, "they will not employ/hire me because I am a Gipsy".

Possible solutions:

- Special programmes, whose openly stated purpose is learning about each other and getting the Rroma and the Romanians closer to each other
- Situations of children being exploited for income generation (through begging, labour, sexual exploitation) should be avoided, whether such exploitation is conducted by parents or by other persons of the same ethnic origin.

There is a contradiction between, on one hand, the inherent medium and long term effects of a Strategy and, on the other hand, the short-term expectations of the targeted beneficiaries.

Possible solutions:

Implementation of the Strategy through measures of visible short-term effects, that would, on one hand, lead to significant improvement of the situation, and on the other hand, to trust and support towards the Strategy, from the targeted beneficiaries (e.g. improvement of the accommodation conditions, through programmes that would ensure access to decent houses.

**Moderators:**

Simone Schwartz-Delgado, Protection Officer, United Nations High Commissioner for Refugees, Romania

Liliana Ionescu, Programme Officer, UNHCR Romania

Louis Ulrich, Programme coordinator, International Organisation for Migration



### **3.4 Working Group on Statelessness**

#### **A. Basic Principles**

- Citizenship promotes the right to have rights;
- All persons have the right to a citizenship;
- All children shall be registered immediately at birth and have the right to acquire a citizenship;
- No one shall be arbitrarily deprived from citizenship or from the right to change citizenship;
- No one can renounce his/her citizenship unless he/she has acquired another citizenship or there is sufficient guarantee that he/she will acquire another citizenship;
- Citizenship represents the legal connection between an individual and the state, while nationality relates to ethnic, racial or other origin and does not determine legal status.

#### **B. The Relevant International Legal Framework**

- The 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;
- The 1997 European Convention on Citizenship.
- UNHCR was mandated by the United Nations General Assembly to fulfil the functions stipulated under article 11 of the 1961 Convention, which provides for technical advice to individuals and States in resolving cases arising under the terms of this instrument. Additionally, the Office has been requested by the General Assembly of the United Nations to promote the avoidance and reduction of statelessness by: raising awareness of the Statelessness Conventions as the primary legal framework designed for this purpose; through the provision of technical and advisory services to all States; and via close cooperation with States and interlocutors globally.

#### **C. The Relevant Domestic Legal Framework**

- The provisions in the Constitution of Romania and of Law no. 21/1991 on Romanian citizenship, republished;

- Relevant provisions in other special laws: Law no. 105/1996 on population records and identity cards, Law no. 119/1996 on birth, marriage and death certificates.

#### **D. Practical Problems Identified – Causes of Statelessness in the Rroma Population**

In the Rroma population, cases of statelessness arise notably through renunciation of citizenship without the acquisition of another, through complicated or faulty administrative practices related to the issuing of birth, marriage and death certificates, as well as a result of lack of civic education.

There is a vicious circle generated by the inter-conditioning of the following factors: statelessness – migration – lack of identity documents – lack of access to economic, social and cultural rights – poverty. These factors lead to endemic problems of disenfranchisement and displacement of the population.

##### **D.1. Problems Generated by de facto Statelessness:**

D.1.1. Participants have identified the following examples of complicated or defective administrative practices that generate or maintain de facto statelessness:

- There is a lack of accurate records on all the persons living in localities; as a rule, records only include persons who possess identity documents or who own property that is subject to taxes or other charges;
- In cases of emergency or during campaigns for updating public records, temporary identity documents are issued with a limited term of validity (3 months as a rule), which requires a supplementary administrative effort for periodical extension; sometimes the persons involved no longer care about extending the validity of their documents, at other times officials may refuse without any justification to extend the validity of the documents;
- The late registration of births can be performed in a complicated and lengthy procedure that involves significant expenses for those interested (for children, the minimal registration term is of 14 days, while the maximum term can be as long as 1

year; for adults, registration must follow a procedure that also involves a court decision; charges amount to approximately ROL 750,000/person (25 US\$);

D.1.2. Participants identified and analysed the implications of de facto statelessness generated by the non-possession of identity documents on the exercise of political, civil, economic and social rights by the Rroma, as follows:

- They are exposed to a limitation of the right to free movement, both inside and outside the country, as well as of the right to have a permanent residence;
- They are prevented from having access to justice, social aid, as well as to social and medical assistance, they cannot conclude work contracts or documents concerning ownership, and cannot reclaim former property;
- Since they do not have a personal numerical code assigned to them, children born from stateless or undocumented Rroma, as well as from various categories of aliens (e.g. refugees) cannot have access to the state allowance for children or to other forms of social and medical protection.

D.2. Problems Generated by Renunciation without Acquisition of another Citizenship, Leading to Statelessness

- Because there was a possibility to renounce Romanian citizenship before Law no. 21/1991 on Romanian citizenship was amended in 1999, a number of Rroma took advantage of that provision, hoping that this would help them become legal residents of other countries more easily, which would give them access to a more developed social security system. The result has been statelessness for a large number;
- Because parents go by assumed identities when they are abroad, the authorities face difficulties when issuing identity documents to their children in Romania, since the parents cannot be identified in the local records by the names they have assumed abroad; consequently, it is impossible to establish whether the children under consideration actually belong to the family claiming them; in the case of these

children, registration is done following a relatively complicated and costly court procedure. Statelessness has resulted for many of these children.

## **E. Practical Solutions and Suggestions *de lege ferenda***

### **E.1. Legislative Suggestions**

- Representatives of the Romanian Government emphasized that steps have been taken towards reducing the number of stateless persons; consequently, following the amendment of Law no. 21/1991 on Romanian citizenship in December 1999, Romanian citizens cannot renounce their citizenship unless they can produce evidence that they have acquired another citizenship, or they can provide sufficient guarantees that they will acquire one;
- Participants emphasized the timeliness of the legislative proposal made by UNHCR in the context of the amendment procedure of Law no. 21/1991, namely that all children born on the territory of Romania who would otherwise be stateless should be recognized as Romanian citizens, a measure that would reduce statelessness among all children born from stateless, undocumented, or unknown parents;
- It is necessary to correlate the legislation on identity documents with the laws on citizenship, statelessness and refugees;
- Accession to the 1954 and 1961 Statelessness Conventions and the ratification of the European Convention on Citizenship may substantially contribute to the clarification of the problems related to de facto statelessness among the Rroma; in Romania, the conditions for accession to the two Statelessness Conventions have been met, and the accession procedure will be initiated depending on its ranking among legislative priorities; as for the European Convention on Citizenship, the ratification procedure is already under way. As the European Convention on Citizenship has been ranked as a legislative priority, there should be no difficulty in giving equal ranking to the Statelessness Conventions;
- Legislative measures have to be adopted concerning the access to education of stateless children and their access to other social rights;

- By taking coherent legislative measures, Romania must strive to become not only a rule of law state, but also a state which seeks to ensure the welfare of its population and that provides social protection to all its citizens, without discrimination;
- The relevant authorities need to adopt a normative act to be enforced for a limited time, as a legal foundation for the issuing of identity documents in an accelerated and free procedure to persons who possess no identity documents.

## **E.2. Practical Suggestions**

- Establishing a joint working group (public authorities, NGOs, UNHCR and other concerned Organizations) to identify solutions for the issuing of identity documents for the Rroma; the group would be using the experience already developed by the working group coordinated by UNHCR and the National Refugee Office in Romania whose task was to analyse problems related to the identity documents of refugees;
- More effective media coverage and information concerning the possibilities available for avoiding or reducing statelessness, as well as for conducting the necessary procedures; in support of that purpose, it is necessary to attract financial and logistic contributions, as well as legal assistance from international and European organizations;
- Creating an accurate public record system, which should properly reflect data concerning births, marriages, and deaths and should use these and the property registers where relevant as a vehicle to ensure all persons are properly registered. Additional mechanisms to promote identification and registration may need to be considered, in particular to launch an effective registration exercise for currently undocumented persons;
- Intensifying advertising and information campaigns on the problems facing stateless Rroma, in order to stimulate the more active involvement of the civil society, more particularly of the Rroma organizations, in the identification of adequate solutions;
- Including Rroma statelessness among the strategic priorities of the state, including those related to Romania's accession to Euro-Atlantic structures;

- Establishing a research group on the phenomenon of statelessness among the Roma population with UNHCR advisory support; according to the participants' suggestions, the working group should liaise with contact persons for Roma-related issues from the following organizations: UNHCR, EU, OSCE, CoE, International Roma Union, and the Ombudsman's Office; as a starting point, the research group should make a collection of all the legal acts or recommendations on the topic at hand at the international, regional and national levels; participants have identified the members of the group of initiative, as follows: Mr. Vasile Burtea, councillor with the Ombudsman's Office, Mr. Vasile Ionescu, President of the Roma Centre for Public Policies, Mr. Manache Martin, expert, Alliance for Roma Unity, Mr. Dezideriu Gergely, lawyer, Romani CRISS;
- Turning to good account the increased interest manifested by the UN and the EU for issues related to Roma and nomads, also in an attempt to find solutions for their statelessness;
- Improving the status of social assistance in the context of coordinated government programmes;
- Reviewing and making recommendations concerning increased financial responsibility of the countries that return stateless persons;
- Establishing a specialized programme for identifying urgent problems as well as a working group on that topic; in this context, Roma organizations should identify amongst themselves which of their representative organizations or combination thereof would provide technical coordination of all joint activities related to statelessness among the Roma. Cooperation with Roma populations in other States should be actively pursued.

