



**Status of Communities
Discriminated on Work and Descent:**

The situation of *Roma* in Romania

The Inclusivity Project and
Global Forum of Communities
Discriminated on Work and Descent



The Inclusivity Project

The Inclusivity Project (TIP) is a non-profit organization founded to advocate for the rights of communities discriminated on work and descent (CDWD) and raise awareness on their issue. TIP works towards Capacity Building, Collaboration, and Research to support CDWD communities by enhancing the Social, Economic, and Political Integration and increasing their visibility at the National, Regional and Global platforms. TIP works on the sustainable development goals (SDGs), especially on the monitoring and follow-up/review, and providing data and evidence for the nation-state for effective and inclusive programme implementation.

<https://www.theinclusivityproject.org/>

Global Forum of Communities Discriminated on Work and Descent

Global Forum of Communities Discriminated on Work and Descent(GFoD), founded in 2021 is a platform to voice the rights and entitlements of the communities in Africa, Asia, Europe, Latin America and North America discriminated on work and descent. GFoD aims for full realization of the Universal Declaration of Human Rights of the Communities Discriminated on Work and Descent and to ensure access to sustainable development goals(SDGs).

<https://www.globalforumcdwd.org/>

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Preface

In a Europe that prides itself on its commitment to diversity, equality, and human rights, the persistence of discrimination against Roma communities, discriminated on work and descent, stands as a stark reminder of the challenges that still lie ahead. This report sheds light on the troubling issues of discrimination faced by Roma individuals and communities in Romania. As we delve into the depths of this pressing concern, we are confronted with the urgent need for comprehensive and sustainable solutions.

Roma, a historically marginalised and resilient ethnic group, have long faced systemic discrimination and prejudice across Europe. Despite the strides made in the realms of social progress and legal reforms, the Roma population continues to encounter substantial barriers, particularly in areas of work and other key social services and public goods. This report illuminates the intricate web of challenges that contribute to the perpetuation of discrimination, examining the contexts of Romania.

The report delves into the socioeconomic disparities that have resulted from a long history of discrimination, exacerbated by limited access to education, healthcare, and proper housing. By focusing on the intersectionality of discrimination faced by Roma women and youth, we gain insight into the broader impact of these issues on future generations.

The purpose of this report is not merely to highlight the problems, but also to underscore the potential for change. Through meticulous research, data analysis, and candid testimonies, we aim to spark a meaningful conversation on the urgent need for targeted policies, societal awareness, and international collaboration. It is with great pleasure that I would like also to acknowledge the efforts of Ms Torotcoi who has authored the report and also Mr. Gyan Kothari and Mr. Naveen Gautam who has coordinated and contributed to the research process under the guidance of Father Aloysius Irudayam.

As we navigate the pages of this report, it is our hope that readers – whether policymakers, advocates, scholars, or concerned citizens – will be compelled to join forces in the fight against discrimination. The narratives within serve as a reminder that the principles of equality, social justice, and human dignity are not abstract concepts, but the cornerstones of a truly inclusive Europe.

In closing, this report stands as a call to action, urging us all to confront the harsh realities faced by the Roma. By acknowledging the historical injustices and systemic prejudices that persist, we take the first step towards fostering a Europe where every individual, regardless of their background, can truly flourish.

PAUL DIVAKAR NAMALA

Convener

The Global Forum of Communities Discriminated on Work and Descent

Foreword

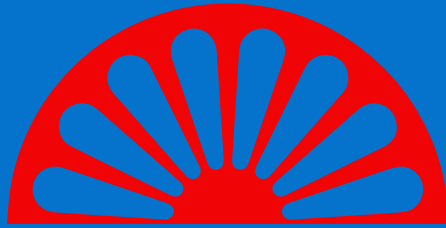
Racism against Roma have been long neglected by academics and researchers for centuries. In the last two decades, issues of identity, self-defining of Roma and racism became more prominent in what is usually called Romani Studies. Several Roma and non-Roma scholars have challenged the dominant narratives on Roma in academia and in policymaking, proposing a paradigm shift in the approach to the issues faced by the Roma in Europe and elsewhere. Some of them even called themselves as Critical Romani Studies scholars as they found inspiration in different critical social theories. These scholars placed racism against Roma – defined as antigypsyism – at the center of their approach arguing that antigypsyism as at the very base of the Romani predicament. In opposition to the dominant approach which emphasized the social and economic disparities and the need for social integration policies as a way to promote equality, these scholars argued that the origin of the social and economic disparities between Roma and non-Roma stem from the long history of discrimination and oppression Roma have been subjected for centuries.

Antigypsyism - defined as a special form of racism directed against those stigmatized in the social imaginary as “gypsyies”, “tigani”, “Zigeuner” or other related pejorative terms – which has at its core the assumption that those stigmatized are deviant and inferior groups and which justified their domination and oppression – is a complex social phenomenon. It needs to be researched, analyzed, and understood in its multiple dimensions. Antigypsyism is a dynamic phenomenon which needs to be contextualized in order to become be researched adequately. It requires interdisciplinary and intersectional approaches to be properly investigated. It needs to be condemned by politicians, intellectual elites, and institutions alike as antigypsyism represents a danger for the whole society and for democracy and its institutions. Its manifestations should be decodified and outlawed despite their continuous evolution. Citizens should be educated about the danger of racism, xenophobia, sexism, and other forms of oppression. Democratic institutions should be in place to effectively combat phenomena such as antigypsyism. It should be made clear to everyone that antigypsyism is unacceptable in a democratic society in the XXI century. Only then policies towards Roma will be effective and equality in all its political, economic, social, cultural dimensions be a meaningful political objective.

The present report prepared by Dr Simona Torotcoi, GFoD is a step into the right direction.

IULIUS ROSTAS

Berlin, November 4, 2023

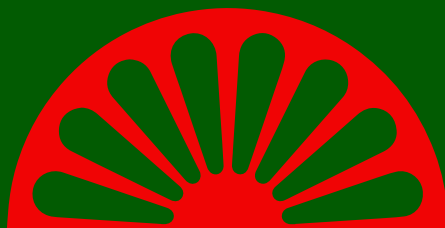


OBJECTIVES
of
THE REPORT

My name is Simona Torotcoi, I am a Roma from Romania, and I am part of the Rights Expert program of the Global Forum of Communities Discriminated Against Work and Descent (GFoD). This report aims to present a general understanding of Roma in Romania, as one of several communities around the world that are discriminated against on the basis of descent and work (CDWD). The Roma community has been engaged in traditional jobs for centuries, long before settling on old Romanian territories. On the one hand, the aim of this report is to showcase how the situation of Roma is similar to other CDWDs. On the other hand, it aims to raise awareness and point out the challenges Roma communities in Romania continue to face.

