The feasibility report was conceived using: desk research and consultations with experts, practitioners, and representatives of the nongovernmental sector.

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# Feasibility study – Romania<sup>\*</sup>

## Introduction

In her endeavour to accommodate a large number of national minorities, representing a significant percentage of the total population, Romania has to face several challenges both on the road to authentic democracy, and in the context of accession to the European Union.

In spite of bold political projects of the Romanian state and memorable civic initiatives of the past decade, progress toward democracy is still hindered not only by persistent discriminatory practices, but also by several problems that continue to plague Romania's handling of minority issues, exercising a draw-back effect on the process of accession to the EU. These problems include the lack of widely accepted institutional solutions for accommodating ethnocultural difference, a shortage of qualified policy-makers to address the diverse needs of the country's twenty minorities, and a generally underdeveloped institutional framework for interethnic dialogue which might contribute to raising awareness on various problems related to ethnocultural diversity.

## Ethnic Minorities in Romania. Demographic Aspects

There are, for the time being, 20 officially recognized national minorities living in Romania, in rural and urban environments, in communities that are either ethnically mixed or homogenous: Albanians, Armenians, Bulgarians, Czechs, Croats, Jews, Germans, Greeks, Hungarians, Italians, Poles, Roma, Russians, Serbs, Slovaks, Tatars, Turks, Ukrainians, Ruthenians and Macedonians. The source of official recognition is, on one hand, the corresponding category in the census (17 in the 2002 edition), and the presence in the Council of National Minorities, an official body created in 1993, by 17 organizations representing 18 minorities (Czechs and Slovaks had a unique representation at that time). In 2001 two previously un-represented minorities, the Ruthenians and Macedonians joined the Council of National Minorities.

According to the 2002 Census, national minorities represent over 10.5% of the total population of the country. The Census only considered 17 minorities: Hungarians, Roma, Germans, Ukrainians (Ruthenians have also been included here), Russian (also including Lipovans), Turks, Tatars, Serbs, Slovaks, Bulgarians, Croats, Greeks, Jews, Czechs, Poles, Italians, Armenians and other ethnic groups. When listing the ethnic groups for the Census, their weight of the total population of the country was also taken into account.

Ethnic group	2002		1992		2002 in % as
	Persons	%	Persons	%	compared to
					1992
Total	21,698,181	100.0	22,810,035	100.0	95.1
Romanians	19,409,400	89.5	20,408,542	89.5	95.1
Hungarians	1,434,377	6.6	1,624,959	7.1	88.3
Roma	535,250	2.5	401,087	1.8	133.4
Germans	60,088	0.3	119,462	0.5	50.3

<sup>\*</sup> Compiled by Mariana Salagean, Levente Salat and Rarita Szakats

Ukrainians	61,353	0.3	65,764	0.3	93.3
(Ruthenians)	01,000	0.0	00,704	0.0	00.0
Russians	36,397	0.2	38,606	0.2	94.3
(Lipovans)	00,007	0.2	00,000	0.2	54.5
Turks	32,596	0.2	29,832	0.1	109.3
Tatars	24,137	0.1	24,596	0.1	98.1
Serbs	22,518	0.1	29,408	0.1	76.6
Slovaks	17,199	0.1	19,594	0.1	87.8
Bulgarians	8092	*	9,851	*	82.1
Croats	6786	*	4,085	*	166.1
Greeks	6513	*	3,940	*	165.3
Jews	5870	*	8,955	*	65.5
Czechs	3938	*	5,797	*	67.9
Poles	3671	*	4,232	*	86.7
Italians	3331	*	1,356	*	245.6
Armenians	1780	*	1,957	*	91.0
Other ethnic	18950	0.1	7,246	*	261.5
groups					
Undeclared	5935	*	766	*	774.8

Source: National Institute of Statistics, 2002 Census, preliminary data

The data show a decrease of Romania's total population. Some possible reasons why this has happened are: negative demographic growth rate, emigration, especially of the youth, to western countries, which is a much more visible phenomenon among the Hungarian ethnics who travel to Hungary to study, and then stay on to work. While in the case of most ethnic groups the number of members has remained the same or has dropped, in the case of Roma there has been an increase. The persons who declared themselves Roma in 2002 are more by one third than those that identified themselves as Roma at the previous Census (1992). They represent 2.5 % of the total population - a significant increase - compared to 1.8% in 1992. Roma organisations estimate that the real figures of Roma in Romania vary between 1.4 and 2.5 million. A positive trend can be observed also in the case of Croats, Turks, Greeks and Italians. The Hungarian ethnic group represents 6.6% from the total population (the precise number is 1,435,747 persons), decreasing with 109,600 persons as compared to the previous Census. A significant decrease in the number of persons belonging to the German minority was recorded, from 0.5% (119,462 persons) in 1992 to 0.3% (60,088) in 2002.

As regards religion, the results of 2002 census show that the Orthodox religion is predominant, representing 86.7% of the total population. In comparison with the previous Census, the persons who declared themselves of any other religion than Orthodox increased in both number and weight, as is the case of those belonging to Neo-Protestant churches (Pentecostal, Baptist, 7<sup>th</sup> Day Adventist), Lutheran-Evangelical Synodal-Presbyterian, Old Rite Christian church and those of Muslim religion.

## Types of Ethnic Groups in Romania

The 20 national minorities living in Romania have different interests and approaches to the ethnic issue. The explanation resides in the size of the particular minority and its traditions, in the way it assesses its own needs and the solutions it proposes to affirm and develop its national identity. As a result, there are *three different types of national/ethnic minorities in Romania*:

(1) the Hungarian minority, with a very strong conscience of its national identity and a well organized political representation – Democratic Alliance of Hungarians in Romania (DAHR) – that keeps high on the Romanian political agenda demands of the Hungarian community;

(2) the Roma minority, facing mainly social and educational problems, fighting both prejudices and discrimination, with several competing political organizations that have failed so far to reach consensus on the priorities of the community, and

(3) the other "small" minorities, whose size varies between a few thousand to 60-100 thousand, and whose main preoccupation is to preserve their particular identities and culture.

The minority policies of post-communist governments have mainly been in the favour of the less numerous minorities, who were granted the possibility to revive after the communist period. The groups most often targeted by the nationalists' rhetoric are the ethnic Hungarians, the Roma, and sometimes the Jewish population. The most ethnic conflicts recorded in the past 14 years have been related to multiethnic communities including Romanians, Hungarians, and Roma, or all these in various minority-majority relationship configurations.