Rapporteurs:

Mr. Mihai Delcea, National Legal Advisor, UNHCR Representation in Romania

Mr. Alexandru Stoica, Expert, The Ombudsman's Office

### **3.5 Working group on employment and local / community development**

A presentation has been made on the current situation of the Rroma concerning occupations and main sources of revenue. Data were taken from the research undertaken in 1998 by the Institute for Research of the Quality of Life, Romanian Academy, with funding from the Open Society Foundation, Romania.

#### **Occupations**

- ◆ The degree of professional occupation of the Rroma population in Romania is much smaller than that of the whole population at national level (47% compared to 61.7%);
- ◆ Out of the total number of working population, around 2/3 is represented by men (65%);
- ◆ Out of the total number of working population, 27.5 % are employed and are paid a salary;
- ◆ Around 80% of the unskilled workers have a level of education of at most eight school grades. In return, skilled workers have graduated at least from a vocational school (57%) and the rest of 43% have completed between 4-8 school grades;
- ◆ Generally, the employees come from communities where Rroma live together with Romanians. This fact indicates the degree of integration of the Rroma population is higher when they adopt the social behaviour of the majority;
- ◆ The big majority of the Rroma in Romania are self employed (71.7 %);
- ◆ The increased percentage of seasonal workers, which is of 41.7% of the total population, indicates the fact that Rroma people are facing a difficult situation in finding employment and hence, difficulties in providing resources for day to day living;
- ◆ The percentage of retired Rroma people is significantly smaller than at the national level (17.9% as opposed to 49.2%);
- ◆ The percentage of housewives is over 4 times bigger in the case of the Rroma population than at the national level, and reveals the weak participation of women in the labour market.

### Family revenues

- ◆ The most frequent income source for Rroma families is a constant one – children’s allowance. 66.2% of the analysed households benefit from these allowances. Salaries round up the family budget only in less than a quarter of the cases, and retirement pensions are a source of income in 11.7% of the researched Rroma families. Unemployment compensations are a source of income for 9.5% of the researched households. Disability and illness retirement pensions are granted in 4.7%, respectively 5.8% of the cases;
- ◆ The hierarchy of the main sources of income per household is considerably different at the level of Rroma population compared with the entire population. On the top of the income sources are salaries (57.6%), followed by retirement pensions (25.1%) and revenues from agricultural work (9.2%). The income resulted from unemployment compensations or social benefits account for main sources of income only in 1.7% of the cases, and the allowances for children in only 1% of the cases. Revenues from dividends or rentals are a source of income in 0.4% of the cases.

The hierarchy of main sources of income per household

1998	1	2	3	4	5	6	7
Rroma population	Salaries	Day-labour wages	Retirement pensions	Allowances	Self-employed income	Social benefits/unemployment compensations	Agricultural work
Total population	Salaries	Retirement pensions	Agricultural work	Social benefits/unemployment compensations	Allowances	Rentals/dividends	----

It is obvious that, in the case of Rroma households, revenues from day labour activities compensate for revenues from salaries, which are less frequent. After them and the pension benefits (relatively high and constant revenues), the allowance is playing an important role in the budget of Rroma households, also due to its constancy, outclassing revenues from work, otherwise much more consistent, but not permanent and uncertain.



## **Methodology and problems discussed**

Having as a starting point the strategy, it was agreed on the necessity to approach issues related to job creation and local/community development from a two-folded perspective:

- ◆ Institutional;
- ◆ Actional / programme development.

The above-mentioned aspects are to be found in the strategy in three sectoral areas: administration and community development, social security and economic.

## **Directions of action**

### **Institutional level**

- ◆ Organizing, at local/county levels, mixed working groups, made up of elected representatives of that community, of decentralized structures of the central administration, of NGOs of the Rroma and the Rroma minority, in order to evaluate the main needs of the Rroma community and to apply the programmes for their support;
- ◆ Creating the legal frame by which the ministries and central/local agencies, their decentralized structures are able to finance projects and sectoral programmes to improve the situation of the Rroma;
- ◆ Setting up structures for implementing the strategy at the level of ministries, prefectures and town halls;
- ◆ Conditioning the civil servants recruitment and promotion of civil servants on the “non-discrimination” criterion in dealing with other people;
- ◆ Developing collaboration between public administration structures and Rroma NGOs on a partnership basis; including the Rroma community leaders in the local administrative decision-making that affects the Rroma.

### **Actional level / programmes**

- ◆ Implementation of affirmative action programmes for hiring Rroma staff in the structures of central and local public administration;
- ◆ Improving Rroma access to public services;
- ◆ Conceiving and implementing specific programmes for the professional training and reorientation of the Rroma;
- ◆ Training the personnel of professional formation and occupation services regarding the employment in the labour market for the Rroma minority;
- ◆ Supporting the young Rroma graduates in order to get jobs and monitoring the professional evolution of the university-educated young Rroma, according to the legislation in force;
- ◆ Increasing the fiscal incentives for enterprises that hire persons from the families with many children and without any living support;
- ◆ Ensuring incentives for the practice and revival of traditional handicrafts with demand in the market;
- ◆ Devising and implementing specific financing programmes for lucrative activities and small businesses for the Rroma families and communities, including Rroma women;
- ◆ Curbing the unemployment rate of the Rroma by creating certain incentives for the entrepreneurs that hire persons from the Rroma minority and fighting against any forms of discrimination in hiring the Rroma;
- ◆ Drafting programmes for getting land ownership and stimulating the agricultural activities for the Rroma communities;
- ◆ Supporting under the legislation in force the Small and Medium Enterprises (SMEs) owned by persons from the Rroma community through the soft credit system;
- ◆ Encouraging projects for creating jobs for the women of Rroma origin.

### **Identified problems**

#### **A. Creation and development of the county / local network for the implementation of the strategy**

- ◆ County offices created within prefectures have young staff, which requires permanent formation in order to be able to address various problems encountered;
- ◆ The communication between the person selected to be part of the county office and the other social actors in the county is difficult and is even absent in some cases. In most of the situations, however, dissatisfaction comes from the lack of consensus at the recruitment of the respective person;
- ◆ Local counsellors for Rroma, which will be employed at municipal or communal level, had not been identified yet. Problems were raised with regard to their status, given the fact that it was not clear what local authority they would belong to.

### **B. Development of collaboration between structures of public administration and non-governmental Rroma organisations, on a partnership basis**

- ◆ Partnerships with local authorities in the implementation of projects increase the chances of success, or even sometimes constitute a guarantee for success in projects developed at community level. Thus, several acute and old problems of the Rroma communities could be solved, like: water supply, electricity, solution of legal status of houses and land, property contacts, registration in cadastral documentation, improvement of streets, roads etc.;
- ◆ Partnerships (with local authorities) contribute to the elimination of stereotypes, lead to a reduction in hostility and mutual mistrust and to a better knowledge and increased respect between partners;
- ◆ The presence of Rroma in the local political and administrative structures represents a better chance to convince public authorities of the necessity and advantages of some projects. Projects must be presented as being of interest for the whole community, also solving the acute needs of the Rroma community;
- ◆ The discriminatory position of certain authorities with regard to promoting and implementing projects targeted at Rroma communities is thus changed.

