



Citizens' Rights in Romania



By:

Miguel Rodriguez

CRW Researcher & Reporter

August 2014



INTRODUCTION

The country of Romania is located in the southeast and central part of Europe, the country has a territory of 238,391 square kilometers which make it the ninth largest country in Europe. Their capital is Bucharest and their national currency is the Romanian Leu. According to their last census of October 2011, their population is of 20,121,641 people of which 89% are Romanian, 6.5% Hungarian and 3.3% are Roma; the rest are other minorities.

The current president is Traian Băsescu, which came into office for the first time on December 2004, and was suspended April 2007, but this suspension was lifted May 2007. He was reelected for president in December 2009; in July 2012 he was suspended again and the same month a referendum was held, which he lost, but the referendum was interpreted as being invalid by the Constitutional Court. He remains being the Romanian president. The president is the “Head of State” of Romania and is elected in a two around system for a five year term. Presidents in Romania have the attribution to name the Prime Minister, but cannot dismiss him. The Prime Minister of Romania is the “Head of Government” of the country, and has governing activities as its prior functions; the current Prime Minister of Romania is Victor Ponta.

The Romanian economy is in growth; it depends mainly on its agriculture and its energy sources, which are very varied. Since 2007 Romania is a member of the European Union (EU). The Country’s GDP (PPP) is of 270.7 Billion, and its growth was of 5.4%; It’s GDP per capita is of 13,200 (PPP). About 22% of the total population is below the poverty line, of which most are in the rural areas of the country; low productivity is one of the main causes of these events. After Bulgaria, Romania has the second highest percentage of people at risk of poverty or social exclusion. The percentage has decreased during the last 20 years, where different policies and programs where made available, and have influenced the economy in a positive manner; but the amount is relatively high.



HEALTHCARE

Romania has a reasonable standard of healthcare in the country for citizens and long term residents; medical staff is well prepared and the overall qualities of the services are standard when compared to other EU countries. Dental Care is covered without any significant charge for citizens below the age of 16.

The Ministry of Health oversees all health-related services in the country, and Healthcare in Romania is guaranteed in the Constitution of Romania in its 34th article, and is considered to be universal, and covering all and every citizen of the country in an equal way; but the expenditure on healthcare in Romania is the lowest of the EU.

There has been some criticism locally because reforms and improvements are needed in the healthcare system, and also a higher expenditure, to warrant health quality and the availability of drugs and medicines. Still the government has been reluctant to invest more in the healthcare system and has also been very ineffective in addressing the current problems the healthcare system of the country has. There even is the possibility that coming year the government is to spend even less on healthcare, due to internal financial problems.

Private sector of healthcare is known to be much more effective, but is inaccessible for low income households. There is press critique of organizations related to healthcare in and outside of Romania, which manifest that the healthcare system is "Skewed towards the healthy", and that there is lots of basic needs, and in public health establishments it is well known that upon acceptance to a clinic or hospital of an patient, an important number of citizens get a list of health-related products which must be acquired outside of the facilities, at relatively high costs.

In 2011 a motion was set forth to privatize all public health institutions of the country, and the merging of the public and private systems; employers would remain obliged to make contributions for their employees to a private fund, and there was no clear notice of what would happen to non-employed, and to whether the State would keep being in charge of making contributions for non-employed, disabled, retired and other social excluded parts of the population. The project was withdrawn to its fullest extent in 2012; but then the Health Minister of Romania declared that the project would be replaced by a different one, with similarities to the one withdrawn previously the same year.

Also there has been word in local media of corruption affecting the healthcare system. This happens in two ways; i) In the administering of funds and programs to hospitals and different medical related institutions, where funds at times overpay equipment which might not be deemed as the latest "state of the art"; ii) also inside the medical facilities, institutions fighting for



CITIZENS RIGHTS WATCH

human rights in the country have reported that there are a significant number of abuses committed by Doctors and Nurses which ask for some “extra funding” to give patients proper attention.