A new category that can be added to this typology is that of (4) the *immigrants*. Since Romania, as a future accession country, in not only "producing" immigrant, but is becoming gradually a target country for immigrants from Asia and Africa, this new challenge puts to test the principles on which both the European and the national system of minority rights are based, and which incline to consider minorities in terms of race and ethnicity rather than religion or other special conditions.

# Legal Framework for the Protection of Minorities in Romania

## **Conformity with International Documents**

Romania has ratified several of the international conventions of relevance for the protection of national minorities such as the *International Convention on the Elimination of All Forms of Racial Discrimination*, the *European Convention on Human Rights and Fundamental Freedoms* and the *Framework Convention for the Protection of National Minorities*. Romania also ratified the *revised Social Charter* in 1999 and signed the documents of the Organization for Security and Cooperation in Europe (OSCE), including *the Charter of Paris for a New Europe*. As a member of the United Nations, Romania has also committed itself to the *Universal Declaration of Human Rights and* to more recent documents, including the *United Nations Declaration on the Rights of Persons Belonging to National, Ethnic, Religious and Linguistic Minorities*, adopted in December 1992.

Romania has also signed *Protocol 12 to the European Convention of Human Rights*, the *European Charter for Regional or Minority Languages* and the *European Convention on Nationality* but these are not yet ratified.

Romanian authorities have yet to sign and ratify the *European Convention on the Legal Status of Migrant Workers* and the *European Convention on the Participation of Foreigners in Public Life at Local Level* and should also make a declaration under Article 14 of the Convention on the Elimination of All Forms of Racial Discrimination by which States accept the competence of the Committee on Racial Discrimination to receive individual complaints.

At the national level, the regulations enacted are generally consistent with these international legally binding instruments as well as fulfilling generally the minimum requirements set forth in the EU Directives adopted in this respect, such as *Council Directive 2000/43/EC of 29 June on the implementation of the principle of equal treatment of people irrespective of race or ethnic origin* (the Race Directive) and *Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation* (the Equality Directive).

## National Regulatory Framework and Measures

Romania has recently taken a number of steps in the field of minority protection, including the introduction of a comprehensive anti-discrimination regulation and of an "equal chances" law, the development of a strategy to improve the situation of the Roma minority, the promulgation of a new law on local public administration granting the use of minority languages in contacts between public officials and individuals belonging to national minorities and some measures to address the problem of police misconduct towards members of minority groups.

The 1991 *Constitution* articulates the equality of citizens and non-discrimination on the basis of nationality; recognises and provides for the right to preserve, express and develop one's national identity. Other provisions regard the political representation of minorities, which confer the right to representation in the Parliament for minorities failing to obtain the necessary votes to reach the established threshold. Minorities have also the right to be instructed in their mother tongue in the public system of education. Another provision refers to the prevalence of the international legislation on human rights signed and ratified by Romania over the internal legislation. However, the Constitution makes no referrals to the collective rights of the minorities, the terminology used with respect to the minority rights being the rights of "persons belonging to national minorities". As concerns the use of the minority languages in court, the constitutional provision is clear: legal processes can only be conducted in Romanian. Upon request, translators are provided for those who do not speak Romanian.

The project of the new Constitution (a referendum for the approval is to be organised on October 19, 2003) provides the rights for the persons belonging to national minorities to use their mother tongue in justice and when dealing with local administration.

In November 2000, with the provisional entry into force of Ordinance 137/2000 regarding the *Prevention and Punishment of All Forms of Discrimination* ("Ordinance 137"), Romania became the first country in the accession region to enact general anti-discrimination legislation. Eventually, the Parliament adopted Law No. 48/2002 approving the Government Ordinance No. 137/2000. The enacted legislation defines both direct and indirect discrimination, constrains both individuals and legal persons to respect the principle of non-discrimination, and allows for positive action or special measures "for persons and groups of persons belonging to national minorities and, for the communities of national minorities, with a view to protecting disadvantaged groups that do not enjoy equal opportunities". It covers fields such as employment, access to goods and services, education and access to public places. Both individuals and non-governmental organisations on behalf of individuals or groups can bring cases to the courts.

The Government Ordinance 137/2000 stipulated the setting up of the National Council for Combating Discrimination with the aim to create a public body in the form of a governmental agency responsible for overseeing the implementation of this new legislation. However, the Governmental Decision establishing the organization and functioning of this body was issued almost a year and a half later - Government Decision No. 1.194 of 27 November 2001, published on 12 December 2001 and a few months after the members of the Council and its Chairperson were appointed.

The 1995 *Law on Education*, subsequently amended several times, stipulates the right to education in the mother tongue at all levels and in all forms of education and also grant the use of the language of instruction in examinations. In terms of public educational policies, the institutional and legal measures have not been equally sensitive to the needs of the Roma as they have been to those of other minority groups. The most important problem is their low level of integration into the educational system.

In April 2001 *Law on Public Administration* allows for the use of minority languages in communications with public authorities. According to the new law, wherever the number of individuals belonging to national minorities is over 20 per cent, the local authorities, in relation with these individuals, has to use their native language.

In April 2001 the government adopted a long-term *Strategy for Improving the Roma Situation* (the "Strategy"), after years of prolonged negotiation with NGOs and other actors. The document is intended as a ten-year program, with four-year plans (generally scheduled to begin from 2002) suggested for implementation in the mid-term. The Strategy addresses a range of issues of relevance for the Roma, including community development, housing, social security, health, childcare, employment, justice and public order, education, culture and communication.

In June 2002 the *Law on the Status of the Policeman* was promulgated. Article 79 of the law states that "in the territorial administrative units where people belonging to national minorities represent over 20% of the population, policemen speaking the respective minority languages should be hired".

# *Minorities in politics: presence of minorities in the legislative and the executive branches (1990-2003)*

Due to the provisions of the Romanian legal system on the one hand, and to the evolution, since 1996, of the Romanian political system, on the other, in Romania one can identify elements of proportional representation in the legislative bodies, measure of positive discrimination for small minorities, and elements of consociational democracy or power sharing.

## Political representation

According to the Romanian Constitution and the Election Law, the organisations of citizens belonging to national minorities have the right to one seat in the Parliament, in the Chamber of Deputies. Due to those provisions the following minorities are represented by one MP in the lower chamber of the Romanian Parliament: Albanians League in Romania, Armenians Union in Romania, The Union of Bulgarians from Banat, Croats Union in Romania, The Greek Union in Romania, The federation of Jews Communities in Romania, German Democratic Forum of Romania, Italian Community in Romania, The Democrat Alliance of Hungarians in Romania, "Dom Polski", the Poles Union in Romania, Roma Party (Partida Romilor), The Community of Lipovans Russians in Romania, The Democratic Union of Slovaks and Czechs in Romania, The Democratic Union of the Muslim –Turkish Tatars in Romania, The Democratic Union of the Slavic Macedonians in Romania and the Cultural Union of the Ruthenians in Romania.