With regard to the methodology used, the report relies mainly on existing data, reports and news collected and documented by different NGOs and international bodies.

The report has been compiled based on the guidance received by the GFoD research experts, following a common template other right experts representing different CDWD had to follow as well. Throughout the data collection process, GFoD staff ensured common issues were addressed and that rights experts had a good understanding of the expectations of this research process and the concepts used. The report aims to set the foundation for further research but also to use the collected data for advocacy purposes at the UN and global level in favor of establishing and enforcing the rights of DWD Communities in different parts of the world. The data can be also used by professional researchers for their academic purposes thereby promoting awareness and knowledge about DWD communities.



Chapter I

**DEMOGRAPHIC
PROFILE
of
ROMA
in
ROMANIA**

The Council of Europe estimates that approximately 1.85 million Roma live in Romania (8.32% of the population).¹ As indicated in the preliminary census results of 2021 there are about 569,500 representing 2.98% of the total population. Roma sociologists and activists are questioning these numbers as Roma choose not to declare their identity, due to fear of discrimination or potential threats or risks to their life. This problem can also be seen through the difficulties faced related to the issuance of identity documents, citizenship, and the lack of birth certificates and birth registration of some children. Many Roma children and young adults remained unregistered at birth. The risk was heightened for children born to parents who themselves were undocumented.

The term *Gypsy* is assumed to be derived from the ancient Greek *Athinganoi* a word used to refer to the untouchables – somehow related to the Dalit community – but also heretics a community perceived to practice a different religion, strongly associated with sorcerers, witchcraft, and fortune telling. *Atsinganoi* is the root word for "*cigano*", "*çingene*", "*cigány*", "*zigeuner*", "*tzigan*", "*zingaro*", and "*țigan*", words used to pejoratively describe members of the Romani people in various European languages. In România, the latter is often used.

This perception of the Roma as others, as *untouchables*, or as *impure* - in the European mentality had catastrophic consequences for the Roma. In old Romania, Roma were slaves for 500 years – and they were freed around 1850. During the second world war, besides the Jewish population, and other groups that were victims of the Nazis based on their ethnicity, religion, political beliefs, and/or sexual orientation, the Roma represented a significant population that was subject to the application of Nazi "racial hygiene" (or the selective breeding applied to humans).

Nowadays the effects of such ideologies and the manifestations of this separation across Europe and Romania are still visible. Roma children are placed in special, separated schools and classes because the teachers and school managers perceive them as mentally retarded or unclean. Roma have separated cemeteries, and places of worship, or even separated seats within the congregations. Geographically, most Roma live in a state of separation from mainstream society. Marriage between Roma and Romanians is less common when compared with the incidence of marriage between Roma and members of other ethnic groups. Usually, marriages happen within specific Roma groups (i.e., Gabor Roma), however it depends on how traditional the community is.

Generally speaking, there are several Roma groups in Romania, based on the traditional work they have been doing: Vătrași (13,8%), Căldărari (5,9%), Rudari (4,5%), Spoitori (3,7%), Mătăsari (3,2%), Ursari (2,7%), Cărămidari (1,5%), Gabori (1,4%), Florari (1,2%). Other known Roma sub-groups: Horahai (Muslim Roma), Ciurari, Cortorari, Geambași, Lingurari, etc.²

The primary traditional forms of occupation are horse trading, metalworking (i.e., tinsmiths, coppersmiths, or silversmiths), dealing in scrap metal, and vegetable or fruit picking, animal trainers (i.e., bears), entertainers (especially as musicians and dancers), flower sellers, artisans (for example, wood and copper craft workers). Current forms of occupation reflect the rather marginal social role held by Roma communities, but also their resistance: public scheme workers, daily laborers, manufacture workers, informal waste collectors³, sellers (i.e., clothes), small business owners, workers in the beauty industry (i.e., hairdressers).

¹ https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/roma-eu/roma-equality-inclusion-and-participation-eu-country/romania_en

² Come closer - Inclusion and exclusion of Roma in Present-Day Romanian Society, Gabor Fleck, Cosima Rughinis, National Agency for Roma, 2008, pag. 50.

³ <https://balkaninsight.com/2021/05/27/romanian-police-raid-illegal-waste-dealers-village-hotspot/>

Roma in Romania are subject to hate crimes⁴, police violence⁵, hate-motivated harassment, and also physical attacks.⁶ Roma are also victims of illegal physical work⁷; victims of trafficking and subject to forced unpaid work within other European countries.⁸ Romania is one of the key source countries of prostitution and transit for Roma sex workers.⁹ Sources claim that about 50% of all street prostitutes in Romania are of Roma origin.¹⁰ Roma minors are victims of trafficking and subject to begging (only a few of the perpetrators are convicted).¹¹



4 <https://hatecrime.osce.org/romania>

5 <http://www.errc.org/news/romanian-court-upholds-complaint-by-two-roma-tortured-by-police>

6 https://fra.europa.eu/sites/default/files/fra_uploads/fra-2022-roma-survey-2021-main-results_en.pdf

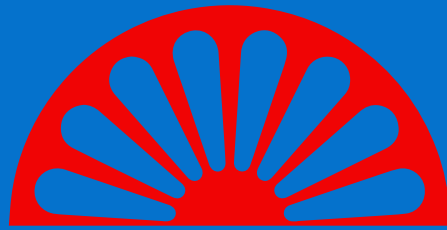
7 <https://www.dw.com/ro/sclavia-modern%C4%83-%C8%99i-victimele-ei/a-61774116>

8 <https://ziare.com/stiri/justitie/perchezitii-brasov-marea-britanie-traffic-persoane-minori-1702278>

9 https://www2.ohchr.org/english/bodies/cedaw/docs/ngos/errc_2_czechrepublic_cedaw47.pdf

10 <https://www.insideover.com/society/how-romania-became-europes-sex-trafficking-factory.html>

11 <https://balkaninsight.com/2019/12/11/blind-justice-for-romanias-trafficked-roma-children/>



Chapter 2

KEY SOCIO-ECONOMIC CHALLENGES

POVERTY *in* **ROMANIA**

Romania is a country that has faced significant challenges in tackling poverty and inequality. Although progress has been made in recent years, poverty remains a concern in certain areas and among specific demographic groups. The poverty rate in Romania has varied over the years and is influenced by economic fluctuations, policy changes, and other factors. According to Eurostat data, in 2020, the poverty risk rate in Romania was around 24.1%. This means that about one in four people was at risk of poverty, living on an income below 60% of the equivalent median disposable income after social transfers. Eurostat also states that in 2020 more than a quarter of the population was exposed to the risk of poverty or social exclusion in four EU member states with data available for 2020: Romania (35.8%), Bulgaria (33.6%), Greece (27.5%) and Spain (27.0%). Conversely, the lowest shares of people at risk of poverty or social exclusion were recorded in the Czech Republic (11.5%), Slovakia (13.8%), Slovenia (14.3%), the Netherlands (15.8%) and Finland (15.9%).