EDUCATION

Education is guaranteed by the State in Romani, in its Constitution in the 32nd article; it is controlled by the government through the Ministry of Education and Research. The public expenditure on education is about 3.7% of its annual budget.

Preschools are usually provided by State funded Kindergarten and similar establishments. They are optional, and attend to children of up to 6 to 7 years. At this age, a School Preparation Class is to be taken before entering primary school which is compulsory for all of its 8 years. Secondary School is compulsory for its two first years (9th and 10th grade) and the next two years are non-compulsory. Only 2% of enrolled students attend private Schools. Enrollment in Universities and similar higher education institutions is of an average 25%. The literacy rate of Romania is 7%; about 75% of the illiterate population lives in rural parts of the country.

Education has been improved since the last years in Romania especially in the 8 first grades, with more students graduating and attending to school. In rural areas the attendance is much lower, and only 1 out of 4 enrolled primary school students will enroll in secondary high school, due to different problems which are mostly of an economic nature.

There is a growing disparity of school availability, enrollment and quality between the rural and urban areas of Romania. The levels of learning achievements are notoriously lower in rural areas.

In 2008 all political parties of Romania signed a National Pact on Education to try and make a big reform on education in the country; but the objectives of it which were to be achieved by 2013 where not met. The country's goal of spending a 6% of the annual budget in education is still far away from its current 3.7% reality.

The Roma minority only enrolls about 40% of their children in primary school, due to cultural reasons; about 30% of the foregoing number graduate from primary school. By secondary school the enrolment drops to 25%. Besides the cultural factors which keep the Roma from enrolling their children, are the issues of discrimination and poverty of the minority. Poor segregated schools in Romania also contribute to these numbers.



The overall quality of education of Romania is of lower quality than of its neighbors and other EU countries. Capacitation of Teachers and implementation and the continuous updating of teachers knowledge is needed critically. Also the low wages of the public teachers of the land, contribute to this problem.

HOUSING

Housing is a common issue in a large variety of topics in all post-communist countries; being overcrowding; under-occupancy and poverty among the principal motives.

A lot of people live in houses constructed during the communist period of the country. Flats and other communist build houses account up to 75% of nowadays existent urban dwellings. Up and until the communist era, housing was a social concern of the government, which made reasonable efforts to provide for regular housing accommodation for its citizens. Nowadays help for the government to shelter the poorest of the nation is very basic, almost to a point where no real help is possibly measured.

Other poor and minorities, such as the Roma, look for whatever way they can get a roof over the heads of their families. Most of them scarcely have room of their own, such is overcrowding in the country, that at times families with a household of 6 live in one single room of about 4X4 meters. A lot of old improvised shelters in urban areas, and other sort of dwellings in the rural area, do not have proper roofing, or proper walls; they lot through a lot of rain, snow and wind. Also, there are reports of the water being contaminated in impoverished parts of cities, as well as in rural areas, whenever there is some vicinity between these underprivileged dwellings and industries.

There are two big contradictions in Romania in the housing subjects. A very high percent of the local citizens live in overcrowded dwellings, and on the other side, a lot of available dwellings are vastly unoccupied. The government seems not to have ascertained the public relevancy of this space problem; this relevancy of how space and territory are both under-occupied and over-occupied.

Currently the housing and real estate property market and the construction sector of the country are "depressed", as prices of real estate continue to drop. The EU Crisis around 2009 did not help to this. There are various factors of these detriments in the housing market, such as unfair



competition acquiring public lands, insufficient funds provided to housing in the country and the lack of stimulation for construction companies to risk more on the housing sector in Romania.

A common policy seen in Romania is rehabilitation and repair of former communist funded houses. These houses are not in proper habitable condition, and a lot of squatters and minorities used these to live in. Some repairs and partial rehabilitation of these properties was government funded; but most of them rely on the local dwellers for repair, and at times they depend on current tenants for provision of basic services, such as clean water and electricity.

