



Romani CRISS

Roma Center for Social Intervention and Studies

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Annual Report 2007

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Romani CRISS, in few words

Roma Center for Social Intervention and Studies - Romani CRISS is a non-governmental organisation, established in 1993. The founding members of the organization are: Roma Ethnic Federation (FER), Research Center of Roma/Gypsies from the René Descartes University in Paris, and the Sociology Institute of the Romanian Academy.

Romani CRISS defends and promotes the rights of Roma in Romania by providing legal assistance in cases of abuse and works to combat and prevent racial discrimination against Roma in all areas of public life, including the fields of education, employment, housing and health.

At the London EU/US Summit of May 18th 1998, Romani CRISS was awarded the award for Democracy and Civil Society, from the European Union and the United States of America.

RIGHT TO EDUCATION

Contribution to improving policies for Roma in the field of education

Memorandum of cooperation on ensuring Roma children and youth's access to quality education in Romania, by school desegregation and promotion of education for identity

In February 2007, at the initiative of Romani CRISS, the Ministry of Education, Research and Youth, the National Agency for Roma, the National Council for Combating Discrimination, the OSCE/ODIHR, together with the working group of the non-governmental organisations, Roma Center "Amare Rromentza", Timisoara Intercultural Institute, Romani CRISS, Save the Children, PER Regional Center, Ovidiu Rom, and represented by Roma Center "Amare Rromentza", Save the Children and Romani CRISS, signed a memorandum of cooperation on ensuring Roma children and youth's access to quality education in Romania, by school desegregation and promotion of education for identity.

Within the document, the signatory parties undertook to elaborate a strategy on desegregation in the schooling system. Within 6 months since the signing of the Memorandum, the parties were to elaborate tools to implement plans of desegregation and to monitor the desegregation process. The activities foreseen in the Memorandum started, by initiating the elaboration of an Order and of a methodology on desegregation in education.

The Memorandum was signed for the period of February 2007 – January 2008.

Order no. 1540/ 19.07.2007 on banning school segregation of Roma children and on approving the Methodology on preventing and eliminating school segregation of Roma children

Following the consultation process initiated through the activities foreseen in the Memorandum of Cooperation, the Ministry of Education, Research and Youth adopted Order no. 1540/ 19.07.2007 on

banning school segregation of Roma children and on approving the Methodology on preventing and eliminating school segregation of Roma children. The Order aims at preventing, banning and eliminating segregation, as it is seen as a severe form of discrimination, with negative consequences on equal access of children to quality education. An important aspect of the document is the stipulation of sanctions for those who do not meet the provisions of the Order and the Methodology.

Together with the Order, the Ministry of Education, Research and Youth also adopted Order no.1539/19.07.2007 regarding the norms of hiring and of activity of the school mediator and Order no.1529/18.07.08 regarding the development of the issue of diversity in the national curriculum.

Law on Pre-university education

On 30-31 August 2007, Romani CRISS, in partnership with the National Council for Combating Discrimination, the Ministry of Education, Research and Youth and the Roma Center “Amare Rromentza” organized the seminar “Law on pre-university education – an inclusive law for Roma children?”

The participants, representatives of non-governmental organizations and of competent institutions aimed at putting together recommendations for the education of Roma children to be submitted, afterwards, in the attention of the Ministry of Education, Research and Youth in regard to amending Law on pre-university education, with the purpose to reflect more clearly fundamental principles of democratic education.

The main recommendations on reviewing the pre-university education law proposal and the statute of teaching staff law proposal regard, especially:

- Inclusion of information from the Ministry of Education’s Orders on cultural diversity and on banning segregation;
- Introduction of notions of intercultural education in the initial training of teaching staff.

The main proposals were included in the text of law, following that others to be kept in mind for the methodologies elaborated after the new laws on education entered into force.

Alternative country report on the rights of the child

In November, Romani CRISS in partnership with the Federation of Non-governmental Organisations for the Child (FNOPC) organised the roundtable “Respecting the Convention for the protection of the rights of the child (applicable in communities with a significant Roma population)” which aimed at including the monitored cases of school segregation and other cases on violation of Roma children’s rights into the alternative Country Report on the right of the child.

Results of Romani CRISS in projects on respecting the right to education

Increasing participation in the pre-school and school education

- Facilitation for setting up **17 summer pre-schools**, by providing logistic support in 12 counties, including Bucharest
- **414 children** participants in the summer pre-schools, of which 353 enrolled in the 1st grade and the rest enlisted in another form of schooling (preparatory group or 2nd grade).