Several factors contribute to poverty in Romania. Income disparities between urban and rural areas, as well as between different regions of the country, can contribute to variations in poverty rates. Poverty rates are often higher in rural areas, where access to education, health care, and job opportunities may be limited. High unemployment rates, especially in certain regions, contribute to poverty as individuals struggle to secure stable employment. Limited access to quality education and training can prevent individuals from acquiring the skills needed for higher-paying jobs. Vulnerable groups, including the Roma population, people with disabilities and single-parent households, are at greater risk of poverty and social exclusion.

According to the Foundation Note of the National Strategy for the Inclusion of Romanian Citizens Belonging to the Roma Minority for the period 2022-2027, the 2018 EU-MIDIS report shows that Romania is among the countries where 80% of Roma live below the poverty risk threshold; one Roma in three lives in a house without running water; one in 10 Roma lives in a house without electricity; one Roma in four and one Roma child in three live in a household where a family member went to bed hungry at least once in the last month. In addition, the comparative data on monetary poverty reveal the perpetuation of gaps and place a good part of the Roma population at a (still) significant distance from the national average. Also, the 2018 IRES study showed that 52% of Roma had incomes below 1500 lei, while only 24% of the majority declared that they were below this threshold and only 15% of Roma had incomes above 2000 lei, compared to 52 % of majorities that exceeded this threshold.





MORE THAN A QUARTER OF THE POPULATION WAS EXPOSED TO THE

RISK of POVERTY

or

SOCIAL EXCLUSION



35.8%
ROMANIA

33.6%
BULGARIA

27.5%
GREECE

27.0%
SPAIN

15.9%
FINLAND

15.8%
NETHERLANDS

14.3%
SLOVENIA

13.8%
SLOVAKIA

11.5%
CZECH REPUBLIC

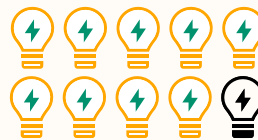


ONE IN FOUR PEOPLE WAS AT RISK OF POVERTY

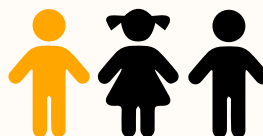


80%

ROMA LIVE BELOW THE POVERTY RISK THRESHOLD



ONE IN 10 ROMA LIVES IN A HOUSE WITHOUT ELECTRICITY



1/4 ROMA & 1/3 CHILDREN LIVE IN A HOUSEHOLD WHERE A FAMILY MEMBER WENT TO BED HUNGRY AT LEAST ONCE IN THE LAST MONTH.



52% HAD INCOMES

<1500 €

INFRASTRUCTURE
and
ROMA FORCED
HOUSING EVICTIONS
in
ROMANIA

About 70% of Romanian Roma live in housing deprivation, and 86% of Romanian Roma live in overcrowded households. Across Europe, the share of Roma living in households that were forced to leave their homes is 5% with Romania way above the average.

In addition to precarious living situations, Roma often live in substandard housing, face obstacles when looking for new accommodation (many landlords explicitly state no Roma), and experience (and fear) evictions (reportedly) more often than the general population.

Roma face evictions because of a lack of property documents (which is highly associated with a lack of identity documents), because of the illegality of the construction, the development of real estate projects – in many cases associated with corruption, etc.

If evicted Roma are not provided adequate alternative housing and many continue to live in makeshift barracks for years after they have been evicted, highly exposed to environmental hazards.

There are many Roma households who do not have formal legal rights to their land and buildings, even when they have been living on the land for years, decades, or centuries.

The lack of formal property rights contributes to the marginalization of Roma, as it denies access to infrastructure, social services, and credits, and restrains economic opportunities.

**SUSTAINABLE
CITIES**
and
ROMA COMMUNITIES
in
ROMANIA

World Bank research suggests that the proportion of hetero-identified Roma in urban marginalized areas could be close to 40% of the total population.

More than 60,000 Roma families in Romania live in informal settlements, which puts them constantly in danger.

Spatial segregation of Roma is particularly evident in small, marginal communities: more than 52% of communities are inhabited by less than 150 people, and about 50% of them are located on the outskirts of the towns.

The access road near the house is paved for 90% of the houses of the majority, while for Roma it is only 68%.

Substandard Romani settlements are characterized by inadequate access to running water, communal services (such as sewer systems, water networks, and public transport), poor quality dwellings (e.g., inadequate building materials, rundown buildings, health hazards), high population density, and unregulated legal status of the land and structures. Most Roma settlements are located on the outskirts of cities and towns, in proximity to highly polluted areas such as garbage dumps and wastewater treatment stations, etc.

The share of Roma living in overcrowded households is 78%, with 45% of Roma living in spaces under 50 square meters, compared to only 29% in the case of the majority population. What is worrisome is the fact that a good part of the poorest families find themselves in housing and even informal settlements, at any time susceptible to becoming subjects of forced eviction

FORCED HOUSING EVICTIONS



70%

ROMANIAN ROMA LIVE IN HOUSING DEPRIVATION

SHARE OF ROMA LIVING IN HOUSEHOLDS THAT WERE FORCED TO LEAVE THEIR HOMES

5%

86%

LIVE IN OVERCROWDED HOUSEHOLDS.

SPATIAL SEGREGATION



70%

ROMANIAN ROMA LIVE IN HOUSING DEPRIVATION

78%



LIVE IN OVERCROWDED HOUSEHOLDS

60,000+

ROMA FAMILIES IN ROMANIA LIVE IN INFORMAL SETTLEMENTS

CLEAN WATER *and* SANITATION

&

AFFORDABLE *and* CLEAN ENERGY

The proportion of Roma living without tap water is highest in Romania at 40%. The lack of tap water is a problem for a substantial part of 21% of the general population.

Connections to water supply systems remain particularly low for the Roma community. In Romania, which has the highest proportion of Roma people in Europe, 68% of Roma households do not have access to potable water. The proportion of homes connected to running water, gas, sewerage, hot water, and heating is double in the case of the majority population compared to that of the Roma.

The need for electricity, water, and sewage remains unsatisfied in the case of 84% of Roma compared to 52% of people of other ethnicities in the vicinity.

About 42% of Roma and 12% of people of other ethnicities declared that they do not have access to electricity, running water, or sewage. Roma lack the most basic housing utilities and infrastructure, and pollution affects their health and endangers their life. This prevents Roma from enjoying the most basic human rights, namely the right to live in a clean environment and the right to live in a house with the necessary utilities, protecting them from the effects of climate change.¹²

Environmental racism is not mentioned as part of the National Roma Strategy, although the National Agency for Roma is seemingly aware of the forced evictions that Roma are subjected to without being provided alternative accommodation. Moreover, the NAR is also aware of the existence of informal settlements but there are currently no plans to deal with such cases.