Besides this, since the first elections in 1990, the Democratic Alliance of Hungarians in Romania (DAHR) has been present in the Parliament as it easily passes the threshold of 3 and then 5 percents of the number of voters. The following figures show the percentage of parliamentary seats DAHR has had in the four fora:

- 7,82% between 1990–1992
- 8.23% between 1992–1996
- 7.62% between 1996–2000
- 8.26% in 2000

In the last edition of the local elections, organized in 2000, DAHR obtained 5.85% of the total votes for mayors, while for the local councils they got 6.83%. The percentage obtained in the competition for county councils was 7.96%. The counties were DAHR obtained the majority are: Covasna and Harghita County, with 26 and 27 mandates, respectively.

The Roma, though the second most numerous ethnic group in Romania, were not successful in sending their own representatives to the legislative fora. The reasons are due to the fragmentation of the Roma society and to the important number of political and civic organisations representing it. A lack of political will of the Roma organisations to come together for a common purpose can be observed. As a result, the Roma minority in Romania, similar to the "small" minorities, is only represented in Parliament on the basis of the law granting *one* place in the inferior chamber of the Parliament to every national minority that cannot pass the threshold.

## Attempts of power sharing (1996–2000)

As a result of the outcome of the 1996 elections, DAHR was co-opted in the government together with Democratic Convention in Romania and the Social Democratic Union. The Hungarian party held two ministerial positions in the newly formed cabinet: the leadership of the newly established Department for the Protection of National Minorities, and that of the Ministry of Health, as well as 13 position of for state sub-secretaries and prefects. The participation of DAHR in the government was motivated/explained by its leaders as a support for the democratisation process and direct involvement in national issues, especially those of interest for the minorities.

During its participation in the Government, DAHR focused its attention on the instruction in the language of minorities at all levels. The presence of DAHR at the top of the Department for the Protection of National Minorities led to the revision of the Statute of the Council for Minorities, creation of regional offices of the Department for National Minorities, modification of laws on education, modification of state budget law in order to legalise financial support for minority organisations, include Hungarian language and literature in the basic curriculum. Apart form the above-mentioned successes, it initiated discussions on the issue of the Hungarian university, bilingual towns signs, and use of minority languages in local administration.

The reasons why DAHR didn't see its participation in the government as an absolute success are: failure to achieve real local autonomy, failure to get the Law of Local Public Administration approved, and failure to resolve the issue of property restitution.

## Protocols with SDP: parliamentary support for the governing party (2000-2003)

The elections of 2000 boosted DAHR in the opposition but still in a position in which it could play an influential role. The Social Democratic Party (SDP), which obtained the majority of votes, was in the position to form the Cabinet but still did not have enough support to adopt their legislative initiatives. To solve this deadlock, a bilateral agreement, a so called "Protocol" was signed with DAHR, thus making it the main legislative partner of SDP. The agreements are subject to yearly renegotiations. They are crucial statements of party positions since these yearly agreements stipulate the policy goals for the coming year.

## 2001 and the first protocol

The first protocol was signed on 27<sup>th</sup> December 2000 and comprised a series of objectives to be attained through "concrete measures" taken in 2001. The agreement includes the policy goals agreed upon by the two parties, grouped under five headings: economic reform,

administrative decentralisation, restitution of property, protection of national minorities, and regional development.

## 2002 and the second protocol

For the second agreement between DAHR and SPD, decentralisation became the major concern, followed by the restitution of property and the expansion of the welfare state.

#### 2003 and the new protocol

On 29 January DAHR officially signed a new one-year cooperation agreement. The new agreement stipulates that DAHR will not support no-confidence motions against the minority government and that joint commissions to monitor its implementation will be set up at central and county levels. The SPD pledged to submit to the parliament within three months a law on the restitution of church properties confiscated by the communists; that additional faculties that teach in the Hungarian language will be established at Cluj Babes-Bolyai University; that it will examine the possibility of setting up a Hungarian-language section at Tg. Mures Medicine Faculty; and that Hungarian-language television broadcasts from Tg. Mures will be resumed.

To conclude, one could say that the participation of DAHR in the exercise of power in Romania, both in the opposition and in the government was a benefit for the democratisation process in Romania. The goal should be to have full integration and protection for all minorities and participation in the political, economic and cultural life. In this respect the protection and participation of national minorities is more than a condition for European Integration. It is important to be mentioned, however, that the modest results of the power-sharing arrangement, and the relatively high political price paid for it by DAHR deepened the internal fault lines within the organization and have provoked recently a strong revival of autonomist tendencies within the Hungarian minority in Romania.

## Main actors and the initiatives influencing ethnic relations in Romania

## Governmental organisations

The National Council for Combating Discrimination is a specialised body of the central public administration created in conformity with Law 48/Jan. 2002 regarding the prevention and punishment of all forms of discrimination. This law refers not only to discrimination based on race and ethnicity but on nationality, linguistic, social background, beliefs, sex or sexual orientation. More details about the work and structure of NCCD will be provided in the problems and recommendation part of this paper. Here we will only mention the following: even if the law stipulates it, the Roma minority has no representative in the NCCD leading body a year after its creation. Other difficulties are related to the actual implementation of the law which does not provide for any kind of assistance to the victims of discrimination.

*The Department for Interethnic Relations* is the governmental structure put in place to handle the problems of national minorities. It is not a separate legal entity but has been directly subordinated to the Prime Minister since the governmental reshuffle in July 2003.

*The Office for Roma Issues* is a structure without legal entity, directly subordinated to the General Secretariat of the Government since the governmental reshuffle in July 2003. A state secretary coordinates the activities of the new office.

The Council of National Minorities is a consultative governmental body without legal entity, whose role is to liase with the national minorities organisations. Its constituencies are representatives, three from each national minority organisation represented in the

Parliament. The Council has the following responsibilities: coordinate and support the activity of national minority organisations, submit for minister's approval the distribution of funds allocated from the state budget for the support of organisations of the national minorities, and make proposals for the improvement of the legislation regarding national minorities.

Included bellow is **a list of other stakeholders** that are no less important, but the activity of which is not entirely related to the minority's rights, though their decisions have significant influence on minority protection. These are the political and civic organisations of minorities, the government, the parliament, the city halls, local and county councils, political parties, institutions of the justice, media. The way their decisions and actions have an influence on the effective implementation of all the regulations regarding minority rights will be underlined bellow.