### **C. Job creation for the Rroma**

- ◆ The most necessary projects, although more difficult to implement and finalise, are the ones targeting job creation. They are useful because they can compensate, in a certain degree, discriminating or disadvantageous provisions from the land law and the social protection law;
- ◆ The necessity to overcome the stereotype of traditional crafts of the Rroma, together with the necessity to qualify the Rroma in modern occupations and professions (objective of NGOs and responsibility of the government);
- ◆ Actions and initiatives for overcoming discrimination at recruitment and employment (responsibility of NGOs to draw attention on such cases);
- ◆ Successful projects of professional formation from one area to be disseminated and replicated in other areas.

#### **D. Projects implemented in the Rroma communities. Models of community / local development**

A series of projects that produced changes in the Rroma communities have been presented. Most of them had lead to the mobilisation of the Rroma and local authorities on various levels:

- ◆ Awareness on problems;
- ◆ Identification of local and external resources;
- ◆ Establishment of initiative groups which implemented projects;

The representatives of the following non-governmental organisations have presented relevant successful projects:

- Agency for Community Development „Together”, in the localities of Nusfalau (Salaj county) and Traianu (Ialomita county);
- RAMSES Foundation, in Dej (Cluj county);
- Sasa Association, in the locality of Petrosani (Hunedoara county);
- Wassdas Foundation, in Pata Rat (Cluj county);

- Alliance for the Unity of Rroma Caransebes, in Caransebes (Caras-Severin county).

It was agreed that, regardless of the type of project initiated, the participation of the community is needed.

Approach and implementation of programmes should take into account the following principles:

- ◆ Participation – work together with the community, not for or instead of the community;
- ◆ Mobilisation of all resources and abilities of the community, instead of fulfilling only needs of the moment;
- ◆ Design of activities based on achievements, aiming at long term impact and avoiding short term impact;
- ◆ Permanent evaluation of the efficacy of work and adaptation of the programme along with the accumulation of experience;
- ◆ Openness and cooperation at all levels – within the team of the project and with the community, local authorities, intermediaries and the public, both in the town and in the country.

This approach of programmes challenges attitudes existing at the level of community and beyond it. Change is envisaged on several directions:

- ◆ From a dependency on vertical decisions to involvement in the decision-making process;
- ◆ From pessimism to self appreciation and discovery of own hidden potential;
- ◆ From prejudices and stereotypes to acceptance of differences in opinions, culture and faith;
- ◆ From competition and rivalry to search of methods to obtain mutual advantages in cooperation for common interest problems.

### **Other identified problems**

- ◆ Lack of specialised human resources in the Rroma communities;

- ◆ Lack of initiative – both from Rroma communities and local administration;
- ◆ Existence of a very small number of projects based on partnerships;
- ◆ Lack of community spirit and community services;
- ◆ Small number of Rroma civil servants in local administrations and public services;
- ◆ Absence of technical means of communication and communication in one direction;
- ◆ Superficial manner of approaching problems at the local level;
- ◆ Perpetuation of a negative image regarding Rroma and tendency to lose ethnic identity of the Rroma;
- ◆ Incapacity of central and local administrations to develop programmes, either integrated, with national or local coverage, or focused on Rroma communities;
- ◆ Absence of information and documentation centres specialised on Rroma issues.

### **General conclusion**

The most efficient modality of contributing to solving problems occurred in Rroma communities is the direct involvement of the Rroma, so that legitimacy constitute the basis of interventions in various areas. For the effectiveness of different interventions, the necessity of developing partnerships at the local level was highlighted.

### **Recommendations**

- ◆ Implementation of national and local programmes for the training of Rroma to work in administration and public services;
- ◆ Employment of Rroma in the decentralised institutions of competent Ministries:
  - ◆ County departments for Child Protection;
  - ◆ County Agencies for Professional Formation and Employment;
  - ◆ County Departments of Public Health;
  - ◆ School Inspectorates etc.
- ◆ Re-establishment of Rroma inspector positions at the level of the Ministry of Labour, territorial structures of the Ministry and the National Agency for Professional Formation and Employment;

- ◆ Creation of partnerships between public administration structures and representatives of Rroma communities, for the implementation of efficient programmes;
- ◆ Evaluation of needs from the labour market, for the identification of areas accessible to the Rroma, considering their current level of formation;
- ◆ Establishment of resource centres / consulting units in the local communities, with the purpose of formation of Rroma and facilitation of their access on the labour market;
- ◆ Formulation and development of affirmative measures in the area of professional formation and employment;
- ◆ Programmes for building the trust of Rroma in associative structures at local and regional levels;
- ◆ Involvement of mass media in the presentation of concrete images of the Rroma;
- ◆ Creation and implementation of development programmes with a view to achieve sustainable development;
- ◆ Identification of Rroma „mediators” that would connect Rroma communities to local administrations;
- ◆ Creation of Rroma SMEs for accessing financial resources;
- ◆ Collaboration of Rroma SMEs with specialised structures for job creation;
- ◆ Organisation of permanent formation for Rroma experts;
- ◆ Provision of subventions for consulting activities in agriculture, through specialised companies or individual consulting companies;
- ◆ Granting property rights to the Rroma and stimulation of agricultural activities in Rroma communities;
- ◆ Provision of fiscal facilities for employers who hire Rroma people, members of families with many children and poor means of existence;
- ◆ Amending the Law of Education, article 20, with the purpose of creating education conditions for young people who passed the school age;
- ◆ Dissemination of successful projects, so that they could be replicated at national level.

**Moderator:** Sorin Cace, Institute for Research of the Quality of Life.

**Rapporteur:** Maria Ionescu, National Office for Rroma.

**PRESS CONFERENCE AND MEDIA COVERAGE OF THE SEMINAR**



#### 4.1 Press Conference

Dear representatives of mass media, welcome to our press conference. The subject of this press conference is the seminar that has just ended, whose object was to discuss the Government Strategy for the Improvement of the Situation of Rroma in Romania. At the end of this seminar, we would like to present the messages of the organisers: United Nations Agencies, the Ombudsman, the Romanian Senate and Romani CRISS organisation.

Statement of Mr. **Winston Temple**, UNDP Resident Representative and UN Resident Coordinator, at the press conference on the Joint UN Seminar on Rroma

Dear guests,

As you know, we have ended today the Joint UN Seminar on Rroma. In this context, I would like first of all to thank you for your presence here and for your interest, and to thank all the participants – Government, Rroma organisations and development partners – for their contribution to the success of this Seminar. Equally, I wanted to highlight that this Seminar has been a joint activity, involving all the UN Agencies in Romania, which contributed both in substantive terms, through their efforts in coordinating different working groups, as well as by offering financial support. Special thanks should go to the UNHCR Romania Branch Office, which has been at the heart of this initiative, to the Ombudsman Institution, which has worked with us to make this Seminar a success, and to the Senate, which kindly provided the venue for the Seminar.

This Joint Seminar has been a unique opportunity for bringing together all stakeholders – Government, Rroma organisations, civil society, UN Agencies and other development partners – to assess the situation of the Rroma community six months after the adoption, by the Government, of the National Strategy on the Improvement of the Situation of Rroma, and to propose new ways to advance the implementation of the Strategy. The discussions at the Seminar, although not always consensual, have been very constructive,

and I would like to express my appreciation for the openness and good will of all participants in this dialogue.

The different working groups have highlighted current and future challenges, and have proposed a set of recommendations to address these challenges. I am very happy that the Government stated that it would integrate these recommendations in its action plans to improve the situation of the Rroma.

I believe that the welfare of a nation is not measured by the living standards of its best-off citizens, but by the living standards of its poor, vulnerable and excluded groups, and Rroma are undoubtedly one of the most vulnerable.

As we all know, the Rroma face very complex issues, which relate to many factors, from discrimination to social exclusion, from statelessness to lack of access to basic public services. These problems are the heritage of the past, and have been aggravated by the difficulties of the transition period. In all honesty, we should admit that it is not possible to solve all the problems that the Rroma face, in a short period of time, and the experience of other countries clearly shows that the improvement of the situation of Rroma is a long-term process, which requires an integrated and long-term approach, and a close coordination of all interventions.