40%

ROMA LIVING
WITHOUT TAP WATER



42%

DO NOT HAVE ACCESS TO
ELECTRICITY, RUNNING
WATER, OR SEWAGE.

SCHOOL SEGREGATION of ROMA CHILDREN in ROMANIA

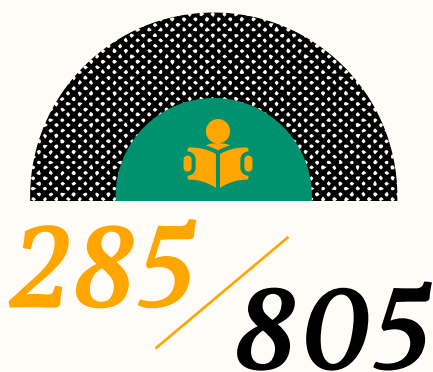
The most recent report presented to the Romanian Parliament by the Association Center for Advocacy and Human Rights (CADO) found that 285 schools out of 805 in 11 monitored counties register at least one form of segregation. In one area (Iasi), Roma children used to have different schedules and breaks so as not to mingle with non-Roma students.¹³

Roma students continue to face problems in the education system, namely early school leaving, poor quality of education, racism, and ethnic segregation despite the many public policy measures implemented in recent decades.

Racial segregation in education in Romania represents a clear manifestation of antigypsyism.

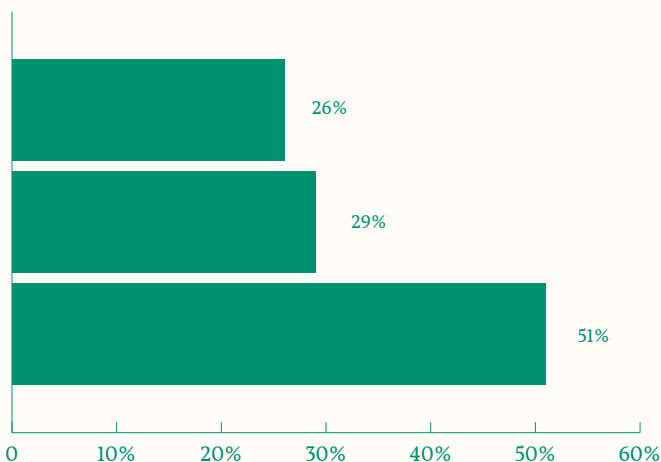
The repeated adoption of administrative regulations indicates the persistence of segregation in the Romanian education system.

No accurate data is available regarding the extent of school segregation; in spite of the legal obligation of the Ministry of Education to report annually on the state of education in Romania.



**SCHOOLS IN 11 MONITORED
COUNTIES REGISTER AT
LEAST ONE FORM OF
SEGREGATION**

Roma children aged 6-15 from Romania who attend schools where all or most pupils are Roma (%)



SOURCE: FUNDAMENTAL RIGHTS AGENCY



Chapter 3

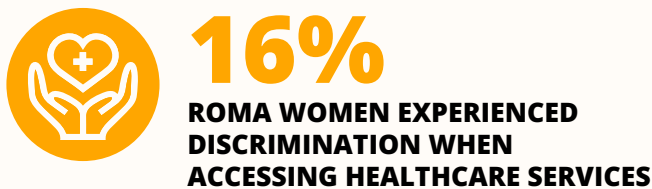
MANIFESTATIONS *of* ANTIGYPSYISM: CAUSES, PREVALENCE AND RESPONSES

More than 21 years since its adoption, the capacity of the Romanian antidiscrimination law to combat racial discrimination remains very limited.

The term ‘antigypsyism’ – as a specific form of Roma discrimination and racism did not receive recognition from state institutions, and society at large. The manifestations of antigypsyism are significantly broader than the legal definition of discrimination.

On 4 January 2021, the Romanian Parliament adopted a law containing measures to combat antigypsyism, yet it does not include provisions on what antigypsyism is and its manifestations (including cumulative and intersectional discrimination).

Data from the Fundamental Rights Agency (2022) shows that ¹⁴



Specific illustrations of socio-economic discrimination include:

- Roma children are denied access to public swimming pools in Sibiu city because of their identity ¹⁵
- In villages, but also in cities, communities have their houses built on one side of the village whereas the non-DWD communities live on another side of the village
- During football games, for many years now, fans and supporters have sung intolerable racist chants against Roma ¹⁶
- An online announcements and sales website (called OLX) allowed Romanian citizens to post announcements explicitly stating that they would not want their place to be rented by a Roma or their house rented by a Roma, or that they do not employ Roma persons. - social discrimination.
- Discrimination regarding access to public health services and the difficulty of obtaining the minimum necessary medical aid in a public hospital;
- Direct discrimination in hospitals regarding sterilization. Roma women are not asked for their consent if they want to be sterilized or not. The way in which medical services are applied discriminates against Roma women and creates a disadvantageous situation for them compared to other women in the same position;
- Inadequate medical treatment for Roma mothers and their children;

https://fra.europa.eu/sites/default/files/fra_uploads/fra-2022-roma-survey-2021-main-results_en.pdf
<https://www.qbebe.ro/stiri/copiii-romi-au-accesul-interzis-in-singurul-strand-din-sibiu-ce-explicatii-ofera-patronul>
<https://www.stiridecluj.ro/sport/galeria-cfr-cluj-a-varsat-injurii-si-scandari-rasiste-la-meciul-cu-u-arbitrul-s-a-facut-ca-nu-aude?fbclid=IwAR2k7oAWf6NiURQ1VA-cZQLo8RcleM3yOITP95bIQ-ToO2jerCOonIRlhU>

- In Romania, Roma women are denied birth certificates for their newborns at some maternity hospitals or are not offered the necessary medical help in public hospitals.
- Segregation in maternity wards. It is already proven that in maternity hospitals, Roma women are placed together in separate rooms.

CASE STUDIES *of* DISCRIMINATION

CASES OF POLICE VIOLENCE

Two Roma men were subjected to anti-Roma insults and repeatedly beaten, including with batons, by a group of police officers while held overnight at the police station. The beatings lasted for more than an hour at a time, and the victims were repeatedly hit against the wall and knocked down. The victims sustained injuries and required extensive treatment and rehabilitation.

Nineteen inhabitants of a Roma neighborhood were threatened during early-morning house raids by police and special forces who broke down the front doors and destroyed furniture. One male Roma victim was repeatedly trampled on and forced to lay face down on the ground for 15 minutes, while an elderly Roma woman fainted. A Roma child suffered post-traumatic stress disorder and is scared to return home. The police had been searching for a single suspect but did not have search warrants.¹⁷

CASE STUDY I

Florica

On April 25, 2019, Florica, a 25 year old Roma woman returned from the hospital in Zalau where she had been admitted with her two children. At the bus station, the driver denied her the right to board the bus. Florica protested, swearing at him and slamming the medicine bag into the minibus. "It generated a loud bang," the judges would later cite. The driver attacked her with a mop tail, hitting Florica while she was holding her baby. None of the passengers in the bus station reacted.