Increasing participation in the high school and university education

- Implementation of an information and counselling campaign for Roma children and parents in regard to the affirmative measures for Roma at level of **13 counties** (Alba, Bistrita, Brasov, Calarasi, Cluj, Covasna, Dolj, Giurgiu, Hunedoara, Iasi, Mures, Neamt, Salaj) and Bucharest
- Setting up and supporting **13 information centres** by training the counsellors and endowing the centres with equipment and informative materials
- Signing **13 partnerships** with the county School Inspectorates in order to facilitate collaboration of the counsellors with the schooling institutions

- **Communities** to work in: **52**
- Informed/ counselled **students: 2898**
- Informed/ counselled **parents: 3045**
- Informed/ counselled **high school graduates: 179**
- **Young people enlisted in a university** as result of the counselling: **125**
- **Students enlisted in high schools: 343**
- **Students enlisted in Arts and Vocational Schools: 346**
- Informative materials: 2000 posters distributed at national level, 1500 flyers, 14 billboards, 1 radio commercial

Intercultural education

- On 1st of June, the International Day of the Child, Romani CRISS supported initiation of intercultural activities in Bucharest and 13 counties
Participants: **992 Roma and non-Roma children.**
- Organisation of two summer schools on the topic of ethnic identity and interculturality
Participants: **110 majority and minority children**, graduates of the middle school and future high school students.
- Organisation, in partnership with the Ministry of Education, Research and Youth, of **3 seminars** on training the teaching staff who works with Roma students and children. **84 trained teachers.**
- Organisation of a **fundraising campaign** “I am also a child! I am waiting for Santa Claus too!” for Roma children. **200 children** in two schools attended mainly by Roma students received Christmas presents as incentive for school participation. These children were involved in the schools’ artistic programs. The presents were provided by *Coca Cola* Company and *Sisters* advertising agency.

Combating segregation in education

- **1 working session** with the human rights local monitors from the Romani CRISS network, where each of them presented the school segregation cases encountered in their county
- **2 roundtables** at county level with the purpose to form joint groups that would elaborate desegregation plans
- Training course on strategies to eradicate school segregation, attended by **34 people** from Cluj, Dolj, Constanta, Gorj and Brasov counties. This training was attended by joint working groups (representatives of nongovernmental organisations, County School Inspectorates, schools and city halls)
- Elaboration of **6 school desegregation plans.**

International Roma Day – 8th of April

On the occasion of the International Roma Day, Romani CRISS and the Media Monitoring Agency, with the support and participation of the Embassy of the United States of America in Bucharest, organised the traditional reception at the Diplomatic Club, along with ambassadors, representatives of the Romanian Government, of national and international institutions and organisations, as well as personalities of Romanian public life. His Excellency, Mr. Nicholas F. Taubman, the Ambassador of the United States of America in Bucharest declared that Roma people continued to be discriminated against in the society and that the test of any democratic State was constituted by how that State protected their minority or vulnerable groups. The reception was followed by an extraordinary concert performed by Damian Draghici and Damian&Brothers band. The famous artist, as Ambassador of Equal Opportunities, aims, through his music, to promote Roma identity.

RIGHT TO HEALTH

Contribution to improving policies for Roma in the field of health

Elaboration and approval of the occupational standard for the profession of the health mediator

The process of elaboration of the occupational standard lasted for six months and went through the following stages: occupational analysis of the profession of the health mediator, together with a group of 24 mediators, establishment of the competencies units in accordance with the current legislation and with the needs identified during the monitoring process, presenting the text before the Sectorial Commission on hygiene, health and social services (occupation category that includes the health mediator's profession). **The occupational standard was approved on December 13th, 2007.**

The health mediator and decentralisation of health services

At the debate organised by Romani CRISS with the Embassy of France in Bucharest, the message of the Ministry of Public Health's representative was that the decentralisation process couldn't be stopped, but solutions could be found together, for the health mediators to be assured that the program would continue without supporting the political pressure of the local authorities, when the mediators would be transferred into the suborder to the local authorities.

Proposal to review Order 619/2002 on health mediators' job exerting

Romani CRISS, as permanent member of Ministerial Commission for Roma within the Ministry of Public Health proposed, on February 15th, the review of Order 619/2002 on health mediators' job exerting. The main point proposed for changing, in consultation with the regional centres that support the health mediators' activity, in the new version of the Order, are:

- Changing the mediators' labour contract period from a contract on determined period of time to an undetermined period of time contract
- Modifications in the selection process of the health mediators, in accordance with the standards
- Correlation of the Order's text with the occupational standard for the health mediators, approved by the National Council for Adults' Professional Training.

Results of Romani CRISS in projects on respecting the right to health

- The 7 regional centres of Romani CRISS have become a very important network of support for both the health mediators and themselves, training one another and becoming mentors one for the other, including the Romani CRISS staff. During one year of activity in the network, there have been **131 field visits** in **129 local Roma communities** in **28 counties**, thus a number of **283 health mediators** benefited of these support activities.
- Organisation of **17 roundtables** to discuss the situation of the health mediators. The discussions within the roundtables identified three main topics, respectively the health mediators' labour contracts, their selection when being hired and their position in the decentralisation process of public health services.
- **62 health mediators** benefited of 3 courses of continuous training
- Basic training for **125 health mediators** of which 100 passed the exams and were hired by the Public Health authorities in **9 counties**, thus the total number of the health mediators in the country is almost 600, and the requests for the basic training continue to be submitted to Romani CRISS.