Institution	Effect of institutions			
Political and civic	<ul> <li>Albanians League in Romania</li> </ul>			
organisation of	<ul> <li>Armenians Union in Romania</li> </ul>			
minorities	The Union of Bulgarians from Banat			
	<ul> <li>Croats Union in Romania</li> </ul>			
	<ul> <li>The Greek Union in Romania</li> </ul>			
	<ul> <li>The federation of Jews Communities in Romania</li> </ul>			
	<ul> <li>German Democratic Forum of Romania</li> </ul>			
	<ul> <li>Italian Community in Romania</li> </ul>			
	<ul> <li>The Democrat Alliance of Hungarians in Romania</li> </ul>			
	<ul> <li>"Dom Polski", the Poles Union in Romania</li> </ul>			
	<ul> <li>Roma Party (Partida Romilor)</li> </ul>			
	<ul> <li>The Community of Lipovans Russians in Romania</li> </ul>			
	<ul> <li>The Democratic Union of Slovaks and Czechs in Romania</li> </ul>			
	<ul> <li>The Democratic Union of the Muslim –Turkish Tatars in Romania</li> </ul>			
	<ul> <li>The Democratic Union of the Turks in Romania</li> </ul>			
	<ul> <li>The Ukrainians Union in Romania</li> </ul>			
	<ul> <li>The Association of the Slavic Macedonians in Romania</li> </ul>			
	<ul> <li>The Cultural Union of the Ruthenians in Romania</li> </ul>			
	Even if these organisations play an important role in influencing minority			
	related state policies, they often have internal problems with			
	representativeness at the community level. Due to the way in which sta			
	subventions for national minorities are being handled, their activity risks			
	to become in some of the cases counterproductive in that it generates an			
	ethno-business-like tendency.			
The Parliament	It is the main political scene where an important part of the debates on			
	the consequences of diversity in Romania take place. However, for a			
	significant part of the issue, the Roma problem, it remains far			
	underrepresented.			
The government	It is the most influential actor that initiates public policy measures and			
	allocates resources. In spite of considerable attention paid to the issue			
	and bold political projects of the recent past, the outcome of its activity			
	reflects the general atmosphere of suspicion and resistance to accept			
	fully the consequences of diversity in Romania.			
The local and county	Their importance as actors at the local and county levels results from the local administration law that has important provisions for minorities. Since			
councils	there is a general lack of resources, assistance and training critical for			
	the implementation of the law, local and county councils often become			
	scenes for interethnic disputes.			
Political parties	Due to the way diversity is being viewed in Romania today, no political			
ronucai parties	party risks to include in its political program a serious and credible offer			
	on accommodating minority concerns, which could attract significant			
	number of minority voters. For that reason DAHR has the monopoly over			
	public discourse on minority issues, a situation which can be easily			
	public discourse on minority issues, a situation which call be easily			

	exploited, particularly during the election campaigns, in a very populist manner by political forces eager to gain votes.		
Media	Information sources for Roma: 1 radio station, 4 reviews, 2 publishing houses Information sources for Hungarian Minority: 17 radio stations, 14 tv stations, 50 daily newspapers and weekly magazines, 17 reviews, 23 religious publications, 50 publishing houses, 5 mass media organisations.		

## Nongovernmental organisations

1. Ethnocultural Diversity Resource Center (EDRC) is the successor organisation of the Cluj branch of the Open Society Foundation. EDRC's mission is to contribute to the construction of democracy in Romania, by improving the country's interethnic climate and promoting the principles of ethnocultural peace and justice. The programmes developed by EDRC aim at: improved access of minorities to and participation in public life, good governance in multiethnic communities, multicultural education, research and documentation on ethnic minorities, and promotion of interethnic dialogue. (www.edrc.ro)

2. The Resource Center for Roma Communities (RCRC) is a nongovernmental organisation that aims to contribute to the improvement of life conditions of the Roma in Romania. RCRC projects aim to identify and fight different forms of discrimination against Roma and to encourage the expression of Roma cultural identity. RCRC projects include: *Facilitation and Community Development in interethnic communities from Transylvania*, a project developed by RCRC with support form the Charles Stewart Mott Foundation, and the project that supports the expression and development of Romani language and culture. (www.romacenter.ro)

3. Project on Ethnic Relations is and organisation whose activity focuses on preventing ethnic conflict. PER works through offices in Bucharest and Târgu Mures, which conduct active programs of seminars and consultations throughout Romania and carry out projects with political leaders, the police, media, and educators. As Romania, along with other countries in the region, faces a major challenge in seeking solutions to the plight of its large Roma population, PER has been active in helping to organise policy initiatives on this issue. (www.per-usa.org)

4. Pro Europe League is one of the first registered NGOs in Romania, which from the beginning has laid an emphasis on the values of European integration and the consolidation of the pro-European tendency and mentality in Romania.

The central programmes of the Pro Europa League, implemented predominantly in Transylvania, are based on the promotion of interculturalism, human rights and minority rights, on civic education and on preventing conflicts.

*Intercultural Centre* is one of the major programmes developed by the organization. The Centre's activities are developed at two levels: the first is practical and focuses on interethnic and inter-confessional dialogue, and intercultural learning through open spaces, workshops, seminars, training sessions, conferences or summer camps; the other level is more theoretical and it aims at carrying out studies and research on subjects related to the issues of the multicultural societies. (www.proeuropa.ro)

5. Association for Defence of Human Rights in Romania – the Helsinki Committee is a nongovernmental organisation that strives to change both legislation and mentalities in the field of civil rights, stressing individual freedom, right to privacy, fair trial, access to information, and minority rights. Their projects combine assistance to victims of abuses with campaigns for the amendment of laws and promotion of new legislation for the protection of the rights of minorities. Their monitoring reports are valuable information sources for both national and international institutions. (<u>www.apador.ro</u>)

6. Research Center on Inter-ethnic Relations, is a non-governmental organisation that carries out researches on the ethnic relations issue. More specific the organisation is interested in: doing research of the cultural heritage of different populations and ethnic groups from Romania (especially from Transylvania), offering scientifically founded data on controversial aspects of the history and present day problems of different ethnic groups in this region, frequently invoked by intellectuals and politicians in political disputes, offering a frame for different scholars interested in improving their knowledge on what concerns the ethnic relations and nationalism, either from a theoretical point of view, either performing field research in Transylvania and also on giving assistance for different NGO's whose purposes are to improve and develop interethnic relationship and climate in Romania.

7. The Euroregional Center for Democracy is a non-governmental organisation aiming to promote democracy and stability in Central and South Eastern Europe.