One of them filmed the entire scene instead, and the 15-second footage went viral on the Internet. People filmed the incident, watched and waited for the driver to calm down. Florica called 112, but the police never appeared. The Roma woman was offended by the 112 operator, when she called to report that she was the victim of an assault. The victim was verbally assaulted by the operator who answered her call. "Would you be crazy! Get the hell away!", the operator told the caller.

According to the final sentence handed down early 2023 by the Cluj Court of Appeal, Florica Moldovan will have to pay a criminal fine of 1,200 lei, otherwise she will go to prison. The driver who hit her with the mop tail received a suspended sentence. Florica Moldovan was charged and tried for disturbing the public peace, after the prosecutors and then the judges considered that she was the one who caused the scandal and that she reacted disproportionately, "provoking public indignation".

Since the incident, E-Romnja association has been fundraising to support Florica, a lone mother, to buy and co-own a house for her children. But along with the benefits of co-ownership, come problems. Since, as far as public administration is concerned she is now the owner, they consider that she no longer requires social assistance, or receive heating assistance. She has many fines from the local police, traffic, and public transport in Cluj.

Arriving at precinct 5, the police opened a theft case against the young woman, without taking into account the visible physical aggression committed against her.

CASE STUDY II

The young Roma girl

On December 1, 2020, a young Roma young woman did some shopping in the Carrefour hypermarket in the new AFI mall in Brasov where she paid for the products with her personal card but neglected to keep the receipt. From this place, she went to the Carrefour on Calea București 107 in search of products that he had not found in the previous hypermarket.

The NGO member noticed the deplorable condition of the girl who was shaking, had marks of aggression on her neck, and a congested face. Arriving at precinct 5, the police opened a theft case against the young woman, without taking into account the visible physical aggression committed against her. On December 2, she was accompanied to the Institute of Forensic Medicine, where the physical violence was confirmed through a medico-legal certificate attesting to the traumatic injuries that required 7-8 days of medical care. The aggression suffered and the accusation of theft left both physical and emotional traumas, which were felt in the following days through sleep problems, but also through doubts about one's own safety outside the home. Added to this condition was a threatening phone call that amplified the fear of leaving the house.

The Roma girl in this case is a child abandoned at birth, placed in the care of social services, and spent the 18 years of her life with foster carers for whom she meant nothing other than the value of the allowance they received from the state. Despite all the lack of love of a real family, the young woman follows a vocational career, practices volleyball, formed a group of real friends and her dream is to one day become a successful architect.

The case is still pending.

CASE STUDY III

Cateluța

Roma women face multiple discrimination - based on gender, ethnicity, and social status such as discrimination regarding access to public services; the difficulty of obtaining the minimum necessary medical aid in a public hospital; and direct discrimination in hospitals regarding sterilization. Roma women are not asked for their consent if they want to be sterilized or not. The way in which medical services are applied discriminates against Roma women and creates a disadvantageous situation for them compared to other women in the same position; Inadequate medical treatment for Roma mothers and their children; Segregation in maternity wards. It is already proven that in maternity hospitals, Roma women are placed together in separate rooms.

There is ample documentation that shows that Roma women from all over Europe are specifically excluded by the medical assistance system and often have access to medical care only in cases of extreme urgency and/or during childbirth. It is extremely difficult for Roma activists, who are also wives and mothers, to embark on the risky and uncertain path of activism against oppression from outside but also from within their community. In Romania, Roma women are denied birth certificates for their newborns at some maternity hospitals or are not offered the necessary medical help in public hospitals.

The reasons given are that Roma women are neither able to pay for the necessary medical treatment nor to prove that they have any kind of medical insurance. Although unofficially there is an impressive number of cases of discrimination in maternity hospitals, a very small number of women talk about this.

In most cases, Roma women are afraid to make their experiences public because the effect on them could be that in the future they will be denied medical help even in urgent matters. Cateluța, a woman from Bucharest shares about her experience as a Roma mother in the maternity system: "I gave birth to my Georgiana small, 1,950 kg. Although she was so small, they kicked me out of the hospital after two days, without letting me go out, because I was hospitalized in a salon where I shouldn't have been, having no places in our gypsy salons". She continues "The first time they took me to a salon with only ethnic girls. There we had to stay two in one bed. And I don't know who came and said "It's not normal for two to stay in one bed" says Cateluța about her experience in a maternity hospital in Bucharest, after giving birth to her little girl.

It was not the only experience of this kind. "At "Giulești", after I gave birth to the boy, they only kept an eye on me, they didn't allow me to go outside, for fear of leaving the child in the hospital. If I leave and leave the child in the hospital, because he's darker and I'm a little whiter?", the woman recalls.

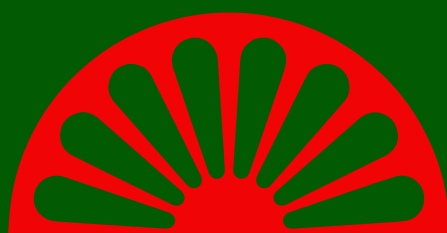
"I gave birth to my Georgiana small, 1,950 kg. Although she was so small, they kicked me out of the hospital after two days, without letting me go out, because I was hospitalized in a salon where I shouldn't have been, having no places in our gypsy salons".

CASE STUDY IV***The Roma pupil***

In 2021, at Dagata (Zece Prajini, Iasi) school, the school director made the decision to hire a "teacher", a former seller at a supermarket, without experience and without testing. This lady came to school accompanied by her husband and her own child. She considered it very educational to make a 2nd-grade Roma child (boy) sit on his knees with his hands up... as punishment. The child suffered from obesity and heart failure. Humiliating a 7-year-old Roma child was a lesson in racism and unprecedented emotional abuse. The humiliation would have lasted even longer if the teacher had not burst into class, the teacher of Roma ethnicity. The director tried to cover up the incident and advised the saleswoman to resign, insisting that the student's mother not make a report. Roma activists and educational resources notified the school inspectorate in the hope that they would analyze the circumstances in which things happened!