The purpose of this Joint Seminar had been to facilitate this process, and all the participants have acknowledged its success in this respect. The Seminar has helped us to have a clearer vision on the way ahead, in what will undoubtedly be a long journey.

However, even a journey of a thousand miles begins with a first step. We believe that the adoption of the National Strategy on the Improvement of the Situation of Rroma has been a very important step forward. The Seminar that we have closed today has also brought a contribution in further advancing in this journey. This is a common journey, and you will not be alone. I would like, on behalf of all the UN Agencies represented in Romania, to reaffirm our commitment to continue supporting Romania in its efforts to improve the life of its Rroma community. I heard today a remark that the Rroma problem was here to stay for a while. My reply to this is: so are we, here to stay for a while.

Thank you.

**Gheorghe Iancu, Deputy Ombudsman (excerpts)**

I have participated to this seminar together with other colleagues, starting with the Ombudsman, from its opening to its end. I have also saluted, as the other representatives of our institution did, the organisation of this seminar, for a very important reason: namely that today, it is obvious that the Rroma population, regardless of the social group it belongs to, encounters serious hardships. What I know is that these problems faced by various Rroma social groups in Romania have been debated at the working groups. I would like to mention that we are very interested to find out about these concrete problems. And, moreover, we are interested in the manner in which solving these problems was envisaged, and what concrete solutions had been proposed to these problems of the Rroma groups. We will be able to contribute to solving these problems of the Rroma social groups, through the means that we have at our disposal. What you should yet keep in mind is that the Ombudsman is not an institution of public authority, but a public institution that formulates recommendations.

Finally, I would like to mention that this seminar, with a very interesting name, is a success. We consider that the organisation of this seminar was very much welcome. The seminar was a success but, in the future, we will have to see what we can do so that problems highlighted here are solved. I would like to say a few more words on the name of this seminar. In fact, it underlines the orientation and directions of our state in improving the situation of the Rroma. I was looking at several measures discussed in the working groups – they covered issues like migration, asylum, statelessness, and I think this is according to the name of the seminar. In fact, we have not only referred to a population that exists here, which does not migrate. I believe that the words „in Romania” from the name of the seminar express what the State wishes to do and has legally adopted in May 16, 2001, through a strategy that begins to show results.

**Corina Dumitrescu**, Romanian Senate

I shall only read the message that the **Secretary-General of the Senate**, Mr. **Constantin Sava**, has transmitted for this occasion.

Ladies and Gentlemen,  
Honourable assistance,

I wish to start by once again saluting your presence to this seminar that, I believe, will produce long-term effects in relation to the establishment of a future cooperation model between state institutions, on the one hand, and civil society, on the other hand, concerning the situation of the Rroma in Romania. This seminar is a first proof in this sense. Moreover, I would like to emphasize that the willingness of the civil society to become more actively involved in community life, to participate in a more dynamic manner to the process of influencing decisions of policy makers and supporting their implementation through concrete measures is highly noteworthy and it should be extended to the level of the entire society.

The adoption, by the Romanian Government, of the national strategy for the improvement of the situation of Rroma has been a comprehensive and participatory process, which reflected the political will to identify unitary and coherent elements for the establishment of development priorities and the improvement of the situation of the Rroma population. Substantive contributions to this strategy had been brought by Rroma organisations, the European Union, OSCE, as well as United Nations Agencies. The Government Decision no. 430 from May 16, 2001 reflects the wish to improve the situation of national minorities, as it is to be also found in the Government programme for 2001-2004.

The conclusions and reports of this seminar will constitute a set of very useful working tools both for your future activity and for the state institutions involved in the process of development and modernisation of Romania.

The Senate, in its quality of legislative body, considers that this action is a highly valuable signal concerning the role and importance of civil society as a whole, and of the non-governmental organisations, in improving the legislative process. I wish to highlight, in this context, that this institution expresses its full availability for a more efficient and better-organised cooperation with the representatives of civil society. Your initiatives, proposals, suggestions, which come from within communities, contribute to the identification of the main problems that the Romanian society is facing. In this way, the decision –maker has the possibility to better and more rapidly get acquainted with changes which occur or should be produced at the level of the entire society, benefiting from the inputs and expertise of civic organisations.

In this sense, I will propose the Standing Bureau of the Senate to present the reports and conclusions of this seminar to the permanent working commissions of the Senate, as documentary and informative materials related to the issues proposed and debated during this seminar. In this way, the members of the Parliament will have the possibility to receive accurate and interesting information with regard to the life and activities of this important minority in Romania, and to transpose them into new legislative initiatives, which would give life to your proposals and concerns. Consequently, I consider that this event will prove to be extremely valuable both at the level of social practice and legislative initiative.

In the end, I would like to thank all the participants for their contributions to the organisation of this Seminar, ensuring you that the Romanian Senate will always be a trusted partner for all governmental and non-governmental organisations and for the civil society as a whole, for they represent the material from which the decision-maker extracts the essence of its legislative deeds.

Quoting an American president, I would say that, after ten years of searching and trying, it came the time when the civil society should ask itself not what the country has done for

it, but how much and in which way it can do something for the country. And if we understand this one thing, then, for certain, our lives will improve.

Thank you.

**Costel Bercus, executive director, Romani CRISS (excerpts)**

From the perspective of our organisation, this initiative of organising a seminar concerning the situation of the Rroma in Romania and focused on the Government Strategy for the Improvement of the Situation of Rroma in Romania is much welcome. Together with the partners of this meeting, our organisation has made all the efforts for obtaining viable results, which would contribute, in one way or another, at the monitoring and evaluation of progresses recorded in the implementation of the strategy. What we have seen in this meeting were initiatives from the non-governmental organisations, as well as ideas for collaboration in view of creating solid partnerships between the governmental institutions and civil society.

We salute thee proposal of the Senate regarding the establishment of a cooperation mechanism between the experts of this institution and non-governmental organisations, which could bring a significant contribution from the perspective of improving the legislative framework regarding national minorities, in general, and the Rroma minority, in particular.

The message that our organisation is trying to convey is that the whole society must show tolerance, and only once this is achieved we will be able to say that the Rroma in Romania have a better situation. And this is only going to happen when all provisions of the national strategy will have been implemented.

Thank you.

**Simona Matias, Mediafax Agency**

- We would like you to tell us, however, what were the conclusions reached by working groups and what will be the concrete measures taken for improving the situation of the Rroma?
- To whom is this question addressed?
- The representative of Romani CRISS and a representative of the authorities in Romania.

**Costel Bercus, executive director, Romani CRISS**

I will try to give you some information from the working group on education, for which I have been rapporteur. The working group on education identified a series of problems. There are several recommendations for the central authorities, the Romanian Government, especially the Ministry of Education and Research. These recommendations do not have a finalised form in this moment. But I can read some of the draft ones:

- ◆ The need for the Ministry of Education and Research to be more flexible in elaborating programmes and curricula for inter-cultural education, starting from the first grades, and in training of teachers;
- ◆ Introduction of romani language as teaching language;
- ◆ Establishment of a college for Rroma;
- ◆ Replication by the Ministry of Education and Research of positive experiences accumulated by non-governmental organisations that implemented education programmes;
- ◆ Changing the attitude of teaching staff and the environment provided in schools;
- ◆ Establishment of a body that would monitor the attitude of teaching staff in schools.

From the legislative perspective, it was proposed that article 20, Para 1 and 4 of the Education Law no 84/1995 be amended. Thank you.

**Vasile Burtea, counsellor, Ombudsman Institution**

A seminar does not aim at solving problems, but at bringing into discussion issues that are not very well known and proposing solutions to problems. It has been stated that the

seminar was a success, in the sense that a series of issues have been highlighted, proposals were made for amendments of legislation and for the elaboration of new legislative documents. I have learned about a new concept with the occasion of this seminar, that of *de facto* statelessness. That refers to the impossibility of some Roma ethnics to exercise some rights, although they were born in Romania, but are not in the possession of identity documents. *De facto* statelessness is a significant factor for statelessness in the normal sense of the word. One gives up very easily certain rights that one cannot exercise. At the working group on statelessness certain recommendations had been made for the avoidance of such situations generating statelessness.