In this respect it is worth mentioning the programme *Link Diversity* – *National Awareness Campaign for Promoting the Values of Multicultural Society and Democratic Citizenship.* This is an initiative of the Council of Europe with support from the Stability Pact - Working table 1 for Human Rights and Democratisation, and proposes to address and involve youth in promoting the values of multicultural societies and democratic citizenship. In this respect the campaign focuses on youth aged 18-25 as they are important factor for change. The programme objectives are to educate youth for understanding ethnocultural differences, to evaluate the perception of different ethnic identities by the youth, to better involvement of the youth in overcoming the prejudices related to ethnic groups. (www.regionalnet.org)

8. Intercultural Institute in Timişoara (IIT) is a nongovernmental organisation which pursues the development of the intercultural dimension in the fields of education and culture.

IIT has been active in areas such as: intercultural education, interethnic relations, crossborder cooperation, youth, and culture. To illustrate their work, the following examples are relevant: between 2001 and 2002 IIT implemented the project *With the Roma of Banat: working together for a sustainable local development* (with support form the *Council of Europe, Confidence Building Measures Programme),* which intended to stimulate a positive attitude towards the members of the Roma community thus disseminating an example of good practice. Another project, *Institutional Partnerships: Intercultural research in Romania to achieve better standards in human rights,* aimed at developing and inventorying good practices in the field of intercultural relations. (www.intercultural.ro)

9. Media Monitoring Agency is a Romanian human rights advocacy NGO with media expertise, which aims to defend, support and promote civil, and political rights in Romania. MMA's activities are structured on three levels - research, education and direct action a Noteworthy projects currently implemented by MMA include: *Steps toward tolerance*, a project that aims to involve the majority in the process of improving the situation of Roma communities in Romania through a media campaign, *Roma news*, which aims to promote an alternative image of the Roma population in the media and *Victims of discrimination*. (www.mma.ro)

#### 10. Interethnic Education Centre for Youth

It is a registered project of the Institute for Foreign Affairs Stuttgart in collaboration with the German Democratic Forum Romania. The Centre is more active at the local level but also has initiatives for establishing contacts with youth organizations acting in Romania and abroad. A well known project developed by IECY is: *The days of Ethnic Communities in Romania*, a yearly event aiming to promote interethnic dialogue and tolerance between ethnic communities and the majority population and to involve young people in resolving issues that occur in ethnic communities. (www.ibz.org.ro)

#### Other initiatives on ethnic relations and minorities

#### 1. Romanet, a Carpathian Foundation initiative

The Romanet programme encourages cross-border cooperation between organisations that address issues related to the Roma in the Carpathian Euro-region (Romania, Hungary, Poland, Ukraine, Slovakia).

Objectives: to create a network of Romany initiatives addressing common issues, to promote economic development projects, which would in turn decrease unemployment and improve the life of Roma communities within the Carpathian Euro-region and to initiate joint institutions of Romany organisations and initiatives in order to strengthen their voice.

## 2. LIP – Local Initiative Programme, a Carpathian Foundation Programme

The programme support goes for initiatives aiming at the development of the local social capital with an emphasis on the following areas: *Multiculturalism and interethnic dialogue* – promoting interethnic relations, building relations between different ethnic groups at the community level, promote collaboration and dialogue between organizations acting on improving interethnic relations.

Cultural and natural patrimony – preserving the region's natural and cultural patrimony

## 3. Divers

DIVERS is a weekly news bulletin reporting events related to ethnic co-existence in Romania and in Europe, published by the Mediafax News Agency in collaboration with the Ethnocultural Diversity Resource Center. The intention of the editors is for DIVERS to provide reliable, consistent and updated information on ethnic minorities in Romania and information on events related to ethnic co-existence in Europe, facilitating an understanding of the interethnic climate in Romania in the context of the changing societies of Central and Eastern-Europe.

# Inventory of Problems

## General aspects

- Diversity in general, the existence of a considerable number of national minority communities committed to preserving their culture, in particular, is still considered rather a burden and a potential source of tensions in Romania, and only occasionally is valued as source of creativity and cultural wealth. According to the prevailing mentality, the presence of the minorities in the public sphere is hardly acceptable, the status of minority languages in public life is largely contested. The potential tensions residing in the un-addressed issues are often exploited by competing political forces, particularly during campaigns before elections.
- In spite of the relatively large scale of generous legal provisions, aiming to accommodate the special needs of the various minority groups, the effect of the adopted laws is often delayed due to the lack of properly functioning mechanisms, or capacities and resources critically needed for the effective implementation of all the measures taken for the protection of minorities
- Since several aspects of the problem are still un-tackled, a law for minorities is necessary. Adoption of such a law would be a proof of political maturation, since it would require the reconciliation of competing interest in defining the relationships between the state and different minority communities.

# Problems with discrimination

The adoption of the *Law on the prevention and sanctioning of all forms of discrimination* – Law No. 48/2002 – demonstrates an acknowledgement on the part of the authorities that problems of discrimination and related intolerance exist in Romania and need to be addressed. It should be noted that the civil society, represented by several NGOs, developed a comprehensive advocacy and lobbying campaign that eventually led to the drafting of this particular piece of legislation and that these NGOs took an active part in the drafting process as well. In this respect, co-operation between the authorities and representatives of civil society has been improved and represents a positive trend that needs to be continued.

However, problems persist as regards the implementation, enforcement and compliance of enacted regulatory provisions, the training of public officials and of the judiciary in this respect and as regards the climate of opinion in the country, reflected in certain political circles and in the media.

The decision setting up the National Council for Combating Discrimination (NCCD) states that the Council will operate independently of any institution or public authority. However, in practice it is not an independent body, as it remains administratively subordinated to the Government. The European Commission in its 2002 report on Romania's progress towards accession expressed concerns that "members from vulnerable groups and NGOs are not represented in the Council". The Roma Strategy stipulates that Roma should be represented in the NCCD, but this provision was not taken into account when the actual structure of the body was put in place.

The staff and members of the newly created NCCD need specialised training in order to fulfil their mandate. Equally important, implementation and compliance of enacted antidiscriminatory legislation cannot be achieved if it is not made accessible to people. That's why future activities in the field should lay a special emphasis on raising awareness of the existence of such legislation and of its specific provisions. A major difficulty related to the actual implementation of the law is that NCCD is not entitled to provide for any kind of assistance to the victims of discrimination. The Council needs to devise a precise and transparent methodology for assessing discrimination.

Although operating for more than one year, NCCD's actions have not been visible yet.

## Language rights – shortages and consequences

Although the EU has not set forth its own rules in this area, international standards provide that states should take steps to facilitate the use of minority languages in contacts between public officials and individuals belonging to national minorities. In certain circumstances, the *Framework Convention for Protection of National Minorities* requires states to "make possible the use of minority languages in communications with administrative authorities." International law requires as well that, where necessary, states provide interpreters free of charge during criminal proceedings.