- Cases of discrimination identified by the mediators and the centres: segregation in maternities in 3 localities (Craiova, Salaj and Constanta), physicians' abuse in practicing medicine, physicians' refusal to treat people, local authorities' abuse against the health mediators.
- **2 training courses** for the local human rights monitors and health mediators "Right to health: methods and techniques to combat discrimination"
- **One methodology** to document cases of discrimination in the field of access to health
- Editing 4 issues of „**Sastipen**” magazine, distributed, each time, to 550 local and central actors, thus a total of 2200 magazines sent into the field.
- **1 information, education and communication campaign** (IEC) in the field of health in 20 communities from 4 counties: Calarasi (Oltenita, Spantov, Ulmeni, Chirnogi, Calarasi), Tulcea (Ceamurlia, Isaccea, Babadag, Tulcea and Macin), Galati (Barcea, Ivesti, Targu Bujor, Galati, Umbraresti), Giurgiu (Baneasa, Giurgiu, Clejani, Slobozia and Gaujani), including a mobile caravan
- **Realisation** of 10 000 informative materials
- 4 roundtables at county level and 1 regional roundtable to discuss the implementation of the IEC campaign, specific problems, adaptation of the campaign to the local context, exchange of experience.
- Awards to the health mediators, on the occasion of the International Human Rights Day (10th of December)

Award for the longest time working health mediator “Mami” (grandmother in Romani language) - Rubina Ferariu (Botoşani)

Award for the youngest health mediator - Geanina Prisan (Vaslui)

Award for the oldest health mediator “Bibja” (aunt, in Romani language) - Maria Bostan (Iaşi)

Award for volunteering - Gizella Sandor (Harghita)

Award for non-discrimination – Tulcea Public Health Authority

Award for the most involved health mediator - Isabella Iurmann Tutura (Bistriţa Năsăud), Jenica Ganea (Ialomiţa) and Ana Năstase (Iaşi)

Award for human rights– Veronica Jordan (Giurgiu)

Awards for promoting gender equality – Claudia Kalai (Cluj)

Award for the best collaboration with a family doctor – Dr. Emma Erika Venter

RIGHT TO HOUSING

Contribution to improving policies for Roma in the field of housing

- Setting up a formal **working group** on the issue of Roma housing, affiliated to the Ministry of Development, Public Works and Housing

Results of Romani CRISS in projects on respecting the right to housing

- Elaborating of a **guide** on documenting cases in the field of housing
- **1 training course** for local authorities regarding the protection of the right to housing for Roma in Romania
- Organising, together with OSCE and COHRE of a **side-event** on **forced evictions**, within the OSCE High Level Conference on Combating Discrimination and Promoting Mutual Respect and Understanding
- **1 methodology** to measure the impact of discrimination against Roma, in the field of housing, in 3 cities. A part of this methodology will be included by the Ministry of Development, Public Works and Housing into a methodology on living conditions in extreme poverty, that will be published in 2008.

RIGHT TO NON-DISCRIMINATION

Contribution to improving policies for Roma in the field of non-discrimination

Public discourse

At Romani CRISS intimation, the National Council of Audiovisual sent the radio and TV stations a **Recommendation** through which the Council requested the stations to avoid any form of discrimination on grounds of race, ethnicity, religion, nationality or gender.

Administration of justice

At Romani CRISS application, the Supreme Council of Magistracy indicated the National Institute of Magistracy **to include courses** related to legal aspects on preventing and combating all forms of discrimination into the **continuous training** process of magistrates.

Results of Romani CRISS in projects on respecting the right to non-discrimination

Administration of justice

- **1 protocol** with the National Institute of Magistracy, National Council for Combating Discrimination and Centre for Legal Resources, with the aim to organise 4 training courses for magistrates in the field of antidiscrimination legislation.
- **1 training course** of magistrates on antidiscrimination legislation organised by Romani CRISS and another **2 training courses** organised within the protocol.
- **60 magistrates** trained on antidiscrimination legislation
- **15 lawyers** trained on human rights legislation and, in particular, on antidiscrimination
- **1 working group** with lawyers
- Setting up an **e-group** of lawyers and Romani CRISS team

Public discourse

- Publication, in partnership with the Institute for Public Policies, of the **“Monitoring discriminatory attitudes in the Romanian on-line environment” report**
- In the context of discriminatory manifestations escalating through the Internet, the Institute for Public Policies and Romani CRISS organised a **side-event** “Cyber hate: Legislative Solutions and Monitoring Mechanisms to Approach the Phenomenon in Romania. Case study: Romanian Daily Newspaper’s forums of discussions/readers’ comments” at the OSCE High Level Conference on Combating Discrimination and Promoting Mutual Respect and Understanding.