Also, attention has been drawn on the manner of drafting documents relating to the implementation of the law on minimum guaranteed revenue, so that no situations similar to those encountered at the application of law 67/1997 on social support be again met. Another recommendation was that of including in the law on budget a special chapter that would mention the funds for social assistance and the funds for the law on minimum guaranteed revenue.

Also with the occasion of this seminar, obstacles faced by the Roma with regard to health issues have also been highlighted. It has been shown that an increased percentage of Roma children have nutrition problems. It was also shown that 90% of deceased children come from mothers with a low-level of education. Equally, we have found out that, if the census in 1992 was stating that the Roma population represented 0.7% of the total population, medical evidence and epidemiological studies show that the percentage of the Roma population is of 10%, which makes us more seriously reflect on measures and necessities related to this ethnic minority.

We have noted a series of elements that would improve the situation of the Roma, which should be taken into account in the law combating marginalisation, already in discussion with the commissions from the Parliament.

Thank you.



**Andreea Demergian, Radio Romania International**

You have mentioned, Mr. Burtea, that you have encountered a new subject for us, which is *de facto* statelessness. I would like you to tell us which of the rights guaranteed by the Romanian Constitution cannot be exercised by the Rroma, in your opinion?

The second question: after six months from the adoption of the National Strategy for the Improvement of the Situation of Rroma, I would be interested to know if any improvements have also been recorded, besides problems which exist.

**Vasile Burtea, Counsellor, Ombudsman Institution**

The Government Strategy for the Improvement of the Situation of Rroma has constituted the subject for debates of the seminar, but you know that the strategy includes various subjects. The seminar only focused on some of them: health, migration, statelessness, employment and education.

It has been reproached to the representatives of the government that not much is to be seen since the adoption of the strategy. The response of the government representatives, the Minister and State Secretary from the Ministry of Public information has been that there are a series of preparatory actions. They have stated that the strategy was implemented according to the proposed schedule and that nobody should expect notable results after only six months.

If you ask me whether I agree or not, my answer is I agree, because 6 months are a short time. Some things have been done; the offices for Rroma were established. These are not entirely formed of Rroma persons, as the strategy was stipulating, but there are Rroma people as well. Some are experts in Rroma issues, meaning they have very good knowledge, others improvise. There are many non-Rroma occupying these positions. As in all beginnings, there are difficulties, disagreements. Inputs are not at the expected level and the availability of supervisors to listen to or create a certain priority for these problems is not always the desired one. This was the position of the seminar in this regard.

**Gheorghe Iancu, Deputy Ombudsman**

No fundamental right stipulated by the Constitution is refused to any Romanian citizen, and Romanian citizens are also Rroma, Hungarian and German. Article 4 of the Constitution stipulates that Romania is the common state of all its citizens, regardless of their ethnic belonging. Equally, this is also obvious through the provisions of art. 16 of the Constitution, which stipulates equality amongst its citizens, and one of the issues related to equality is precisely represented by non-discrimination concerning ethnic belonging. From the point of view of our concerns, there is no discrimination in relation to this ethnic group.

**Andreea Demergian, Radio Romania International**

Still, what are the rights that the Rroma cannot exercise so that they reach the status of stateless persons, this was the question.

**Vasile Burtea, Counsellor, Ombudsman Institution**

The concept of de facto statelessness refers to the fact that, due to the lack of identity documents – birth certificates, identity cards – some of the Rroma people cannot exercise certain fundamental rights. Unfortunately, this situation is perpetuated in children. By not having these documents, children cannot receive their rights to allowances and social scholarships. Some are not accepted in schools, because parents have no identity documents, so children do not have any documents either. Although they are not stateless in the sense of citizenship, the lack of identity documents creates this de facto statelessness. The birth of a child from two parents without documents, who are practically stateless, determines the situation of statelessness in the child as well. This is why I was mentioning legislative initiatives. The seminar included discussions on the modification of the law regarding civil status documents, so that there is a limited period for the clarification of the legal status. These documents regarding civil status (birth certificates, identity cards etc) to be provided free of charge, as fees usually rise to 2,500,000 lei in the happiest cases. There are Rroma people who live out of child allowances or occasional revenues, and their situation deprives them of the possibility to have a legal status with regard to identity. They cannot exercise their right to vote.

Children, not having birth certificates, cannot attend school, and the phenomenon is taking worrying proportions. Studies have been made in this respect. If we consider census figures, the number of the stateless Rroma from Romania is of 1,200. If we consider the unofficial figures to which we refer, of around 2,000,000 Rroma in Romania, the number of the stateless raises to about 6,000 persons. This is not so much considering a total population of 22 millions, but it is certainly not something to neglect, and we should have a firm position in this respect.

**Mihai Delcea, National Legal Officer, UNHCR Romania**

I wish to make a small comment on the importance of the situation that not only Rroma are facing, but also refugees and other types of persons who live in Romania, including Romanian citizens of Romanian origin who live in poor areas. This situation prevents them from exercising certain rights and, consequently, the obligations that they have towards society. Citizenship is fundamental, as it represents the right to have rights. It is very important that this situation of quasi-statelessness, determined by lack of identity documents, be avoided. Things are very clear: these simply do not exist, or the personal numeric code does just not exist, because provisions relating to civil status documents or population register are not correlated with the ones regarding citizenship. Another very important aspect highlighted was that, if Romania would be part of the two UN Conventions regarding the status of stateless persons and the reduction of statelessness, many of the present situations would be solved. Also, it was highlighted by the working group in which I took part, both by civil society and governmental authorities, that it was highly necessary that Romania ratify the European Convention on citizenship, already signed in 1997.

**Mihaela Danciu, Rroma News**

For Mr. Bercus, I have two questions.

You were mentioning earlier the establishment of a college for Rroma. Does it refer to a high-school level or another level? How would you define its Rroma nature and what town is it envisaged to be established in?

Could you explain what are the provisions of Art. 20, Para 1 and 4 from the Education Law, proposed for being amended?

**Costel Bercus, executive director, Romani CRISS**

Regarding the first question: the participants of this workshop wanted to make this recommendation, considering other such colleges already established (the German school, other colleges for national minorities), functioning in accordance with the law of education. Law thus, allows this thing and it is feasible, only other resources, both financial and human, are needed for the establishment of such an institution. It was not discussed in detail on where or how it would be created. This was only an idea. It does not imply that there is a sustained will from the part of the competent authorities, but for the establishment of such a college it has to be a start, somebody has to take the initiative.

Specialists in education matters have proposed article 20 for amendments, as a recommendation of our working group. Unfortunately I am not a specialist in this field and, therefore, I cannot express a point of view, but it seems that this article brings a series of barriers in the implementation of certain education policies, like for example inter-cultural education.

**Carmen Dinu, Nine o'clock**

For the representative of Romani CRISS: How was the Rroma population informed of the provisions of this strategy, a very important document for them? Who are the ones who will make, from within the Rroma population, proposals for the improvement of the legislative framework, because if they are the main beneficiaries of these modifications, they should be involved. How will you select them and who will they be?

**Costel Bercus, executive director, Romani CRISS**

My answer to the first question: we can say that the dissemination of this strategy to the Romanian society was not made as it should have been, by the Romanian authorities. What I have also mentioned in the seminar was the lack of support from the society in

general. With regard to the Rroma communities, there are various civic and political non-governmental organisations. Their number is of 100-150; they are spread in different regions of the country and have disseminated, as much as they could, the provisions of this strategy.

The answer to your second question: there is currently a representation of the Rroma in the legislative bodies. There are two deputies, one from the Rroma Party, Mr. Nicolae Paun, and one from the Social Democratic Party, Mr. Madalin Voicu. I suppose that legislative initiatives fall in the direct responsibility of the representatives of the Rroma in Parliament. As for other proposals or initiatives from the legislative field, they can also be advanced by civil society. We have planned, for the beginning of 2002, such a project that would bring in the attention of the Parliament a public debate regarding the modification of the law on identity documents. We have carried out a project between 2000-2001 in which 4,000 Rroma and Romanian persons were identified who were lacking identity documents (birth certificates, identity cards or other civil status documents). Out of these, we have managed to support over 2,000 persons to obtain such documents. We will publish, at the beginning of next year, a study that will reflect this experience and that will be able to constitute the basis for a legislative initiative. The civil society itself, through the resources that it has available, can initiate, propose or bring into discussion in a democratic framework, such initiatives. We are not governmental experts, but we belong to this ethnic community and we consider that it is necessary to bring our contribution to the efforts that the authorities are making. Thank you.