CASE STUDY V***No swimming***

In July 2022, Jenny Rasche, the president of the "Kinderhilfe Fur Siebenburgen"/"Hope and Smile" Association, through which needy families and especially children from disadvantaged backgrounds are supported, wanted to bring joy to the children in Turnișor (Sibiu) that she cares for. The young woman brought young Roma children all to the only swimming pool in Sibiu. When they arrived at the gate to buy their tickets, they had an unpleasant surprise: they were told that they could not enter with the children because they were Roma: "Our foundation invited some poor children from Turnișor to the pool in Sibiu and big surprise, they don't let "gypsies" in the pool anymore. We were told that Roma people are no longer allowed, and children cannot enter," Jenny Rasche. The National Council Against Discrimination found that denying access to the premises of the swimming pool to a group of people made up of Romanian citizens belonging to the Roma minority violates the right to human dignity. The company was fined 10,000 lei, with this sanction aimed at raising an alarm signal about the ethnicization of antisocial behavior. In the present case, the group consisting of Roma children and parents was refused entry to the beach on the grounds of their resemblance to another group of Roma, who violated the operating regulations of the beach.



Chapter 4

PROTECTION *and* POLICY DEVELOPMENTS: NATIONAL ROMA INCLUSION STRATEGIES

In Romania there are specific **constitutional provisions** available in the country for upholding, protecting and promoting the rights of Roma. The Constitution of Romania guarantees a number of relevant rights for minorities, including equality of rights between all Romanian citizens and the right to identity for persons belonging to national minorities.

- Article 30 paragraph 7 of the Constitution forbids "defamation of the country and a of the nation, the incitement to ... national, racial, class or religious hatred, incitement to discrimination"
- Art. 4 para. 2 of the Romanian Constitution regarding the unity of the people and equality between citizens provides that Romania is the common and indivisible homeland of all its citizens, regardless of race, nationality, ethnic origin, language, religion, sex, opinion, political affiliation, wealth or social origin.

Also, according to art. 16 para. 1 of the Constitution, regarding Equality in rights, citizens are equal before the law and public authorities, without privileges or discrimination. Thus, the Romanian Constitution prohibits discrimination based on race or ethnic origin. People of Roma ethnicity who have Romanian citizenship benefit from all the fundamental rights and freedoms enshrined at the constitutional level, such as the right to physical and mental integrity, the right to health protection, the right to education, or free access to justice. In reality, however, these rights are constantly violated, and the Roma are being abused, in certain cases, even by public officials. Last but not least, Article 63 of the Romanian Constitution guarantees representation in parliament for all recognized national minorities, through reserved seats

- In addition to the constitutional provisions, there is **special legislation** available in the country for upholding, protecting, and promoting the rights of Roma.
- Law no. 238/2023 regarding the establishment of the National Museum of History and Culture of the Roma in Romania
- Law no. 28/2011 regarding the commemoration of end of Roma slavery and the emancipation of the Roma from Romania
- Law no. 66/2006 for the consecration of April 8 as the international day of the Roma ethnic group in Romania
- Law no. 124/2020 for the establishment of August 2 as the national day of commemoration of the Holocaust against the Roma - Samudaripen
- Law no. 20/2019 regarding the establishment of the Romani Language Day
- Ministry of National Education and Scientific Research Order no. 6134/2016 regarding the prohibition of school segregation in pre-university education units
- **The Law on Antigypsism:** In order to prevent and combat the phenomenon of racial discrimination, law no. 2 of January 4, 2021. Article 3 of this law provides that "The act of the person to promote, in public, in any way, anti-Gypsy ideas, concepts or doctrines constitutes a crime and is punishable by imprisonment from 3 months to 3 years and the prohibition of certain rights". Also, according to Art. 6 para. 1 constitutes a crime and is punishable by imprisonment from 3 to 10 years and the prohibition of certain rights to initiate or establish an organization with

Art. 2 of the law defines anti-Gypsyism as the perception of Roma expressed as hatred against them, as well as verbal or physical manifestations, motivated by hatred against Roma, directed against Roma or their property, against institutions/NGOs, leaders of Roma communities or their places of worship, traditions and the Romanian language.

The promotion of these ideas is therefore a crime and is punishable by imprisonment from 3 months to 3 years, as well as the prohibition of certain rights. By introducing the prison sentence, the aim is to prevent discrimination, as well as to guarantee better access to justice for Roma people.

However, a law that includes 6 articles is not clear enough for the lawyers who put it into practice, nor for the people who want to use it. It also does not guarantee that the rights of the Roma will be completely respected, as the phenomenon of discrimination is a difficult one to combat in the long term. No one can guarantee that the Roma will no longer be arrested unjustifiably, that they will have adequate representation in the courts, or that judgments will be issued to give them justice. The existence of a well-defined procedural framework is necessary, in which certain essential provisions of national and international law are not ignored. Moreover, it is necessary to apply the law properly, and equally to all citizens, without privilege and without discrimination based on race or ethnic origin.

Starting with 2005, with the Decade of Roma Inclusion, the Romanian Government signed up to design and implement the so-called **Roma Integration Strategies**:

- National Roma Inclusion Strategy 2005-2011
- National Roma Inclusion Strategy 2011-2020
- National Roma Inclusion Strategy 2022-2027

With a general focus on health, education, housing employment and anti-discrimination¹⁹.

A recent publication has shown there is **no clear budget line** and transparency on the budget dedicated to Roma inclusion policies.²⁰

Some of the most visible **development projects/programs** available in the country for advancement or development of Roma communities are:

- The Roma school mediators²¹
- The Roma health mediators
- The affirmative action programs in education²²
- Local Engagement for Roma Inclusion (LERI) Project²³
- ROMACT – “Building up political will and understanding of Roma inclusion at local and regional level²⁴
- European Training Programme for Roma Mediators²⁵

¹⁹ https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/roma-eu/roma-equality-inclusion-and-participation-eu-country/romania_en

²⁰ <https://romacenter.ro/wp-content/uploads/2021/11/Strategii-DA-Finantare-NU-Raport.pdf>

²¹ <https://partidaromilor.ro/ce-este-mediatorul-scolar-si-cum-se-poate-obtine-calificarea/>

²² <https://www.agentiaimpreuna.ro/wp-content/uploads/2023/04/RAPORT-MASURI-AFIRMATIVE-PENTRU-ROMI-IN-UNIVERSITATI-2.pdf>

²³ https://fra.europa.eu/sites/default/files/fra_uploads/leri_community_summary_-_aiud_-_romania_-_en.pdf

²⁴ <https://www.coe-romact.org/>

²⁵ <https://www.coe-romed.org/romed/map>

The National Agency for Roma is a mandated structure in the country for addressing the concerns of Roma. A government agency for Roma affairs was first established in February 1997, under the name of "National Office for the Roma" which was subordinated to the Department for the Protection of National Minorities. In July 2003, the agency was renamed the "Office for Roma Affairs". The current National Agency for Roma was established in October 2004 and became an independent agency of the government. It operates as a specialized body of central public administration, with legal authority, subordinated to the Government and coordinated by the Minister for coordinating the Government's General Secretariat. ANR is headed by a president with the rank of Secretary of State, appointed by the Prime Minister, and proposed by the Minister for coordinating the Government General Secretariat.