Interethnic conflicts

- Organisation of a **national conference**: „Interethnic conflicts: from collective violence to governmental programs”.
- Documentation of a case of interethnic conflict, together with a team from the Institute for Crime Prevention and Research.

Organising the meeting **“Year 2007: between the principle of equal treatment and discrimination”** with the purpose to evaluate the situation of human rights in 2007, together with ACCEPT association, Media Monitoring Agency, Center for Curriculum Development and Gender Studies: FILIA, Center for Legal Resources, National Council for Combating Discrimination, Poetry Foundation “Mircea Dinescu” Institute for Public Policies, Roma ACCESS and “Equal chances” organisation. The participants discussed about equal treatment and discrimination – the legislative framework, enforcement; monitoring the human rights situation for institutionalised mentally disabled people – stigma and mental health, human rights and discrimination of sexual minorities in Romania, violation of housing and education rights for Roma

minority, freedom of expression and press manipulation, equality of chances between women and men: daily life and institutional level, level of prevention and combating discrimination in the Year of Equal Opportunities for All, in Romania.

LITIGATION

Documented cases/ complaints submitted to the National Council for Combating Discrimination/ actions in the court of law

- **Roma's access to education** – 12 documented cases of school segregation , of which 5 complaints submitted to the National Council for Combating Discrimination (NCCD) and court actions in 5 cases
- **Affecting human dignity** – 8 documented cases, of which 6 complaints submitted to the NCCD and 2 court actions
- **Police abuse** in Roma communities – 4 documented cases, of which court actions in 3 cases
- **Roma's access to health services** – 3 documented cases and of which 1 complaint to the NCCD and 1 case in court
- **Roma's access to adequate housing** – 3 documented cases
- **Roma's access to public places** – 3 documented cases
- **Roma's access on labour force** – 1 documented case
- **Administration of justice** – 1 documented case, 1 case in the court of law
- **Interethnic conflict** – 1 documented case

ORGANISATIONAL EMPOWERMENT

- **1 training course** on lobby and advocacy for 10 non-governmental local Roma organisations.
- **7 nongovernmental local Roma organisations**, supported in implementation of lobby and advocacy campaigns in various fields: identity papers, education, access to public places, etc.
- **5 non-governmental organisations** supported with technical equipment
- **1 training course on writing and managing projects** for 20 representatives of local Roma NGOs
- 6 young Roma to benefit of a **mentioning program** for a period of 3 months
- 3 organisations assisted in writing concrete projects

CAMPAIGNS AND RELATION WITH THE MASS MEDIA

Contribution to improving policies for Roma in the field of non-discrimination, in relation to the mass media

„Constanta Declaration on the right to freedom of speech and the right not to be subject of discrimination in the virtual space”, letter addressed to the companies, journalists and bodies members of the Romanian Press Club, associations for the promotion of the Internet.

Results of Romani CRISS in campaigns and projects with mass media

- Raising awareness of the majority population in regard to stereotypes and bias against the Roma people, through:
 - **1 TV clip** „Different. But the same” broadcasted at 5 TV stations for one month
 - **1 video-clip** with Hara and Tamango, „**Hora Ursarina**” containing an antidiscrimination message sent by Mircea Toma.
 - **Prints** in the press with the campaign’s message „Different. But the same”
 - 1 debate with the journalists “We have had enough! The image of the Roma promoted in the Romanian press determines us to summon the journalists’ community at stabor (informal judgment). Indictment: the journalists are subjective, politically influenced, superficial – they are not objective when covering Roma issues and give up the principles of ethic code in favour of increasing newspaper’s sales. We, the Roma, accuse the journalised of perpetuating stereotypes and of un-professionalism. The presumption of innocence is valid, but the jury shall reach the verdict” – quote from the invitation to “Roma in Romania press – stereotypes or reality?” debate
 - **Racism-meter** event (a tool to test the level of bias against the Roma launched with the invitation “Test your civic health!” **in 3 cities**: Bucharest (for 3 days), Craiova and Brasov. 800 applied questionnaires, 1 study to test the public opinion. One of the surprising results is that the negative stereotype against the Roma is formed also without the influence of the personal experience and that there are still a worrying high percentage of extremist answers and segregationist solutions.
 - Elaboration of information **brochure** „**We are Romanians. What about them?**”
 - Promotional materials
- **Amaro Del and Damian&Brothers concert** on the occasion of the Human Rights International Day. *As ambassador of Year of Equal Opportunities, I performed this concert with the certainty that our music would send a message of antidiscrimination against Roma people and riddance of prejudice*”, declared Damian Draghici.
- **5 training courses** in the field of human rights in Timis, Iasi, Constanta, Brasov counties and Bucharest for **139 journalists**, representatives of local institutions and NGOs.
- **1 Guide** for promoting and defending human rights targeting the journalists – 1500 copies
- Setting up an **e-group** with 32 members participating in the courses
- **2 seminars** to identify ways to promote and respect human rights in Romania.
- Press monitoring and **1 Report on analysis of Roma image** in 8 central newspapers and 6 local newspapers, for 10 months.
- Following the monitoring, **5 awards** were awarded to journalists, as follows:
 - *Award for Professionalism in the field of promoting and respecting human rights*, to Mr. Alexandru Ganea for the article “Burden of discrimination” published in Transilvania Expres, on May 28th, 2007;
 - *Special award for Objective in Covering Roma issues*, to Mr. George Lacatus for the article “The Forensic Institute’s Factory of people” published in Cotidianul, on June 5th, 2007;