## 4.2 Articles from newspapers

### **The seminar „Improving the situation of the Rroma in Romania”, occasion for arguments, opulence and bad taste**

Vasile Dancu launches a new call for the unity of this ethnic group

*The Seminar “Improving the situation of the Rroma in Romania”, organised at the Romanian Senate, by the UN and the Romanian government, with the participation of representatives from the EU and foreign embassies in Bucharest, has again drew attention on specific problems of this national minority, but has also highlighted the great divergences amongst Rroma organisations. Present at this seminar, the Minister of information, Vasile Dancu, has renewed his call for the establishment of an elite which would represent the interests of the whole ethnic group, so that “the government has a partner for negotiations” in view of implementing the “Strategy for the Improvement of the Situation of Rroma in Romania”. “As much money as there would be, we wouldn’t be able to distribute it because we do not have a partner for discussions”. He rejected the general idea of organising such reunions and seminars, such ‘roundtables which cost very much (...) while Rroma children are starving’. The Minister of Public Information announced that he would organise, in the following week, a meeting with all the Rroma organisations, in order to agree on the implementation of the government programme. In this sense, Dancu highlighted that a foundation would be selected to represent the whole community and to administer the funds allocated by the EU and the executive, destined to the improvement of the situation of Rroma. The civic organisations took advantage of this meeting for bringing critics to the government and the “satellite” of SDP, the Rroma Party, with regard to the manner of implementing the strategy. “At six months from the adoption of the strategy by the executive, there is not much success in the implementation of the measures stipulated in the document”, declared Mr. Costel Bercus, the executive director of the Association Romani CRISS.*

*In the same spirit, Vasile Ionescu, the president of the “Framework Convention for Rroma” expressed his deep dissatisfaction towards the management errors of the*

*National Office for Rroma, from within the Ministry of Public Information, “which had not ensured the transfer of expertise to the local level”. Unfortunately, he declared, the government has “politically biased the matter”, obviously favouring the Rroma Party and people around Madalin Voicu. “At the level of prefectures, in the country, the Rroma Party has appointed people from their party, who are illiterate mafia people and phoney politicians”, added Vasile Ionescu, highlighting that this was the reason why “the implementation of the government strategy has been blocked”. In this context, Vasile Ionescu stated that he would ask for international expertise for the application of the subsidiarity principle, through which the attribution of administering funds allocated to Rroma communities by the EU be granted to the local level.*

*Unfortunately, beyond the existing disputes among Rroma organisations, expressed in public, in front of various embassies of foreign countries and international organisations, another element could shock the participants. On the walls outside the marble hall of the Senate, photos of huge kitsch palaces were exposed, built by Rroma people between 1989-2001. How credible can be the complaints expressed in front of the Romanian and international opinion by the organisations of this minority, regarding the difficult economic and social situation of the Rroma, when its leaders present in an ostentatious way the opulence and financial waste that some of the representative of this ethnic group have shown?*

**Costel Oprea, The National Courier, November 3-4**

### **The government states that it has applied the strategy for improving the situation of the Rroma**

*The State Secretary of the Ministry of Public Information, Mr. Dan Jurcan, declared yesterday that the government took the right measures for the implementation of the strategy for improving the situation of the Rroma, adopted in May, responding thus to some organisations of this ethnic minority. He gave as examples the establishment of ministerial commissions for the implementation of the strategy, lead by a representative of the Rroma community (Gheorghe Ivan), as well as the county offices responsible for*

*solving the local problems of the ethnic group. He mentioned that in September-October the budget of this department for 2002 had been finalised. Also, he mentioned the organisation of training courses in view of employing 3700 Rroma, as well as the formulation of the law regarding the minimum guaranteed revenue, which also targets this minority. The Police had issued 3000 identity cards in 2001, and the Ministry of Health had organised a campaign for the vaccination of Rroma children. Dan Jurcan stated that, once the problem of poverty is solved, the problem of existing discriminations would also be solved. **The National Courier, C.O.***

**Six months after its launch,**

### **Strategy for Rroma has not produced any effects**

*BUCHAREST – The strategy aimed at improving the situation of the Rroma, approved by government six months ago, has not passed from the stage of intentions to that of concrete deeds. This is the conclusion of participants at the seminar “Improving the situation of Rroma in Romania”, a two-day Bucharest event organized by the Senate, Ombudsman, the UN Agencies in Romania, the Organization “Romani CRISS” and the Romanian government. Minister of Information, Vasile Dancu, however said that the actions stipulated in the strategy for Rroma are according to schedule.*

*The stage of implementing the government strategy for improving the Rroma’ situation has generated ample debates between the representatives of the Romanian government and those with Rroma NGOs who have different views on the terms and outcomes so far.*

*Winston Temple, the Resident Coordinator of the United Nations in Bucharest, welcomed the drafting of the Strategy, adding it is however the time to go from words to real implementation. “The Strategy must be now supported by concrete measures, able to produce a change in the life of the Rroma population in Romania. We have the role of an*



*adjuvant in this process, bringing the home actors together, giving them the power to resolve their problems themselves”, said Winston Temple.*

*The stand of the Romani CRISS organization, expressed by its Executive Director, Costel Bercus, was that so far the mechanism putting the Strategy into practice has not been achieved. He pleaded for the political independence of the Joint Monitoring Committee, given that it operates from Victoria Palace. “We can’t assess the success stories as far as it runs its activity from Victoria Palace. From this reason, we don’t believe that this body will have an unbiased view. We want to take on concrete steps, we want progress. Even if we cooperate with the government, we, as an NGO, maintain our right to criticize”, said Costel Bercus. Minister Dancu replied that, six months since the Strategy was adopted, the actions are according to schedule. “We would like that NGOs get involved and not expect spectacular results. We have no chance to improve the Rroma’s situation unless the Rroma NGOs cooperate with us. While it is true that the Joint Committee runs its operations from the government building yet it is not subordinated to Government”, Dancu also said, expressing his hope that the seminar would find solutions to the Rroma’s problems and draw new sources of financing.*

*According to the latest assessments, Romania is the country with the largest Rroma minority in the area of the Stability Pact. They number between 1,800,000 and 2,500,000 people, Romania’s second-largest minority.*

*The Expert of the High Commissioner for Refugees (UNHCR), Carol Batchelor, said that among the Rroma population mainly, the status of stateless persons, further marginalizing, and the fact that many of the Rroma don’t have a legally-acknowledged status may worsen their situation from generation to generation, which calls for a better cooperation between the state, Rroma communities and organizations. Official statistics puts the number of stateless Rroma at about 1,200, yet the real figure might reach 6,000. The roundtable discussions advanced a number of proposals to the bodies in charge – Government and Parliament.*

*In the health department, participants proposed the National Health Insurance House's involvement in implementing the strategy for the improvement of the Rroma' situation and identifying the causes of their health problems. The need of treating education in the spirit of tolerance and non-discrimination dominated the talks on educational matters. There was also presented a study regarding the poor school attendance by Rroma and its causes. Another proposal refers to the establishment of a Rroma-specific college, given that other national minorities enjoy such government-backed institutions. In the job occupancy department, there was presented a report by the International Labour Organization and Romania's Government as part of the International Programme for eliminating Child Labour. Social protection measures for the Rroma have also been discussed. The working table analysing migration laid down the documenting Report on the situation of Rroma returned from Poland to Romania between 2000-2001, drawn up by Romani CRISS and OSCE/ODIHR.*

*Speaking of the Government Strategy's exposure in the media, the Romani CRISS representative appreciated it as inefficient, as it lacks the support of Romanian society in this area. Nevertheless, there are about 150 civic and political organizations trying to make public the Strategy's provisions among the Rroma. "Rroma in Romania will have a better situation when the provisions of the strategy will be put into practice", said the Romani CRISS representative.*

### **Nine O'clock, Carmen Dinu**

#### **Rroma are unhappy with the Government**

*The representatives of Rroma organisations and those of the Government have different opinions regarding the implementation of the Strategy for the Improvement of the Situation of Rroma. The representative of Romani CRISS association, Mr. Costel Bercus, stated yesterday, at the seminar „Improving the situation of the Rroma in Romania” that, six months after the adoption of the strategy by the Executive, there are not many successes in its implementation of the measures included in the document. Bercus also*

