

**Resolution CM/ResCMN(2007)8
on the implementation of the Framework Convention for the Protection of National Minorities
by Romania**

*(Adopted by the Committee of Ministers on 23 May 2007
at the 996th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as “the Framework Convention”);

Having regard to Resolution (97) 10 of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the voting rule adopted in the context of adopting Resolution (97) 10;¹

Having regard to the instrument of ratification submitted by Romania on 11 May 1995;

Recalling that the Government of Romania transmitted its state report in respect of the second monitoring cycle under the Framework Convention on 6 June 2005;

Having examined the Advisory Committee’s second opinion on Romania, adopted on 24 November 2005 and the written comments of the Government of Romania, received on 5 December 2006;

Having also taken note of comments by other governments,

1. Adopts the following conclusions in respect of Romania.

a) Positive developments

- Romania has continued to pay particular attention to the protection of national minorities. Important steps have been taken to consolidate and build upon Romania’s existing legislation and practice in the field of minority protection, while constantly involving the representatives of national minorities in this process.
- On the legislative level, these steps have resulted in new constitutional and legislative provisions in areas of direct concern to persons belonging to national minorities. Increased efforts have also been made to develop an adequate legal and institutional basis for preventing and combating manifestations of discrimination, intolerance and hostility based on ethnicity. In addition, a draft Law on the Status of National Minorities is still being examined by parliament.
- Special measures adopted in order to promote the full and effective equality of persons belonging to national minorities have produced results in various fields, including education, the use of minority languages in the public sphere, and participation in decision-making. Representatives of national minorities acknowledge the existence of a social climate favourable to tolerance and intercultural dialogue and agree that progress has taken place in this regard.

¹ In the context of adopting Resolution (97) 10 on 17 September 1997, the Committee of Ministers also adopted the following rule: “Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour”.

- The situation of the Roma continues to remain a priority for the authorities. Numerous sectoral measures have been adopted in recent years aimed at combating the social exclusion of the Roma, and reducing the serious disparities which continue to separate them from the rest of the population in most areas. Moreover, significant efforts have been made to improve the public image of the Roma as well as their relations with the police.

b) Issues of concern

- Although Romania has a developed legal and institutional framework for the protection of national minorities, shortcomings continue to be reported with regard to the implementation of certain legislative provisions, particularly at local level. The financial difficulties affecting many fields of relevance to the protection of national minorities, such as education, also have an impact on the effective implementation of measures adopted by the government. Further efforts must be made to redress imbalances in the state support provided to the different national minorities in various fields. As regards the ongoing restitution of property, it appears that no assessment of the impact of this process on vulnerable minority groups, such as the Roma, has been made.
- Similarly, the authorities should adopt a more open approach, in their dialogue with the national minorities, towards organisations other than those represented in the Council of National Minorities and, in a more general way, towards other groups that have expressed an interest in receiving the protection afforded by the Framework Convention, while taking into account the various opinions expressed within the respective groups.
- In spite of the many initiatives taken by the government, a large number of Roma continue to confront serious difficulties and manifestations of discrimination in different fields, including employment, housing, health and education.
- Moreover, the impact of the awareness-raising measures taken to improve the public image of the Roma and to encourage more positive attitudes towards them within society remains limited. Public manifestations of hostility and intolerance are still reported, in certain media, as well as in the statements made by certain members of public authorities and, in spite of improvements in this area, in the conduct of certain members of the police.

2. Adopts the following recommendations in respect of Romania:

In addition to the measures to be taken to implement the detailed recommendations contained in sections I and II of the Advisory Committee's opinion, the authorities are invited to take the following measures to improve further the implementation of the Framework Convention:

- increase awareness-raising measures among the public, politicians and the media regarding the importance of tolerance and respect for diversity and ensure that educational curricula reflect, in an appropriate manner, the diversity of Romanian society; take effective measures to strengthen interethnic dialogue and mutual understanding in areas populated by persons with different ethnic, cultural and religious backgrounds, including where persons belonging to the majority are in a minority position;
- take more resolute action to prevent and combat discrimination and social exclusion of the Roma and address, as a matter of priority, the difficulties they face in employment, housing, health and education;
- envisage ways to provide more convenient time-slots for minority television programmes and the possibility of extending the time of broadcasting service for national minorities in their language, especially at local level, taking into account the economic constraints within which public stations operate; promote better access of the Roma to the local radio;
- pursue and strengthen the initiatives taken in order to improve the situation of the Roma in the field of education and to develop the teaching of their language; pursue and monitor the measures taken to prevent and combat the isolation of Roma children within the educational system; pursue the efforts aimed at improving the situation of national minorities in the field of education and teaching of and in their languages;

- increase efforts, which require also an increase of the general budget for education, to ensure the availability of sufficient and qualified teachers and textbooks for education of or in minority languages, in particular for numerically smaller minorities;
 - promote further the participation of persons belonging to national minorities in public affairs at central and local levels, in particular as regards the Roma and the numerically smaller minorities; encourage pluralism within minorities and develop contacts with organisations which are not represented in the Council of National Minorities, in order to avoid unnecessary politicisation of minority organisations;
 - evaluate the effects of the process of restitution of property on the situation of vulnerable minority groups; accelerate the implementation of the restitution of religious and community properties of minorities, while taking into account the complexity and implications of this process;
 - continue to improve the implementation of the national legislation concerning the practice of indicating place names in administrative-territorial units in which people belonging to national minorities represent over 20% of the local population;
 - make an assessment of the legal and institutional effects as well as the budgetary implications of the draft Law on the Status of National Minorities and take the available measures to conclude the adoption of the law, as soon as possible, while ensuring its compliance with the principles embodied in the Framework Convention.
3. Invites the Government of Romania, in accordance with Resolution (97)10:
- a.* to continue the dialogue in progress with the Advisory Committee;
 - b.* to keep the Advisory Committee regularly informed of the measures it has taken in response to the conclusions and recommendations set out in section 1 and 2 above