- *Award for Professionalism in the field of promoting and respecting human rights*, to Mr. Grigore Cartianu for the article “It’s our turn!” published in Evenimentul Zilei, on June 29th, 2007;
- “*Next year I want to win*” award to Mr. Ioan Grosan for the article “Cerasela, Petrarca’s lover” published in Ziua, on October 23rd, 2006
- “*I will never ever understand*” award to Mr. Mihai Bratu for the article “Iasi’s squalid slum” published in Gandul on October 20th 2006.

ROMANI CRISS PUBLICATIONS

Legal protection against discrimination and public policies towards Roma

Starting for a quote by Martin Luther King¹ and from the fact that, despite extremely important progress in the field of anti-discrimination legislation, no improvement was seen in the attitudes of representatives of institutions towards Roma, the report “Legal Protection against Discrimination and public policies for Roma” writes about the legal framework on protection against discrimination (the UN system, the Council of Europe’s and the Romanian system), governmental and non-governmental initiatives on improving the situation of Roma (at national and international level), analysis of these initiatives and International reports on Romania.

Here it is a paragraph from the Foreword written by lawyer Dezideriu Gergely: “the Report definitely has adherence to law practitioners but, in the same time, it addresses to actors that may generate public policies. Its particularity is given by the approach which characterises two viewpoints apparently contradictory, but which, in practice, overlap: on one hand, those who identify the Roma issue as preponderantly social, with economical-educational and health nuances and with a slight tendency of social exclusion and those who argues the lack of access or ban to fundamental rights of people of Roma ethnicity”.

Guide on promoting and defending human rights

The Guide on promoting and defending human rights targets the journalists and representatives of public institutions, as it represents a support element for respecting the professional deontology. Another target group is those who militate for defending the rights of people exposed to discrimination.

The document has four chapters. The first presents how the issue of human rights is reflected in mass media and the principles that journalists should abide in order to avoid discrimination. The second chapter details how the Romanian legislation approached freedom of speech and the right to personal freedom, trying to answer whether sanctions other than civil Courts’ sanctions, by keeping proportionality. The third chapter presents the legislative frameworks in the Romanian and international systems that provides protection against discrimination. The last part completes information regarding the structure of the

¹ Martin Luther King, “I Have a Dream - Address at March on Washington, August 28, 1963. Washington, D.C. (<http://www.mlkonline.net/dream.html>) “There are those who are asking the devotees of civil rights, “When will you be satisfied?” We can never be satisfied as long as our bodies, heavy with the fatigue of travel, cannot gain lodging in the motels of the highways and the hotels of the cities. We cannot be satisfied as long as the Negro's basic mobility is from a smaller ghetto to a larger one. We can never be satisfied as long as a Negro in Mississippi cannot vote and a Negro in New York believes he has nothing for which to vote. No, no, we are not satisfied, and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream”.

Romanian system, presenting, in a concise manner, the actors and legal instruments, useful in case of people exposed to discrimination.

Sastipen

The health department of Romani CRISS distributes on quarterly basis, the “Sastipen” magazine (health, in Romani language). There were four issues of the magazine in 2007, distributed to health mediators across the country, to Public Health Authorities and to non-governmental organisations. It contains information on decentralisation and mediation programs in the process of decentralisation, interviews, stipulations of Law 544/2001 on the right to information, data from the meetings of the Ministerial Commission for Roma within the Ministry of Public Health, portraits of health mediators.

Health services and Roma people. Evaluation of the health mediation system

Through this paper, Romani CRISS aims at providing information and recommendations to various health services providers, so that they would ensure an equal treatment and a non-discriminatory attitude in the day-to-day practice, in working with the Roma patients.