*mentioned that, due to bureaucracy, the government failed to establish the national Council that should apply the provisions of the Ordinance on combating and preventing discrimination. He criticised the fact that this body would be directly subordinated to central authorities, although according to the recommendations of the Council of Europe, it should have an independent nature.*

### **Dancu calls for involvement, not judgement**

*The Minister of Public Information, Mr. Vasile Dancu, considers that the government is „on schedule” with what it has aimed to achieve. Dancu stated that NGOs should not expect spectacular results with regard to changing the situation of the Rroma, after only six months, and that these Rroma non-governmental organisations should support the efforts of the Government, through implementation of projects, instead of turning into referees. His opinion was that, if the Joint Monitoring Committee was no longer needed, it could be dissolved. Speaking about discrimination, Dancu referred to the torturers from concentration camps who, according to studies, were not „monsters”, but simple people, believing in God, who „could simply not accept diversity”, considering that similarity of all persons was the fundamental law of society.*

*Vasile Ionescu, the president of the Federation „Framework Convention for Rroma”, declared that he was „deeply unsatisfied” with the errors of management made by the National Office for Rroma from the Ministry of Public Information which, “by failing to transfer expertise to the local levels, showing subjectivism in the administration of the Partnership Fund and lack of professionalism in media campaigns” made the Government’s message be negatively perceived by the population. Ionescu stated that the “socio-economic disaster” of the Rroma was a consequence of social exclusion and racial prejudices.*

### **The Day, from Mediafax**

### **UN support for the Rroma issue**

*The Resident Coordinator of the United Nations in Bucharest, Mr. Winston Temple, has drawn attention to all Romanian actors involved in the process of improving the situation of the Rroma that this process will be a long one. He mentioned that the adoption of the strategy regarding the improvement of the situation of Rroma represented „a very*

*important first step in this process” and reaffirmed the support provided by the UN Agencies in view of solving these problems. Following discussions in working groups, several recommendations have been made, addressed to authorities in Bucharest. Thus, in the area of education, the representatives of this ethnic group proposed the introduction of romanes language in schools attended by Rroma children, the change of attitude from schoolteachers and a better flexibility in the elaboration of the extra-curricular reform. The representative of Romani CRISS, Costel Bercus, mentioned that, at the beginning of 2002, the representatives of this minority consider formulating a legislative project aimed at modifying the law concerning identity documents.*

**Independent, I.C.**

**Exasperated by the divergences between representatives of the Rroma ethnic group, the Government recommends them to establish an elite**

*The Strategy for the Improvement of the Situation of Rroma is still a subject of controversies between the representatives of this ethnic group and those of the government, although the document has been adopted by the Executive six months ago. Divergences on this subject were not absent yesterday, during the Seminar „Improving the situation of the Rroma in Romania”, organised at the Senate, with the support of the United Nations Organisation (UN). The Minister of public information, Vasile Dancu, represented the Government at the seminar. Although he stated that the Executive was „on schedule” with the implementation of the strategy, Dancu referred to certain difficulties encountered in this process. He expressed the idea that representatives of this minority were not a valid partner for negotiations with the Government, due to existing tensions from the Rroma community, reason for which he called for „the establishment of an elite that would cooperate with the government”. The Minister of Public Information considered that NGOs that represent the Rroma minority „should not expect notable results after only six months and should support the implementation of government projects, not to turn into referees”. During debates, the executive director of the association Romani CRISS, Costel Bercus, appreciated that, in the period of time that elapsed from the adoption of the strategy „not many successes were recorded in the implementation of measure stipulated by the document”. Bercus criticised the failure to*

*establish the National Council that would apply the ordinance for combating and preventing discrimination, as well as the fact that it would be directly subordinated to central authorities, and not have an independent nature, as per the decisions of the Council of Europe. Another dissatisfaction expressed by Costel Bercus was that the organism created for the implementation of the strategy, the Joint Monitoring Committee, would not be able to assess progress in an objective manner, being subordinated to government. A critical speech was that of Vasile Ionescu, the president of the Federation „Framework Convention of Rroma”, his target being the political party of governance – Social Democratic Party (SDP). The power was accused of favouring the Rroma Party (RP), a body that aims at obtaining political capital, through coordinating the strategy for the integration of the Rroma into society. Ionescu has characterised the members from the leadership of the RP as „mafia people, incompetents and phoney politicians”.*

**The National Journal, Silviu Sergiu, 3 – 4.11.2001.**

#### **„Non-political” Rroma upset with the Government**

*While the Government considers that the Strategy for the Improvement of the Situation of Rroma is a success, the organisations of this ethnic group criticize its implementation. Costel Bercus, the executive director of the Association Romani CRISS, gave as an example of insuccess, during a seminar dedicated to Rroma issues, the failure to establish the National Council that would apply the ordinance for combating and preventing discrimination. He was followed by Vasile Ionescu, the president of the Federation „Framework Convention for Rroma”, who criticized the errors of management of the National Office for Rroma, from the Ministry of Public Information, and the favouring position given by the Government to the Rroma Party, to the disadvantage of other organisations. To the contrary, Vasile Dancu, the Minister of Public Information, stated that the strategy for the Rroma was „on schedule”.*

**The current, M.S., 3 – 4.11.2001.**

#### **Gypsy arguments amongst Rroma parties**

*The president of the Federation „Framework Convention of Rroma”, Vasile Ionescu, claims that the Government strategy for the improvement of the situation of Rroma is*

*politically biased. Ionescu declared on Friday, at the end of the first part of the seminar on the situation of Rroma, that although the strategy had been elaborated together with the representatives of the civil society, it is now attempted to transfer the responsibility of its implementation to the Rroma Party, „which has no merit, and is full of illiterate and opportunist persons”.*

**The Hour, unsigned, 3 – 4.11.2001.**

**Although they wish to be integrated in Europe, the leaders of the Rroma have argued in front of Romanian and foreign officials**

*During the seminar „Improving the situation of the Rroma in Romania”, organised yesterday, at the Senate, the debates have been „like at a tent’s door”. Although officials of the United Nations were present, along with representatives of the Ministries of foreign affairs and integration and Ombudsman, the members of this ethnic group, amongst which King Cioaba, had a clear belligerent attitude towards each other’s, not being able to carry a dialogue. The Minister of Public Information, Vasile Dancu, presented the stage of implementation of the national strategy for improving the situation of the Rroma and required the representatives of the ethnic minority to delegate an „elite” that would negotiate with the government. Dancu blamed the gypsies, who do not want to help themselves, stating that „due to the traditions of the Rroma, the change of mentalities should be made from the inside”. King Cioaba scolded the members of the ethnic group, saying that „each of them pulls the blanket on themselves, leaving the others uncovered”. And, as if it would not be enough, in the Rroma community „nobody wants to be a vice, all want to be presidents”. At his turn, the president of the Federation „Framework Convention for Rroma”, Vasile Ionescu, strongly attacked the SDP deputy, Madalin Voicu.*

**Bucharest Observer, Camelia Ștefan, 3 – 4.11.2001.**

**Rroma people, advised to make peace**

*The Seminar on the improvement of the situation of Rroma in Romania, organised by the United Nations, the Senate and the Ombudsman, taking place in Bucharest, for two days, was focused on the problems raised by the strategy of the Romanian government*

*formulated for this ethnic group. The Minister of Public Information, Mr. Vasile Dancu, has advised the Rroma to first attempt „a reconciliation of the members of the Rroma ethnic minority”, stating that legislative efforts are not enough for solving the rather complex problems raised by their social integration. In what regards the implementation of the strategy, Dancu stated that „it is going according to schedule”, mentioning that „its success depends, in an important measure, of the change of mentalities, which has to come from the inside”. Also present at the debates was King Cioaba.*

**Independent, I.C., 3 – 4.11.2001.**

**Seminar on  
“The Improvement of the Situation of the Rroma in Romania ”**

**2 – 3 November 2001, Bucharest  
The Senate of Romania**

*AGENDA*

**Friday, 2 November 2001**

08:15 – 08:45 **Registration** of participants

08:45 – 09:30 **Official opening**

Messages: United Nations Resident Coordinator, Romanian  
Senate, Ministry of Foreign Affairs, Ministry of Public  
Information, and Ombudsman Institution