The Law on Local Public Administration allows the official use of minority languages in localities where a certain minority represents more than 20% of the population. This legislation is mainly applicable to the Hungarian minority. Further assistance and training for LPA employees is necessary in order to ensure an effective implementation of the law. As regards this law, a major problem is that its provisions haven't been used in the case of communities where the Roma represent more than 20% of the local population.

Recent legislation stipulates that communities with a minority population of over 20% will be obliged to employ police officers who know the mother tongue of the relevant minority.

Also, no progress has been noted with regard to the Csango minority: a non-homogenous group of between 60,000 and 70,000 Roman Catholic people living in the northeast of Romania who speak a form of Hungarian. Reports from human rights organisations provide evidence that certain local authorities have obstructed attempts by Csango to be taught the Hungarian language (as an optional language).

The salience of the language rights issue has been put in evidence recently by the fierce debate on the planned changes in the Romanian Constitution, regarding the use of minority language in Courts. Though the respective changes have been negotiated among political parties, in the context of the political campaign for the referendum on the amended Constitution planned to be organized on October 18-19, 2003, several civil organizations and political forces militate for "no" vote, due to what they call "rendering the status of second official language to the Hungarian language" by the amended Constitution.

#### The Need for Multi- and Intercultural Education

Although the national curriculum includes a discipline called "The history and culture of..." the Bulgarian, Croat, Czech, German, Hungarian, Pole, Serb, Turk-Tatar and Ukrainian minorities, these are content to be taught to the children of the respective ethnic groups only. Thus, the children of the majority do not learn in schools about the ethnic minorities of Romania, and are consequently unaware of the diversity of the country from this point of view.

Sensing the need for intercultural education, and the lack of provision for it in formal education, the civil society has had several initiatives to provide intercultural education.

Such initiatives are generally promoted by NGOs and take place out of the school, or in the best cases in extracurricular activities.

Within the project "Access to education of disadvantaged groups with a special focus on Roma", RO 010402 PHARE, the Ministry of Education, Research and Youth (MERY) promotes the idea of inclusive education, inclusive culture and practices in schools. At the core of inclusiveness lies interculturalism, and MERY recognizes the need for intercultural education. However, interculturalism is viewed as a dimension of methodology rather than content of learning.

The same recognition of the imperative need for intercultural education is demonstrated by MERY within the project "Education for Democratic Citizenship". The goal of this project is to pilot the introduction of a school-subject called "Education for Democratic Citizenship" to be taught in one lesson/week, instead of the counselling lessons. However, again, interculturalism in this project is viewed merely as a superficially inclusive approach (education for tolerance, communication techniques) rather than content to be studied.

. In the curriculum, there are issues of intercultural education to be approached in the civic education lessons, but they are merely recommended (school-based curriculum) and very few teachers observe them (...) I think one of the fields that are lagging behind in promoting diversity is education" – as one member of the minority NGO working group puts it. <sup>1</sup> Indeed, teachers in Romania are inappropriately trained currently to do intercultural education, and promote diversity in general, and ethnocultural diversity in particular.

An alternative to intercultural education taught in civic education or counselling lessons is that of integrating intercultural approaches to different school subjects. To this view an adjustment of the textbooks is necessary. With the coming of alternative textbooks within the education reform in Romania, a textbook to be used in the 12th grade, "The History of Romanians", published by SIGMA Publishing House, was the only one to include some information about the ethnic minorities of Romania, and their culture. However, though used successfully for one school year, in 2001 the textbook was withdrawn by a special order of the Ministry of Education and Research.

"The problem is that so far no one has managed to convince the Ministry of Education of the need for substantial, consistent, intercultural education, which would be really useful in schools. Today's youth do not know what country they live in, they do not know other cultures and have no basics that may convey the dimension of the pluralism in which we live" – argues one of the minority NGO working group member.<sup>2</sup>

Religious education which should be an instrument of multicultural education has become a pretext for segregating schools by religious criteria. The religion of the majority is imposed -(there are laboratories of religious education which display Orthodox iconography only) and an ecumenical intrusion in the lay space (children are obliged to begin the day with prayers, the religion teachers must receive the 'blessing' of the church) it was observed.

## The Presence of Ethnic Minorities in Institutions of the Romanian Sate

It is another legacy of the Communist dictatorship that important institutions of the state, particularly those in charge with security and public order, like the police, the top leadership of the military, or the diplomatic corps have been cleansed from ethnic point of view. This process, which has been completed during the last decade of the Ceauşescu regime,

 $<sup>^{1}</sup>$  minority NGO working group, Bucharest, September 24, 2003  $^{2}$  idem 1

reflected a genuine lack of trust in minorities, who were considered unreliable to be credited with positions in the mentioned institutions.

In June 2002 the *Law on the Status of the Policeman* was promulgated. According to the law<sup>3</sup> "in the territorial administrative units where people belonging to national minorities represent over 20% of the population, policemen speaking the respective minority languages should be hired". This long-awaited provision creates confusion, as there is no established procedure for the actual implementation; no information is provided on the number of minority policeman to be hired, or on the timeframe. The initiative meets sometimes the resistance of the members of the minorities as well, who consider the police a force of repression, with frequent anti-minority stances.

While according to the 2002 census the 20 ethnic minorities living in Romania represent 10.5% of the total population, recent reports show that there are less than 1% police officers/non-commissioned police officers of minority ethnic background. Agreement was reached with the Ministry of Interior to employ 100 policemen from Roma communities during the course of 2002, but no measures have been taken yet.

## Defining and Accepting Otherness in the Public Space

While Romanians are largely tolerant with ethnic minorities as far as their right to identity in private is concerned, there is a significant level of intolerance when diversity in the public space occurs. Though there is a considerable attention paid to the issue by various actors, diversity is still not considered to be part of the reality of today's Romania.

The problem is phrased in the following way by one of the participants of the minority NGO working group: "Think of the fact that exhibitions of the local museums, the national, local or regional celebrations or holidays regularly do not include the symbolic space of minorities. So in a way in the cultural history, in the symbolic history of the land, the traditions of minorities have not been included, and there is a persistent division of mentalities between those who see Romania as a pluralist state, and try to bring this pluralism in the normative field, and those who see Romania as a somehow homogeneous state that has certain obligations toward certain communities, obligations which – of course – are related to history, the history of our state. But my biggest problem is: I do not feel that we manage to construct and I do not believe that the state is a partner in the construction of a genuinely pluralistic Romania, from the point of view of culture and others."