Romani CRISS experience in implementing projects on health mediation is reflected in the pages of this paper; it makes known the recommendations of the expert hired to evaluate the work of the health mediators and new ways to carry out actions to improve the health condition of Roma communities. The report of Maria Mailat, the expert contracted to evaluate the health mediation program conceived and implemented by Romani CRISS in partnership with the Catholic Committee against Famish and for Development in Romania covers all aspects of the program. While containing all these information, the publication targets the health personnel, Roma population, hospital managers, physicians, primary health clinics, etc.

Right to non-discrimination

Have you been discriminated against, harassed or victimized because you are of Roma origin? Don't ignore this situation! You have rights! Find out in the “Right to non-discrimination” brochure which the provisions of Governmental Ordinance 137/2000 on preventing and sanctioning all forms of discrimination, republished, are. The publication explains, in an accessible language, what direct discrimination is, indirect discrimination, victimization and harassment, how a discrimination situation can be identified. But, the most important, one finds out what they could do and who could help them, as well as what the remedy is if they turn to the law.

We are Romanians. What about them?

“Roma's cross.

The Roma firstly started to exist on our territory as slaves. Slavery is a very hard to wipe mark, even after hundreds of years. Perpetual marginalization generates poverty and poverty is a source of delinquency. Poverty and delinquency contributes to maintaining the stereotype of “dirty, thieves, lazy, not willing to learn Gypsies”. At its turn, the stereotype has social effects – discrimination. A Roma newly-born has lesser chances to reach a decent social position than a child born into a Romanian family. An argument more for the racists to think that poverty and delinquency are genetically transmitted. Discrimination forbids Roma's access in society, push them back in poverty and delinquency. What closes the vicious

circle of Roma's destiny: each gesture of discrimination by the majority population generates delinquency which "justifies" discrimination.

What end to grab in order to break a vicious circle?

The answer to the question or, at least information to try and get rid of stereotypes about Roma is in the brochure.

PROJECTS IMPLEMENTED AND/ OR INITIATED IN 2007

Project title	Financing body	Obtained financing amount
Need for quality and equality in education	Roma Education Fund	200.000 Euro
Strategic vision for combating discrimination against the Roma people	Open Society Institute, Budapest	100.350 USD
Capacity building for six grass root Roma NGOs in combating racism and discrimination against Roma	Royal Netherlands Embassy	31.268 USD
Monitoring the enforcement of the legislative framework in the field of school desegregation	UNICEF	50.155 USD, of which 3.530 USD direct payment
Measuring the impact of Roma discrimination in the field of housing	Open Society Institute - Roma Participation Program	11.000 USD
Early marriages in Roma communities: rule of law, cultural autonomy and individual rights (children, women).	UNICEF	10 350 USD of which 5.000 USD direct payment
Establishing and capacitating a human rights lawyers network	AIDROM	10.021 Euro
Improving the TB control in population groups at high risk	Management Unit of Global Fund and World Bank project	125.000 USD
Support for improving the health mediation system in Romania	CCFD France and Ministry of Foreign Affairs, France	129.365 Euro
Institutional support	Open Society Institute - Roma Participation Program	38.500 USD
Steps towards Tolerance	CEE Trust	100.000 USD
Roma and mass media: training on promotion and human rights observance	PHARE 2004/016-772.01.02/03/DEM20	67.850 Euro
Roma NGOs: efficiency for visibility	Phare2004/016-772.01.02/01/ONG42	17.475 EUR
Health education for Roma from disadvantaged communities	PHARE 2004/016-772.01.02/01/ONG38	71.267 Euro
"Keeping the fire alive" raising awareness concert	Open Society Institute - Roma Participation Program	32 800 USD

PARTNERS

- Ministry of Public Health
- Ministry of Education, Research and Youth
- Ministry of Development, Public Works and Housing
- National Institute of Magistracy
- National Council for Combating Discrimination
- Training Center of Health Personnel Bucharest
- Directorate of Computerised Registry of People, 6th district, Bucharest
- Institute for Crime Prevention and Research
- National Agency for Roma
- Embassy of United States of America in Bucharest
- OSCE/ODIHR – Contact Point for Roma and Sinti Issues
- Catholic Committee against Famish and for Development (CCFD)
- Fundacion General Gitano (FSG)
- Media Monitoring Agency
- ProVocatie
- ACCEPT association
- Center for Legal Resources
- Institute for Public Policies
- APADOR-CH
- FNOPC
- Pro Europa League
- Roma Center “Amare Rromentza”
- Community Development Agency “Impreuna”
- Intercultural Institute Timisoara
- Ovidiu Rom
- Save the Children Romania
- Project for Ethnic Relations
- European Roma Grassroots Organisation
- Poetry Foundation “Mircea Dinescu”
- Public Health County Authorities
- Network of human rights local monitors formed of association Rhoma Heart – Ilo Rrom, Equal chances association, Roma ACCES, Maitreyi association, Ketaness 2006, Roma in Europe Association
- Network of centres that support the health mediators’ activity formed of Pro Nobis Association, Parudimos Association, AFER Association, Sanse Egale Association, Community Development Centre Neamt, Ketaness Association, “Generatia 2008” Association and “Impreuna” Community Association.
- School inspectorates, county councils, prefect’s offices, city halls and Roma and non-Roma NGOs across the country

Romani CRISS is member of the Civic Alliance of Roma in Romania.