There is no clear policy in Romania towards Housing, and most of the government attempts to improve the situation have failed because of lack of a common effort to plan and program correct policies, laws and programs to Housing in Romania.

EMPLOYMENT

Employment is controlled by the government of Romania by the Ministry of Labor, Family and Social Protection. All forms of employment should be registered and should be based on a previous agreement, according to applicable law requirements of the country; also labor and social security is guaranteed to the Citizens of Romania in their national Constitution in its 41st article.

The reality is that since the post-communist era, the ministry of labor is the ministry which has been affected the most by the new era. A lot of the nowadays policies and laws are still catalogued as being to left sided, and there are a lot of difficulties of the ministry to enforce its statutory rulings. Romanian law covers most of the usual social security ambits, including health insurance, statutory commands over dismissal, vacation, probationary periods, labor risks, and other such statutory; but this also only applies whilst the employee is legally employed and all agreements and contracts have been duly registered; but this is not always the case. Informal employment throws numbers around the 35% - 50% of all employed work force in Romania, which is a very high rate, especially for a EU member country.

Along with its informal employment problem, there is also the issue of increasing amount of child labor which occurs in the country. A key tool to fight the issue is through policies and ways to enforce laws protecting children and punishment of employers which exploit them. In 2001 a reasonable effort was made by the government and an anti-child labor and anti-trafficking law was passed in congress, making it a very important enforceable instrument against trafficking and exploitation of minors in the country.



Unemployment in Romania is about 7.3%, of which most are male over the 25 years. These figures continue to expand the poverty levels of the country, but since the adherence to the EU and economic growth, the nation seems to be a bit more optimistically, although the mystique derived of the adherence seems to be gone now.

Although employment has a lot of issues in the country which the local government is trying to address, one should not be pessimistic in consideration of the social commitment of the government in trying to improve situation around employment, although policies and programs are at time insufficient, currently the government has made different compromises which various sectors of the population as to try and better the opportunities across the land, especially in the industrial and service sectors.

DIGNITY OF INDIVIDUAL

In the second title of the Constitution of Romania, from and including article 15 to article 60, there are the guarantees to the citizens' rights of most western countries; these include rights of equality in front of the law, and right to a fair trial; right to freedom and physical integrity; freedom of practicing religious beliefs and freedom of opinion and thought; right to access education and healthcare provided by the State; freedom of assembly and association; right to be protected by social labor laws; and all other political rights, right to vote and to being elected. In Romania the Death penalty is prohibited.

Access to culture is also protected at a constitutional level, regardless of one's ethnicity, or other socio cultural characteristics. Abortion is legal since 1990, and since then the number of abortions has significantly decreased during the last 20 years. About LGBT rights, despite Romania being a socially conservative nation, it has made progression during the decade of 2000, implementing laws against hate crimes committed against Homosexuals, and has furthermore promoted the equality of citizens with non-traditional sexual preferences. The government role in this was very important to guarantee for the gay community a relatively normal life. There still is some need of stimulating tolerance towards this group, which at times keeps being discriminated, especially by particularly religious people.



HIV patients have legal right to remain anonymous and to be treated as equals, but the government does little to secure and prevent this discrimination from happening. Organizations and governmental institutions have note that there is a big flaw in protecting children which are HIV positive being discriminated and neglected.

THE ROMA (ROMANIES):

There are about 2 Million Roma (“Romanie”) living in Romania. The, which are calculated to sum up about 7 Million in all of the EU, have been subject of discrimination segregation and abuse, by authorities like local police, and by the Romanian Citizens themselves.

The discrimination happening against the Roma is historical, and does not only happen in Romania. The Roma have are culturally different and in past centuries they were “satanized” by the church, because of them having no respect for some regulations regarding private property and because they openly manifested being able to “foresee the future”. They have a different set of values towards western philosophy and socio culture, such as private property and settlement.