The National Agency for Roma (NAR) is a specialized body of central public administration, with legal personality, subordinated to the Government and coordinated by the General Secretariat of the Government. NAR was set up in 2004 through Governmental Ordinance no 78/2004, approved by Law no 7/2005, and is organized and operates according to Governmental Decision no 1703/2004, amended and supplemented. NAR initiates, participates, and promotes activities, projects, and sectoral programs to improve the situation of Roma people, in cooperation with institutions and nongovernmental organizations.

The Regional Offices (RO) of the National Agency for Roma are established under Government Decision No 1703/2004 on the organization and functioning of the National Agency for Roma, as subsequently amended and supplemented, and Government Decision No 430/2001 approving the Government of Romania's Strategy for improving the situation

of Roma ethnics, as subsequently amended and supplemented. The Regional Offices of the National Agency for Roma are structures organized at the development region level.

The National Centre for Roma Culture – Romano Kher (NCRC) brings forward to the society a vision of Roma ethnic identity intended to change the mentality of Roma, by raising the ethnic self-esteem of non-Roma, by having a dialogue between cultures that know and respect each other. According to the Strategy of the Government of Romania for the inclusion of Romanian citizens belonging to the Roma minority for the period 2015-2020, the main objectives of NCRC are: the preservation of material heritage (museum and ethnographic collections), the preservation of the intangible heritage (performing arts, traditional crafts, living human treasures, holidays, festivals), the preservation and development of the ethnic written culture, encouraging and developing research of Roma history and culture.

Last but not least, the Party of the Roma Pro Europa is the key stakeholder in Roma affairs, since it has a special role in delegating/appointing the Roma representative in the Parliament (on a reserved seat quota) and appointing the president of the National Roma Agency.

When it comes to specific judicial mechanisms constituted in the country to address the concerns of Roma, the most relevant is the National Council for Combating Discrimination (NCCD). This is a quasi-judicial body, with autonomous state authority, under parliamentary control, which performs its activity in the field of discrimination. At the European level, there are institutions assigned to human rights protection and combating discrimination, but NCCD is unique, its activity combines 14 discrimination criteria, and no other institution has such a vast sphere of action, including sanctioning.



Chapter 5

NATIONAL LEVEL NGOS

An overview of the existing Roma civil society organizations in Romania conducted in 2020, reveals that there are about 50 active Roma-led non-governmental institutions working on Roma inclusion. Most of them work in a variety of areas, and few of them have a specific area of expertise, with a significant number of them working in the area of discrimination, human rights, or education. Almost half of the identified actors are engaged in delivering services, policy advocacy and advice (especially those operating at the national level). Out of the total NGOs identified, about 30% of them focus also on Roma youth (with three NGOs having had an extensive list of youth exchange programs).

When it comes to assessing the capacity of the Roma civil society organizations in general, it can be stated that most of them have on average about 6 staff members. This low staff capacity has a direct influence on the work of these actors, their outreach capacity, their legitimacy, and indirectly on their power and influence when it comes to Roma issues. While national-level actors are better off in terms of access to knowledge about policy-making processes, resources, networks, and partnerships, the local-level ones are striving to survive, with some of them being inactive for long periods of time or developing self-funded initiatives and small-scale actions. Some of the most known NGOs are:

1. Roma Education Fund
2. Nevo Parudimos Association
3. E-Romnja
4. Agentia Impreuna
5. Uniunea Civica a Tinerilor Romi

These NGOs and others will be briefly described below.

ROMA EDUCATION FUND

REF Romania is a non-governmental organization established in 2009 within the REF network. Roma Education Fund Scholarship Program: offers scholarships based on academic merit for Roma students pursuing a bachelor's, master's, or doctoral degree at state-accredited universities. Roma Memorial University Scholarship Program (RMUSP) and Roma International Scholar Program (RISP) (Roma Health Scholarship Program (RHSP) is currently closed); Through its scholarships, REF was promoting Roma youth participation and community involvement which was a key criterion for being awarded a scholarship.

REF Romania acts as a catalyst for facilitating access to higher-quality education, on equal terms, for all Roma children. For REF, improving the Romanian education system is a priority. REF was part of the working groups set up within the “Educated Romania” project, is an active member of the “Coalition for Education” and is a member of the Roma Sounding Board - World Bank.

REF is exploring opportunities for partnerships with public institutions (including the Ministry of National Education), with key actors and civil society in the development of public education policies. It aims to strengthen the educational research component of REF, in order to be able to contribute with evidence-based models to public policies. REF has a good reputation, and it is recognized by state institutions as an important stakeholder. Attracts young Roma volunteers and it is widely known among Roma youth circles (See section 2.3 on its future plans with Aresel).

NEVO PARUDIMOS ASSOCIATION

The organization was established in 2008 in Caraş-Severin County, with over 90% of the Nevo Parudimos projects targeting Romanian citizens of Roma origin. The organization is focusing mainly on youth projects, but it has worked on lobbying and advocacy at the national and international levels.

Among others, its strategic objectives aim at developing its organizational capacity through further training of staff and volunteers, strengthening and developing its partner network, increasing the visibility and impact of the association; developing a strong training component (i.e., authorized courses); and of projects that will enhance the education of members of disadvantaged communities in Caras-Severin, particularly those in rural areas (i.e., information campaigns about the special places available for young Roma in high schools, vocational schools and colleges, rewarding children's results at school); strengthening the capacity of Roma communities in Caras-Severin (i.e., developing a network of Roma leaders and young people in the county, collaboration with local authorities in towns where there is a significant number of Roma), involvement in structures at a county level.

Resita Youth Center is a space created by the international volunteers of the association Nevo Parudimos in order to bring young people of Resita closer to the concepts of volunteering, intercultural socialization, and non-formal education. The Youth Center was designed exclusively by young volunteers who came to Resita from all over Europe and is a unique space for socializing, learning new things, and civic involvement.

The association has 13 team members, external collaborators and a board of five members. The organization is benefiting from a constant flow of international volunteers which represents a good human resource, and it organizes a significant number of youth exchanges.

IMPREUNA AGENCY FOR COMMUNITY DEVELOPMENT

Agentia Impreuna is a community development foundation whose mission is the preservation and assertion of Roma personality, their recognition as a people, and as an ethnic and national minority. The main objective of the organization is to support and contribute to the development of Roma communities and to the processes of development in the context of civil and social, political and economic rights, and to develop cooperation and partnerships with private, public, national, and international associations, specialized in research and implementation of social programs for the Roma.

Current and past projects:

- We can do more together - The objective of the project is to support the inclusion and empowerment of 2200 Roma from 5 counties. Activities include community facilitation and development; training of 75 Roma experts and leaders at the national level to increase their involvement in decision-making targeting Roma communities and beyond; campaigns to promote Roma culture and identity addressed both to Roma (in order to better understand the elements of their own identity) and to the majority, in order to reduce stereotypes and prejudices caused by ignorance.