Annex:

Cases documented by Romani CRISS in 2007

Police abuse Cobzaru case

On the 19th of September 2007, a police crew from the police precinct no 5, Bucharest, while patrolling on Chitila Street, noticed 2 persons near a car. When they saw the police officers, the 2 persons ran, one by foot and the other one by car. At the crossroad of Chitila Street, the car went off road, due to the public works carried out, and the driver ran away, being chased by one of the police officers. At the crossroad of Moldova and Oastei Street, he stepped inside a yard and, while trying to climb a fence, he was deadly shot (in his neck) by the police officer who was chasing him.

Because the action occurred around 3 a.m. in a yard, without eyewitnesses, the versions of how the events carried on are the ones presented by the police bodies or by the Prosecutor's Office, and the only declarations of the witnesses are post-incident and describe aspects connected to the behaviour of the police bodies and the way they made inquiries at the scene.

The witnesses assert that, while trying to stop the young victim's bleeding, the police officer was having a telephonic conversation with one of his bosses, telling him to „arrange with the doctors”. Although the witnesses insisted that the police officer should have transported the victim to the hospital, he refused, motivating that they will dirty the car and that his boss will come to transport him to the hospital. After 45 minutes of insisting, the victim and his mother were transported to Floreasca Hospital by the police car. At the hospital he passed out because of “intern and extern haemorrhage, consequence of a left cervical shotgun wound with a lesion on the left jugular and cervical vertebra C2 fracture”.

According to the police, they initiated the pursuit of a person who seemed suspect and who refused to stop the car in order to legitimate. At the crossroad of the two streets, the suspect strongly braked, jumped from the car and ran by foot. Furthermore, the police agent S.A. chased him and summoned both verbally and with the weapons from his endowment as well (by shooting two gun shots vertically). The suspect went into a yard trying to climb a fence in order to get rid of the pursuit, so the police agent S.A., who was chasing him, summoned him verbally and afterwards executed one gun shots targeted against his feet. At the same time, the chased driver unbalanced and the bullet went straight into his neck. Then the police officer transported him to the Floreasca hospital, where the victim passed out.

In this case, Romani CRISS took notice of the case, documented it and, as a consequence of the resulted evidence, a complaint was lodged to the prosecutor, who decided not to pursue criminal investigation. The decision was contested at the hierarchical superior prosecutor, who maintained the decision. At the moment, the case is pending at the Court of Law, Sector 1, Bucharest, represented by the lawyer contracted by Romani CRISS- criminal trial for first degree murder against the police officer S.A.

Extremism Noua Dreapta case

We remind the fact that on 28th of April, 2006, Romani CRISS has lodged a complaint on the articles posted on the website www.nouadreapta.org, articles which promoted a behaviour aiming at affecting the human dignity and creating a degrading, humiliating, as well as offensive atmosphere against the Roma minority. Thus, complaints were lodged to the NCCD- National Council for Combating Discrimination, the Prosecutor's Office within Court of Law Sector 1 and an address to the Ministry of Administration and Interior.

Through Decision no 271/12.09.2006, the National Council for Combating Discrimination, examining the content of the petition, the deeds and the legislation in force, retains that the articles presented have a discriminatory character, affecting the dignity of the persons belonging to the Roma community, and publishing this articles represents a discriminatory act. Moreover, the NCCD has decided to sanction the authors of the articles with contraventional fine or warning, as well as sanctioning the Noua Dreapta organization, through its representative, for publishing the articles with discriminatory content on its site, with contraventional fine in quantum of 2000 RON.

Romani CRISS has lodged a criminal complaint against the Noua Dreapta organization and one of the authors of the articles, claiming the violation of provisions of Art. 3, paragraph 1 and 2, Art. 4, Art. 5, corroborated with Art. 2, letter a) from the G.O. no 31/2002, which prohibits the organizations and the symbols with fascist racist or xenophobe character, and promoting the image of the persons guilty for infringement of law against peace and humanity, as well as the provisions of art. 317, Criminal Code. The Prosecutors' Office within the Court of Law Sector 1, Bucharest has declined its competence for deciding on this case, in favour of the Prosecutors' Office within Bucharest Tribunal. In February 2007, this court ruled not to prosecute on the infringement of the law mentioned by art. 3, art. 4 and art. 5 from the 107/2006 Law and Article 317, Criminal Code, motivating, inter alia: "The Christian Forum Noua Dreapta" was established grounded on a civil decision of the Bucharest Tribunal and that this organization is not a Fascist/ Nazis movement, since "*the states' totalitarian centralism of the Noua Dreapta fascism is opposed by the participative democracy*" and that "*the existence of numerous legally founded organizations, such as: the Legionary Movement, Noua Dreapta, etc., and the existence of their publications represent a reality which cannot be ignored....*".