They are looked down upon by citizens in different parts of the EU, where they are also called gypsies, and any other synonyms in other EU languages. Around hundred years ago laws were implemented, even in countries far away such as the U.S. and Argentina, to prevent the entrance of the Roma, based pretty much on ethnicity, and with the firm intention to openly manifest they were not welcome in some nations. Hatred and discrimination of the Roma is also known as Antiziganism, and keeps occurring with more frequency in Europe than in any other place.

In Romania, Roma children face a segregated education, and recently a local authority manifested to the press he would see that “his children were not to attend a school where there were a lot of Roma Children” which shows that the discrimination is very vivid for this minority in the Country, and for from being directly fought by the government seems to find some rational thinking against them. Romanies also face many challenges looking for employment, and accessing public services. They are far away of being treated as equals, even though the Constitution of Romania dictates otherwise. As the Roma are frequently denied identification papers by the governmental institutions, they also can’t have access to regular healthcare system, they cannot participate in elections and are kept from receiving social benefits most of the times. Overall, they are kept from securing property documents, which makes the housing problems of Romania particularly steep from them. Romanies have been known to have to share little rooms for the whole of their families, and are constantly being evited due to their “squatting” behavior.



Most Roma which manage to escape poverty usually evade the subject of their origins. A great many of them have said that they were only able to escape the overall sad situation of the Roma due to their hiding the fact they had Romani blood. This does not help to the problem at all, and this identity crisis may even complicate the issue further. So the “former” Roma become accomplices of the discrimination against their own, with their silence, instead of trying to help pulling them out of their current reality, and perhaps inspiring them with an example. This of course does not count in general, as there are very respectable Roma politicians.

CONCLUSION

Citizens face a lot of problems when trying to get help from the Romanian government, either it be towards housing, healthcare and employment. Romania has a lot of laws which were made in an attempt to get to the EU’s statistic requirements, but has a very method when trying to enforce laws, statures, programs and policies. Apart of that, as the country has faced constitutional and political crisis, the opinion of citizens towards their national government has lowered. Also this lack of stability brings the country’s citizens to a sense of insecurity about their future; also it affects their hopes of improvements. The crisis in Ukraine only deepens a growing sense of insecurity in the cities. As Romanian Citizens face continuous problems regarding their basic needs, it would be a great time for the government to take more aggressive actions towards problems such as education, improving the conditions of housing, and plan ahead on creating more and better opportunities for employment for its citizens.

Romania is perhaps one of the countries in the EU with deeper social problems. It would be only fair to state that Romanian society harbors one of the worst cases of social stigma in Europe. The continued discrimination against the Roma are the flag hereof. Other forms of segregation also continue to happen and the government handles the issue passively, as to try not to set up the electorate, or being catalogued as “pro-Roma”.

Latter decade governments have tried to implement inclusion trying to better the situation of the Roma, with inclusion. Still the opportunity of acquiring a decent job or a good employment depends a lot on the private part of the country, which make the hiring decisions. Finding and enabling ways to enforce the anti-discrimination laws might aid all the discriminated sections to stop being the target of abuse, racism and of being segregated.



The United Nations have set forth a program to try to reach out to the Roma communities in Romania to procure development and to promote social economy. Of course inside the country here is also a level of solidarity of parts of the local population which try to aid these communities in whatever way they can. Other institutions and NGO's attempt to do the same. If campaigns funded by local government instances were to follow to promote inclusion of the Romani, by improving all aspects of their day to day life, perhaps a great step towards giving this minority a better chance in economic and social growth.