09:30 – 10:30

**Information on the general situation of the Rroma in Romania**  
and the stage of implementation of the Government Strategy for  
the Improvement of the Situation of Rroma

**Presentation:** Ministry of Public Information

**Moderator:** Vasile Burtea, Counsellor, Ombudsman Institution

10:30 – 10:45

Break

10:45 – 11:45

**Implementation of the Government Strategy** for the  
Improvement of the Situation of Rroma (continued)

11:45 – 12:45

**The right to have rights.** Statelessness and its impact on the  
Roma population

**Presentation:** Carol Batchelor, UNHCR Expert

**Moderator:** Vasile Burtea, Counsellor, and Ombudsman  
Institution



12:45-14:15 Lunch

14:15-16:00 **Discussion in five working groups:** Statelessness, Health,  
Education, Employment and Local Development, and Migration  
and Asylum

**Presentation:** Relevant UN Agencies/ Governmental institutions /  
experts / NGOs

**Rapporteurs:** Relevant UN Agency / Governmental Institutions /  
Ombudsman

**Moderators:** Relevant UN Agency / Governmental Institutions /  
Ombudsman

16:00 – 16:15 Break

16:15 – 17:45 **Discussion in five working groups** (continued)

18:30 Reception

### **Saturday, 3 November 2001**

09:00 – 10:30 **Discussion in five working groups** (continued)

10:30 – 11:00 Break

11:00 – 13:00 **Presentations in the plenary session** of the working groups’  
reports (30 minutes / working group) and discussions

**Moderator:** Vasile Burtea, Counsellor, Ombudsman Institution

13:00 – 14:30 Lunch

14:30 – 15:30 **Presentation in the plenary session** of the working groups’  
reports (continued)

15:30 – 16:30 **Conclusions, adoption of recommendations**

16:45 – 17:45 **Press conference** with the participation of representatives from  
UN Agencies, Ministry of Public Information, Senate,  
Ombudsman, Romani CRISS Organisation

***LIST OF PARTICIPANTS***

**PRESIDENCY OF ROMANIA**

- Clementina Ionescu, Assistant to the Counsellor in charge with minorities

**SENATE**

- Simona Marinescu, Senator
- Constantin Sava, Secretary General

**MINISTRY OF AGRICULTURE, FOOD AND FORESTRY**

- Carmen Vasile, Expert

**MINISTRY OF CULTURE**

- Carol Konig, Director

**MINISTRY OF EDUCATION AND RESEARCH**

- Filip Stanciu, Deputy General Director
- Gheorghe Sarău, Inspector
- Mihaela Zătreanu, Inspector

**MINISTRY OF EUROPEAN INTEGRATION**

- Viorel Dobrescu, Counsellor

**MINISTRY OF FOREIGN AFFAIRS**

- Mihnea Motoc, Secretary of State

**MINISTRY OF HEALTH AND FAMILY**

- Hanna Dobronauteanu, Counsellor for Rroma, Ministry of Health and Family
- Mihai Horga, Director, Ministry of Health and Family
- Minerva Ghinescu, Deputy Director, Public Health Department, Ilfov County
- Alin Stanescu, Deputy Director, Institute for Mother and Child Care
- Luminita Marcu, Health Programmes Coordinator, Institute for Mother and Child Care

## **MINISTRY OF INTERIOR**

- Iancu Stefan, Deputy General Inspector, General Inspectorate of Police
- Anton Gagi, Head of Department, General Inspectorate of Border Police
- Razvan Coca, Expert, General Inspectorate of Border Police
- Ioneta Vintileanu, Deputy Director, Institute for Crime Prevention and Research
- Vladimir Barbu, Head of Department, National Refugee Office
- Gabriel Bogdan Ionescu, Identity Cards
- Liviu Tatar, Head of Department, Aliens Directorate
- Ileana Marin, Expert, Department of European Integration and International Relations

## **MINISTRY OF JUSTICE**

- Simona Popa, Counsellor

## **MINISTRY OF PUBLIC INFORMATION (DEPARTMENT FOR MINORITIES)**

- Vasile Dancu, Minister of Public Information
- Dan Jurcan, Secretary of State, President of the Joint Committee for Implementation of the Government Strategy for Improving the Situation of Rroma, Ministry of Public Information
- Gheorghe Ivan, Under-State Secretary, Ministry of Public Information
- Maria Ionescu, Expert, Ministry of Public Information

## **MINISTRY OF PUBLIC ADMINISTRATION**

- Radu Dorcioman, Expert

## **MINISTRY FOR SMALL AND MEDIUM ENTREPRISES**

- Anisoara Chelaru, Counsellor

## **GENERAL PROSECUTOR'S OFFICE**

- Viorica Stoica, Prosecutor

## **NATIONAL AUTHORITY FOR CHILD PROTECTION AND ADOPTIONS**

- Mariana Neacsu, Director

## **NGOs, CIVIL SOCIETY, ACADEMICS, LAWYERS**

### **ARCA – Romanian Forum for Refugees**

- Cristian Lazăr, President

- Gabriela Leu, Employment Adviser

#### **EDUCAȚIA 2000+**

- Catalina Ulrich, Programme Coordinator
- Elvira Mihut, Expert

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- Ionel Alecu, President Bucharest Branch
- Crisan Maravela, Head of Covasna Branch
- Nicușor Manolache, Expert
- Carabet Stanciu, Project Coordinator
- Gaman Margareta, Project Assistant
- Cornel Stanescu, Project Coordinator

#### **BARBU LAUTARU FOUNDATION**

- Ion Serban, President

#### **BROTHERHOOD ASSOCIATION**

- Petre Anghel, President

#### **PHARE Programme for the Improvement of the Rroma Situation**

- Ilie Dinca, Counsellor, Expert, Employment/Local Development

#### **CENTRAL EUROPEAN ACADEMY OF SCIENCE AND ARTS**

- Ana Maria Gutiu, Project Coordinator

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- Florin Cioaba, President, Expert Culture
- Gheorghe Lefter, Programme Assistant

#### **COUNTY INSPECTORATE FOR EDUCATION, JUD. MURES**

- Olga Mărcus, Inspector

#### **DEMOCRATIC UNION OF RROMA**

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- Viorel Bumbu, President, Alba County Branch
- Gheorghe Iordache, Spokesman

- Marioara Moldovan, Deputy President

**JOHN SNOW Inc.**

- Merce Gasco, Chief of Party
- Irina Dinca, Project Officer

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- Malina Voicu, Researcher
- Mihai Surdu, Researcher

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- Mihaela Jigău, Researcher

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- Cristina Candea, Medical Doctor
- Brandusa Pop, Medical Doctor

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- Radu Beloi, General Director

**NATIONAL HEALTH INSURANCE HOUSE**

- Emilian Imbri, National Health Insurance House
- Liliana Lucaci, Head of Department

**NATIONAL ROMANIAN COUNCIL FOR REFUGEES**

- Nicolae Carcu, President
- Florentina Covaliu, Legal Department Coordinator

- Florentina Ferent, Social Counsellor

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- Ion Costin Ionel, President
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#### **ROMANI CRISS**

- Costel Bercus, Director Executive
- Adrian Vasile, Executive Secretary
- Mariana Buceanu, Expert Family/Health
- Mihaela Gheorghe, Expert Migration/Asylum
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- Florin Moisa, Executive President, Expert Employment/Local Development

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- Lavinia Olmazu, Expert Youth

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- Toader Burtea, President, Expert Employment/Local Development

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- Laura Duminica, Expert Health

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- Francisca Etves, Expert in legal issues

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- Radian Cârpațiu, Journalist, RROMA NEWS
- Carmen Constanta, Journalist, RROMA NEWS

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- Pekka Matti Hartilla, Ambassador

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#### **UNHCR**

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- Simone Schwartz-Delgado, Protection Officer
- Mihai Delcea, National Legal Officer
- Andrei Albu, National PI Officer
- Liliana Ionescu, National Programme Officer

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UNITED NATIONS SUPPORT FOR THE IMPROVEMENT OF THE SITUATION OF THE RROMA IN  
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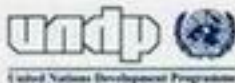
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