The same participant sees the main challenge in the following: "Another issue that has not been perceived in the Romanian society, but I have seen it work in other societies, though not to the full extent, is the inclusion of minorities in the body of the state, at the level of mentality, not only at that of legislation or the constitution."

## Particular aspects related to the different types of minorities

Besides the general aspects listed above, there are particular problems which the members of the previously identified four categories of ethnic minorities have to face: Hungarians, members of the Roma community, members of the 18 small minorities, and the rapidly growing immigrant communities. Any serious attempt aimed at accommodating ethnic minority communities in Romania has to take into account that different needs and problems have to be addressed by different and appropriate means.

<sup>&</sup>lt;sup>3</sup> The Law on the Status of the Policeman, Art. 79

## The Hungarian minority in Romania

It is beyond doubt that since December 1989, there has been increasingly better observance of the rights of Hungarians. There are opportunities, although sometimes still limited, to study in the Hungarian language; the Hungarian language can be used – at least in principle – in local public administration; several Hungarian cultural institutions exist; there are newspapers and other publications in Hungarian; and there are no restrictions on establishing and nurturing various contacts with the kin-state.

However, tensions remain between the Hungarian minority and the Romanian majority, both on the national and local level. According to the findings of the *Barometer of Ethnic Relations*<sup>4</sup>, there are still deep divides between majority and minority along fault-lines concerning ethnopolitical options: what is considered, by a vast majority of Hungarians in Romania, to be a criterion of authentic minority condition (territorial autonomy for the compact Hungarian communities living in the Szeklerland and cultural autonomy for the Diaspora, the re-establishment of the Hungarian language state-university, amending the first article of the constitution which defines Romania as a nation-state, providing a quasiofficial status to the Hungarian language in certain institutions of the state), is persistently rejected by a large majority of the Romanian population.

Due to these conflicting views, the often generous legal provisions which are the result of tedious political reconciliation of interests on the top level are deemed to be ineffective and are resisted on the local level by those whose role would be to implement them. Examples of that kind can be mentioned with respect to several articles of the *Law on Public Administration* and the *Law on Education*. The difficulties in carrying out certain objectives stipulated by the Protocols negotiated between DAHR and PSD (regarding property restitution, for instance, or like in the case of the recent dispute on the last minute cancellation of the re-erection in Arad of a statue symbolizing the defeated Hungarian revolution in 1848 which was removed in the 1950-ies by the Communist authorities) are due, as well, to the conflicting views on what integration requires and on what it could possibly consist in.

Based on the above, we could conclude that in addition to the laudable efforts of negotiating conflicting interest on the level of DAHR and representatives of the Romanian state, attention should be paid to initiatives that aim at creating favourable conditions for the outcomes of those negotiations. In other words, more attention should be paid to the yet lacking spiritual and intellectual premises of mutual acceptance between Romanians and Hungarians in the common Europe.

Many of the problems identified by the ethnic Hungarians are common problems of all ethnic groups living in Romania. To these, the issues of access to higher education in Hungarian, local public autonomy, support for the Hungarian cultural organisations, and promulgation of a law on minorities can be added. None of these claims undermines or affects unity or integrity of the Romanian state, but they subscribe to international treaties that Romania is a signatory of.

## Roma minority in Romania

Romania has a large Roma population - estimated to be between 1,400,000 and 2,500,000, although according to 2002 Census the number of Roma living in Romania is 535,250. The Roma have been particularly vulnerable to the general acute economic deprivation that has affected Romania over the last decade: the Roma disproportionately suffer from the impact

<sup>&</sup>lt;sup>4</sup> Barometer of Ethnic Relations, 2002, the Ethnocultural Diversity Resource Center

of rising unemployment, and frequently live in conditions of dire poverty. These problems are greatly exacerbated by entrenched discrimination, housing segregation, poor access to public services such as healthcare, and even physical assault, particularly by police officers. Anti-Roma sentiment is widespread in the Romanian society, and some leading political figures have given voice to prejudice rather than countering it, sometimes suggesting that the Roma are to blame for the country's slow progress towards accession to the EU.

Life expectancy of the Roma people is significantly lower (with about 15-20 years) than that of the majority population, and child mortality in Roma communities is also higher. These figures reveal other significant problems that the Roma ethnics face, such as poverty and lack of medical assistance. Reports of doctors refusing to treat Roma even if they have health insurance are frequent.

While traditional churches proved to be less open to the Roma, an increasing number of ethnic Roma have opted for the Neo-Protestant churches in the last years.

Opinion polls document the pervasiveness of racist attitudes. According to the *Barometer of Ethnic Relations*<sup>5</sup>, 24 percent of non-Roma would prohibit Roma from settling in Romania; 37 percent of ethnic Romanians and 44.7 percent of ethnic Hungarians would refuse Roma in their city, town, or village. Another recent poll found that 67 percent of the population of Romania feel resentment towards the Roma. This number is higher than that relating to any other minority in Romania. These attitudes are reflected both in the political arena and the media. Negative stereotypes are reinforced and perpetuated by both public and private media. The Roma are commonly depicted as "thieves", "beggars", "dealers", and "illiterates" – a "dirty" or "criminal race". One survey of the image of the Roma in the media found that "the most frequently occurring category describing Roma has to do with 'the colour of the skin', the second is 'crime'."<sup>6</sup> Reports by Media Monitoring Agency and Romani Criss note that the Romanian media present the Roma generally in the context of conflict, as the aggressors.

A particularly salient problem related to this image is the relationship between the Roma community and the police. During one of its recent examination of Romania, the UN Human Rights Committee voiced concerns about "police brutality against members of the Roma community." The use of physical violence to extract confessions is not unusual. To date, however, government efforts have not focused on investigating or providing adequate redress for police violence. It is worth mentioning that the government, together with NGOs, has aimed to improve relations between the police and the Roma community. For example, the General Police Inspectorate, together with the Roma Party, organized a meeting in February 1999 to address the involvement of Roma communities in preventing and combating criminality. Another long-term collaboration between the General Police Inspectorate and EDRC took place in the period 2000-2002, aimed at providing noncommissioned officers with skills and knowledge on conflict prevention and conflict management in multiethnic communities. In March 2000, the Romanian gendarmerie signed a "Protocol of Partnership" with Roma representatives, aimed at increasing cooperation and mutual trust. Despite this progress, no institutional framework has been established to build on this agreement with continuous programming.

The European Commission's 2002 *Regular Report on Romania's Progress Towards Accession* observes that, "Discrimination against the Roma minority continues to be widespread in Romanian society, and the social inequalities to which the Roma community is exposed remain considerable. Living conditions are poor, access to social services

<sup>&</sup>lt;sup>5</sup> idem 4

<sup>&</sup>lt;sup>6</sup> Study conducted by the Intercultural Institute in Timisoara funded by the Council of Europe and OSI.