PRESS RELEASE

The Roma of Romania

Cochabamba, Bolivia, - July 23, 2014 - When segregation is as widespread as it is nowadays in the Romanian country, there is not much to be expected when there is talk about Roma inclusion into Romanian society. Socially most of the Roma are frowned upon by the rest of the population, and the local government, whilst making attempts for improving the situation of the Roma people, also makes contradictory statements some against and some pro the minorities. The Roma remain being one of the most vulnerable minorities of the European Union. They face violence and racism on a daily basis, are denied access to basic services, to proper housing and to social benefits. Even getting a national document is difficult when one is born being a Roma.

Most of the Roma children will not finish school, mainly due to poverty or lack of chances and resources, or even due to the discrimination and racism they face when attending to school. The biggest chance of Roma Children to escape discrimination and their poverty is a good education, and there are many samples that proof this. But segregation is difficult to fight against. Segregation does not happen legally, as there are laws against any forms of segregation in the Romanian law, but it occurs almost automatically for most Roma Children.

If the government were able to find ways for inclusion of the Roma children, the numerous programs already existing may be put into practice more smoothly and with better results. Programs to help Roma children to better and improve their chance to a good education



are already available, but when put into practice these programs are faced with many different sorts of problems which make it difficult to implement programs. Government support in this field may be required, and studies would need to be done, to identify the factors and the variables ahead of the program implementation. What results may be obtained through education of the Roma may be difficult to assert on, but education of minorities has aided other communities with their socio-economic problems in the past, and is known to be a solution applicable to many other realities.

REFERENCES

INTRODUCTION

Infoplease.com – (2012) – *World Countries – Romania* [Online]
Available at: <http://www.infoplease.com/country/romania.html>
European Union – (2013) – *Member Countries of the EU: Romania* [Online]
Available at: http://europa.eu/about-eu/countries/member-countries/romania//index_en.htm
Wikipedia.org – (Last edited Jul. 2014) – *Romania* [Online]
Available at: <https://en.wikipedia.org/wiki/Romania>
Wikipedia.org – (Last edited May. 2014) – *President of Romania* [Online]
Available at: https://en.wikipedia.org/wiki/President_of_Romania
Wikipedia.org – (Last edited Jun. 2014) – *Prime Minister of Romania* [Online]
Available at: https://en.wikipedia.org/wiki/Prime_Minister_of_Romania
Central Intelligence Agency – (2014) – *The World Factbook – Romania* [Online]
Available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/ro.html>

HEALTHCARE

Wikipedia.org – (Last edited Jul. 2014) – *Healthcare in Romania* [Online]
Available at: http://en.wikipedia.org/wiki/Healthcare_in_Romania
Embassy of the United States of Buckarest, Romania - (2014) – *Health issues in Romania* [Online]
Available at: <http://romania.usembassy.gov/acs/health4.html>
Europe-cities.com – (2014) – *Healthcare in Romania* [Online]
Available at: <http://www.europe-cities.com/en/633/romania/health/>
Dankezone.ro – (2013) – *Healthcare in Romania - The Healthcare system and statistics* [Online]
Available at: <http://dankezone.ro/healthcare-in-romania/>
The Independent (UK) – (2014) – *PRESS RELEASE: Mass exodus: Why corruption in Romania's Healthcare system is forcing doctors to work abroad* [Online]
Available at: <http://www.independent.co.uk/news/world/europe/mass-exodus-why-corruption-in-romania's-healthcare-system-is-forcing-doctors-to-work-abroad-9035108.html>



· EDUCATION

Wikipedia.org – (Last edited May. 2014) – *Education in Romania* [Online]

Available at: http://en.wikipedia.org/wiki/Education_in_Romania

Differentiallike.eu – (2011) – *The Romanian Educational System* [Online]

Available

at:

http://differentiallike.eu/index.php?option=com_content&view=article&id=80:the-romanian-educational-system&catid=35:products&Itemid=58&lang=en

Nationmaster.com – (2012) – *Romania education Stats* [Online]

Available at:

<http://www.nationmaster.com/country-info/profiles/Romania/Education>

Slideshare.net – Ana Tudor - (2009) – *The Education System in Romania* [Online]

Available at: <http://es.slideshare.net/guest26d19/the-education-system-in-romania>

· HOUSING

Adriana Mihaela Soaita – (February 2013) - *Overcrowding and 'underoccupancy' in Romania: a case study of housing inequality* – Environment and planning - Prior Editions.