- Me Sem Rom / Romni Conference (4th edition as of 2020) creating a feeling of belonging for about 20 young Roma.
- zefiR. Together for the Power of Action⁶² addressed vulnerable groups, especially Roma, especially women, youth and children, from 12 different communities; it aimed to improve access to education and health for over 20,000 people living in rural areas.
- INTERSECT - A different approach towards discrimination⁸¹ aims to combat discrimination against Roma through activities to raise awareness of the level of discrimination and its negative impact on society; it includes a major component of empowering young Roma at the local level and promoting their direct participation in the development, implementation, and monitoring of activities and policies that affect them.

THE CIVIC UNION OF YOUNG

ROMA FROM ROMANIA (UCTRR)

Based in Cluj Napoca, the Civic Union of Young Roma from Romania is a non-governmental organization of young Roma, established in April 2014. The mission of UCTRR is to promote the interests of young Roma in Romania and at the European level.

Current projects and initiatives:

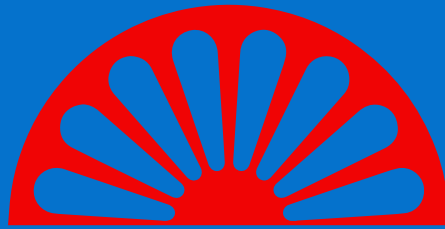
- 16th of May Romani Resistance campaigns (Yearly) (both online and offline – exhibitions, workshops, etc.)
- 2nd of August commemorations in Krakow (Yearly) (between 25-100 young Roma attending) and Amen Na Bistras – Remembering the Roma deported in Transnistria (2021), a series of interviews with survivors.
- Together with Romani CRISS manages the Livia Plaks Memorial Scholarship, which is addressed to Roma students from Romania studying social science and humanities. The aim of the program is to support the continuation of the studies of Roma students and their involvement in promoting the rights of the Roma ethnic minority.

UCTRR has over 200 sympathetic members and collaborates with NGOs, volunteers, and initiative groups from cities/university centers throughout the country (Timișoara, Sibiu, Brașov, Hunedoara, Iași, Brăila, Oradea, Botoșani, Bucharest) and other organizations, volunteers, activists, individuals who are interested in the activities and projects of the UCTRR. UCTRR is the largest network of young Roma in Romania, being an important source for young Roma, but also a common voice on the current situation of young Roma. It is a good resource and platform for information-sharing and Roma youth outreach.

E-ROMNJA

The mission of the E-Romnja association is to affirm, promote, and fight to make visible the involvement of Roma women in society and in the community. The NGO has a broader scope but has a section dedicated to youth. The following types of activities are addressed by the organization: social inclusion, participation in civil society, education and training, health and well-being, youth and the world, equality and diversity, human rights, minority rights, discrimination, hate speech, gender. Specific activities include: supporting dialogue between young people and policymakers (national or local level), lobbying/advocating for and with young people, providing information to young people on fundamental rights or civil society topics, campaigning on fundamental rights or civil society topics, providing opportunities for youth volunteering or inter-cultural exchanges, providing mentoring, support and/or guidance to young people, providing non-formal and/or informal learning opportunities for young people. At the local level, E-Romnja makes the voices of girls and women heard in the communities where it works and prioritizes actions together with the initiative groups created.





Chapter 6

REFLECTIONS
and
RECOMMENDATIONS

The report shows that there is little data available, and if such data exists it is not desegregated on age, gender, Roma non-Roma. There is a lack of transparency from the Romanian Government's side with regard to investments in Roma communities and the allocation of specific funds. Despite EU and international organizations' pressure and recommendations, progress on Roma inclusion is limited or not visible enough. Roma inclusion remains one of the key concerns in the country yet the government's willingness to address Roma issues is obstructed by the structural discrimination existent in the Romanian system.

Key recommendations:

1. The Romanian Government should implement the existing legal framework on segregation and take sufficient preventive measures to protect against discrimination against Roma children and to eliminate the segregation of Roma children.
2. Adopt and implement legislation to ensure that evictions are carried out in compliance with international human rights standards and provide safeguards against Roma discrimination and marginalization.
3. The Romanian Government should strengthen the enforcement of anti-discrimination legislation and ensure access to justice for Roma.
4. Amend the law on public housing to establish a clear national framework of allocation of social housing that prioritizes vulnerable groups, including Roma people, in line with international human rights standards.
5. Increase the annual budget allocation for social housing and immediately relocate Roma who were forcibly evicted and placed in unsuitable living conditions, to safe and sanitary environments.
6. The state should establish advisory centers within courts to increase access to justice for Roma women and other vulnerable groups.
7. In order to make social inclusion measures more effective and increase their sustainability, the Romanian Government should officially recognize antigypsyism as a specific form of racism against Roma, treat it as a horizontal issue in all policy areas, and ensure its mainstreaming in all relevant policies and legislation including funding instruments.
8. The Romanian Government should monitor antigypsyism and collect gender-disaggregated data on antigypsyism, as well as include Romani women both in policy-making mechanisms and consultation processes, and as targets in national programs and strategies.
9. The Ministry of Education, educational authorities, and civil society organizations should monitor school segregation and report on the status of Roma children's education on an annual basis.
10. Strengthen administrative support to Roma communities to legalize their housing titles and increase access to alternative housing, including social housing, making sure that there is no discrimination in the awarding of social housing leases.

11. The state should work with NGOs to provide trainings on specific issues related to Roma women (how to address, interact, and support when illiteracy occurs and women can't read/write their declarations etc.)
12. The Ministry of Education should immediately reactivate the National Commission on Desegregation and Inclusive Education.
13. The state should increase awareness within the justice system on human rights, multiple forms and intersectional discrimination against Roma women and other groups through trainings for lawyers, judges etc.
14. Conduct an assessment of current national and local strategies and include Roma women and a gender perspective.
15. Recognize the critical role of CSOs, community foundations, and citizens in implementing the SDGs and build permanent inter-sectorial mechanisms of joint work at all levels, especially regarding policy implementation.
16. The state should ensure a robust and sustainable civil society sector through supportive fiscal rules or funding mechanisms.
17. Introduce intersectional discrimination into the anti-discrimination legislation and collect disaggregated data on women, LGBTI+, migrants, and communities discriminated against on work and descent, especially Roma.

Discrimination based on Work and Descent (DWD) is the UN terminology used for communities who are traditionally and intergenerationally discriminated based on their identity, social-hierarchical positions, the work associated with their positions, and their lineage and descendants.



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Global Forum of Communities Discriminated
on Work and Descent (GFoD)

<https://www.globalforumcdwd.org>