Issues: Coverage of the Roma in the Mass Media in Romania, Project on Ethnic Relations.

remains limited and human rights organisations have received credible reports of police harassment.

The Romanian Constitution grants general education to all. The right to equal access to education is set forth in both the Law on Education and Ordinance 137/2000. Limited educational attainment is prominent, however, among the Roma. Ninety percent of adult Roma lack high school diplomas, and fifty percent of Roma children leave school by the end of the fourth grade. The government explains these low levels as due to a "lack of interest on the part of Roma in going to school and learning a trade. A UN Special Rapporteur, by contrast, notes that "the prevalence of anti-Roma feeling in schools, and particularly among many teachers, discourages parents from sending their children to school". Moreover, allegedly many Roma children are tracked to special classes with a lower quality of teaching, segregated from majority children. Such classes offer virtually no prospect for continuing on to higher education or skilled employment. Other factors affecting the ability of Roma families to ensure that their children attend school include poverty and a lack of the necessary documentation. There is an urgent need to help Roma children succeed in school, and graduate, so they can participate in their own social and economic development.

Against this context, the Government has made steady progress in implementing the *Strategy for Improving Situation of Roma*<sup>7</sup>, which is explicitly aimed at addressing discrimination and improving the chances of equal access for members of Roma communities. The structures for the implementation of the Roma Strategy were progressively established. At the county level, the Roma offices provided for in the Strategy have become operational. A particularly important innovation was the official establishment of school and health mediators since this facilitates improved Roma access to public services in general and to education and health services in particular." Against this positive background, a weakness with the implementation of the Roma Strategy is that the full levels of funding envisaged in the original document have not been made available. This lack of financial support means that it has been impossible to carry out many of the planned activities and efforts have been restricted to less ambitious, and less costly actions. Other concerns are the absence of effective co-ordination mechanisms. Without these, the success of the strategy will rely upon the individual approaches taken by the different institutions involved.

Another aspect of the Strategy that has not, to date, been satisfactorily addressed is that of housing. This is one of the largest problems affecting Roma communities, many of whom live in unacceptable conditions, without basic amenities and without security of tenancy. Certain local authorities have used this situation to attempt to move Roma into special neighbourhoods, but the Government has firmly rejected any such form of segregation. Local authorities have financed few projects to improve housing conditions for Roma. More often, housing "initiatives" foster racial segregation and provide degrading accommodation. The Strategy contains no measures to address *de facto* racial segregation.

To this list of weak points we can add one more: the Strategy focuses exclusively on facilitating the integration of the Roma, but no measures are foreseen to change mentalities of the majority population towards accepting the Roma.

The adoption of the Strategy fulfils in part Romania's short-term priorities for accession. However, the Strategy has little programmatic content, and it glosses over a central problem confronting Romanian Roma: violence by police officers. Implementation of the Strategy is a matter of future design and sustained political will. Close monitoring will be necessary to

<sup>&</sup>lt;sup>7</sup> Government Decision 430/April 2001, The Strategy of the Government of Romania for Improving the Roma Conditions

ensure that activities are adequately funded and elaborated in a timely manner, and with the full participation of all relevant actors.

## **Other minorities**

The organisations that represent the other ethnocultural communities in the Council of National Minorities were established immediately after 1989, in several cases by persons who were known as collaborators of the communist regime. As new generations of opinion-leaders appear, serious problems of representativity within the different ethnic communities occur. At present, some of the existing organisations are used as a loyal clientele for different actors of political power.

There are further problems with the accession of different ethnic communities to the Council of National Minorities, which is restricted to the members of the organisations that represent the respective ethnic group in the Parliament. This imposes a monopoly of the existing minority organisations of parliamentary representation. The distribution of the funds for the representative organisation of minorities is done exclusively through and among the members of the National Council of Minorities, thus politicising the accession of minority groups to subventions from the state.

Expert opinions hold that the distribution of governmental funds for the organisations of the minorities should be done through open tender. "I believe it is time for such an engagement of organisations, in order to maintain the rules of the game within the space of associative manifestations of the national communities. I think this is an urgent and decisive issue" – pointed one of the participants in the minority NGO working group.<sup>8</sup> A thorough reconsideration of the system in which the minorities are supported by the state seems to be an important and urgent task.

#### Immigrants

The rapidly increasing number of immigrants (particularly Kurds and Chinese) represents a challenge that has been little considered so far both by experts in ethnic minority issues and representatives of the different state institutions. In order to prevent foreseeable tensions between old – national – minorities, and new – immigrant – communities, more attention should be paid to the problem. The consequences of the improperly addressed issue could lead to unfair and discriminatory practices targeting immigrants, as well as it could hinder the accession of Romania into the Schengen space.

<sup>&</sup>lt;sup>8</sup> minority NGO working group, Bucharest, September 24, 2003

# Recommendations

In designing an action plan for a future programme aiming at enhancing minority civil dialogue, best practices play an important role. But one needs to be aware of the fact that good practices are good practices in a complex context, and the current situation requires a proper adaptation of the envisaged means to the complex structure of the problem. Baring this in mind, we would recommend the following.

On the general level:

- advocacy for the need of accepting and accommodating diversity in its whole complexity in the public space
- advocacy for the need of multicultural and intercultural education, including within formal education provided for members of the majority
- advocacy on the existing legal provisions, in order to enhance the chances of effective implementation
- advocacy for the need of a special law on minorities

On the particular level:

I. with respect to the Hungarian minority:

- initiatives meant to foster dialogue between different Romanian and Hungarian actors on the ways in which Hungarians could be integrated more effectively in the Romanian state and society
- initiatives meant to utilize the model of French-German reconciliation in the Romanian-Hungarian context (including mobility and exchange programs)
- other initiatives meant to gradually eliminate the gap between Romanian and Hungarian ethnopolitical options and priorities

II. with respect to the Roma minority:

- a thorough research on the nature of the problem, in order to facilitate the elaboration of more feasible and more effective ways of providing assistance to the Roma communities
- capacity building of key actors within the community, which could play a decisive role in delivering assistance
- forms of political education for Roma elite in order to foster a more effective integration of the community

III. with respect to the small minorities:

- advocacy for the need of redesigning the system of state subventions provided for the organizations of national minorities
- advocacy for the need of reconsidering the ways how national, ethnic or religious minorities are officially recognized in Romania

IV. with respect to new minorities (immigrants)

- a thorough research on the implications of the problem
- advocacy for the need of fair integration of immigrants.

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