The Guardian – (2011) – *PRESS RELEASE: Lessons from Romania: a ticking housing timebomb* [Online]

Available at: <http://www.theguardian.com/housing-network/2011/nov/11/romania-ticking-housing-timebomb>

Ion Radu Zilișteanu – (2011) - *National Housing Policies In Romania Between 1990 And 2010* [Online]

Available at: <http://www.rebe.rau.ro/RePEc/rau/journal/SP11/REBE-SP11-A12.pdf>

Global Property Guide – (2013) – *PRESS RELEASE: Romania's Housing market remains Depressed* [Online]

Available at: <http://www.globalpropertyguide.com/Europe/Romania>

· EMPLOYEMENT

Catalin Ghinararu - (2005) - *Youth Employment in Romania - Trends, developments and issues under debate* – European Agency for Safety and Health at Work [Online]

Available at: http://www.protectiamuncii.ro/en/pdfs/youth_employment_in_romania.pdf

Eurofund – (2008) – *Report on informal employment Romania* [Online]

Available at: <http://www.eurofound.europa.eu/areas/labourmarket/tackling/cases/ro003.htm>

The World Bank – (2014) – *Romania Overview* [Online]

Available at: <http://www.worldbank.org/en/country/romania/overview>

International Labor Organization – (2013) – *Romania: Policy*[Online]

Available at: http://www.ilo.org/ipec/Regionsandcountries/europe-and-central-asia/Romania/WCMS_201645/lang--en/index.htm

· DIGNITY OF INDIVIDUAL

Chamber of Deputies of Romania – (2014) – *Constitution of Romania* [Online]

Available at: <http://www.cdep.ro/pls/dic/site.page?id=371>

Wikipedia.org – (Last edited May. 2014) – *LGBT Rights in Romania* [Online]

Available at: http://en.wikipedia.org/wiki/LGBT_rights_in_Romania

Wikipedia.org – (Last edited Oct. 2013) – *Human Rights in Romania* [Online]

Available at: http://en.wikipedia.org/wiki/Human_rights_in_Romania

United States Department of State – (2013) - *Romania 2013 Human Rights Report* [Online]

Available at: <http://www.romania-actualitati.ro/files/220533.pdf>

Human Rights Watch – (2014) - *World Report 2014* [Online]

Available at: <http://www.hrw.org/world-report/2014/country-chapters/european-union?page=3>

Amnesty International – (2014) – *Romania – Human Rights of Romania* [Online]

Available at: <http://www.amnesty.org/en/region/romania>

· THE ROMA



CITIZENS RIGHTS WATCH

Ana Cosima Rughinis – (2003 – 2004) – *Social Housing and Roma Residents in Romania* – Central European University Center for Policy Studies – Open Society Institute [Online]

Available at: <http://pdc.ceu.hu/archive/00001919/01/rughinis.pdf>

Fight Discrimination in Europe – (2014) – *Listen to Roma Rights* [Online]

Available at: <http://www.fightdiscrimination.eu/content/listen-roma-rights>

Amnesty International – (2014) – *Roma: Demanding Equality and Human Rights* [Online]

Available at: <http://www.amnesty.org/en/roma>

Spiegel – (2014) – *PRESS RELEASE: The Plight of the Roma: Europe's unwanted people* [Online]

Available at:

<http://www.spiegel.de/international/europe/europe-failing-to-protect-roma-from-discrimination-and-poverty-a-942057.html>

Wikipedia.org – (Last edited Jul. 2014) – *Antiziganism* [Online]

Available at: <http://en.wikipedia.org/wiki/Antiziganism>