



Bucharest, December 2010

Dear Mr. Hammarberg,

I am writing to you in response to your letter, dated November 17, 2010 and focusing on the protection of the human rights of the persons belonging to the Roma minority in Romania.

I am glad that you had the opportunity to engage in a dialogue with the Romanian authorities on matters related to Roma, on the occasion of your recent visit to Romania, from 12 to 14 October 2010. I also appreciate the fact that you presented to us your conclusions and recommendations.

However, before addressing the specific items that you listed in your letter, I would like to point to one aspect of concern to us, namely the use of estimative figures (percentages) in relation to the Roma community.

In our view, the rather significant discrepancies in terms of figures presented by various sources convey a strong signal about the reliability of such figures. An example in that regard, connected to figures mentioned in your letter, is the results produced by the Roma Inclusion Barometer in 2006, which show that 19% of the Roma children aged between 7 and 11 do not go to school. Therefore, we consider it to be a counterproductive demarche to make use of figures that are clearly contradicting others.

National policy aimed at enhancing the human rights of Roma

The integration policy of the large Roma community in Romania needs to be achieved at a higher scale and through more substantial efforts. While the importance and variety of measures taken by the Government, some of which are mentioned in your letter, testify of the responsible way in which Romania addressed the Roma issue, we acknowledge that both marginalisation and discrimination have not been completely eradicated. We will continue to invest our efforts in this matter in a consistent and coordinated approach, with a view to turning such phenomena into a reality of the past.

Mr. Thomas Hammarberg

Commissioner for Human Rights of the Council of Europe

Fight against anti-Gypsyism

The Government of Romania has taken resolute action in order to combat discriminatory statements or behaviours in relation to Roma. We still believe that such attitudes are not characteristic to the whole majority, but are rather exceptional.

Besides the required legislative basis, the creation of the National Council for Combating Discrimination in 2000, as well as a pragmatic action aimed at eliminating stereotypes and prejudices, were crucial in this field. Examples of awareness campaigns undertaken by the Government, sometimes in partnership with other actors, are available for your information, herewith attached.

Moreover, information on the execution by Romania of the European Court of Human Rights' judgments in cases indicated in your letter is attached to the present letter.

Anti-discrimination law and policy

As concerns implementation of anti-discrimination law, we consider that two elements are essential guarantees in this regard. The National Council for Combating Discrimination, which is responsible for the enforcement and observance of anti-discrimination legislation, is a fully operational institution. It investigates, establishes and sanctions cases of discrimination. At the same time, the Council elaborates and applies public policies in the field of non-discrimination. Secondly, courts, the classic justice system, are there to defend citizens' rights and to sanction discrimination.

Adequate housing for Roma

The Romanian authorities strive to improve the access to housing for disadvantaged categories, including Roma. Recent initiatives of central and local authorities attempted to fill in the gap, mainly by solving ownership issues related to houses and agricultural fields, rehabilitation of housing and environment in Roma neighbourhoods, supporting companies and NGOs involved in providing infrastructure and utilities in Roma neighbourhoods etc.

The Government is also trying to address the particular challenge represented by the situation of the Roma informal settlements.

Access to a sewage system and to running water for everyone across the country is a priority for the Romanian Government. The water infrastructure will be developed with EU financial support, by 2015, through the Sectoral Operational Programme Environment.

The role of local authorities

We are currently focusing on better involving the local authorities in the identification and implementation of concrete projects for Roma. As you indicated, we will put in place a Mobile Unit for assistance purposes, meant to support local communities in drafting social inclusion projects and drawing funds from the European Social Fund. As recent as in November 2010, a Cooperation Protocol was concluded between the Ministry of Labour, Family and Social Protection and the National Agency for Roma, which would consolidate the basis for their working together for the implementation of the Roma Strategy, especially for elaborating a map of the social exclusion and for setting-up the project of a Mobile Unit.

Access to employment by Roma

Various measures aimed at a long-term integration of Roma into the labour market have been taken and new ones are currently considered. Job markets, where Roma ethnics have the possibility to discuss with representatives of economic agents, as well as the "Employment Caravan for Roma", which facilitates the integration of Roma into the labour market, have produced significant results over time.

The Labour Code prohibits discrimination on grounds of ethnicity and the National Council for Combating Discrimination has a crucial role to play in this particular field too.

Access to quality education by Roma

The effective implementation of the provisions anti-segregation and anti-discrimination in schools is among the priorities of the Romanian Government. The Ministry for Education, Research, Youth and Sport is actively pursuing the objective to eliminate segregation and to offer quality and equity in education. Moreover, a protocol of cooperation between the relevant ministry and NGOs is going to facilitate the monitoring of the respect of such provisions.

Finally, let me reiterate the commitment of the Romanian authorities to improve the situation of the Roma minority in Romania and our availability for a constructive dialogue with you on human rights matters.

Emil BOC

A handwritten signature in black ink, appearing to read 'E. Boc', with a stylized flourish at the end.