The resolution was contested by Romani CRISS at the Prime-Prosecutor's Office within the Bucharest Tribunal, which decided to reject, as ungrounded, the complaint lodged by Romani CRISS. As a result of the complaint lodged to the Bucharest Tribunal, they noted that the solutions pronounced by the Prosecutor's Office were legal and solid.

The decision of the Bucharest Tribunal was appealed by Romani CRISS before the Bucharest Court of Appeal, asking the admission of the appeal, cancelling the two resolutions, sending the case to the Prosecutors' Office, and starting the criminal investigation against the persons mentioned in the complaint. Through the criminal decision of 6th of September, the Bucharest Court of Appeal has contested as ungrounded the Romani CRISS' appeal and obliged Romani CRISS to pay judicial taxes.

Scholar segregation School no 17, Craiova case

The documentation of this case, realized by the local monitor of human rights, shows that within a number of 1187 students in this school, 217 are Roma. The school secretariat has issued a centralizer with pupils' distribution on classes, from which it emerges the fact that the 3rd, 4th and 6th grade Roma students are separated from the other students. The cause mentioned by the school principal, B.G., was that the Roma parents enrolled their children to school late after the beginning of the school year, which determined the school to create those classes where only Roma children studied.

The Roma parents' statements indicate that their children are physically abused by the teachers, due to the fact that they don't bring different amounts of money to school, necessary to buy furniture or curtains. The quality of the education that Roma children receive is poor, because the teachers do not show any interest, assert the Roma parents.

On 7th of February 2007, Romani CRISS lodged a complaint to the National Council for Combating Discrimination, concerning the situation of discrimination from the I-XII grade Scholar Auto Group, Craiova, Dolj County, caused by different treatment applied to Roma students from 3rd, 4th and 6th grade, by separating them from the other students.

The National Council for Combating Discrimination has sent the decision of the Director College. Thus, through decision no 103, the Council has decided that the discrimination act exists and recommended to the Auto Scholar Group and to the Scholar Inspectorate of Dolj County to adopt the necessary measures so that the process of desegregation to be started as soon as possible.

Romani CRISS has lodged a complaint to the NCCD, and the Council has decided that the school is segregated, which indicates discrimination against the Roma students. The school was sanctioned by the NCCD with a warning. Romani CRISS has also contracted a lawyer. At the moment, the case is pending at the Craiova Court of law

Violation of the right to equal access to health Romani CRISS vs. Victor Babes Hospital case

Novacovici Denis, a two-year-old from Berini, Timis county, went with his mother to the Bega hospital, from Timisoara, on 7th of March, 2007, sent by the family doctor, because he had felt ill for the past 4 days (fever, nausea, etc). The child was neglected by the medical personnel, and the mother was treated differently by other patients, due to the fact that she was Roma. The child was moved to different hospitals, and after a medical intervention, he fell into coma, and on the 13th of March he passed away. Legally, the medical intervention applied to Denis requires permission from the parents, since he was minor. The parents and their family claim that they weren't verbally informed about the procedure, or about the risks. Denis' mother signed the approval, asked by the doctors, although she refused initially, because she was illiterate.

Romani CRISS has contracted a lawyer for both civil and penal suit against the personnel of the Babes hospital.

Forced eviction and environmental racism Miercurea Ciuc Case

Romani CRISS initiated court action against the vice mayor of Miercurea Ciuc town, Mr. Szoke Domoc, for committing the felony of service abuse by restricting some rights, felony foreseen in art. 247, Criminal Code. The court has admitted the Romani CRISS action, and the criminal investigation against the vice mayor was started.

We remind the fact that, in the Local Council's decision no.124 from the 31st of October, 2003, twelve Roma families (approximately 40-50 people) have been moved from a building (subsequently demolished) from Pictor Nagy Imre no 27 Street, in Miercurea Ciuc near the locality filtering station, „sharing” the same fence with it. On that fence and the others round the filtering station, warning notices in regard to the toxicity are posted. The Roma heavily accused the environmental living conditions stating that they were a great danger to their health and that it caused the death of 2 infants, because of the toxic air. The Vice-mayor declared: *“I don't know, but I wouldn't stay there. If you ask me about the risks of living near the filtering station, why don't you ask also the Roma about the risks of not cleaning their homes?”*

The Harghita County Health Directorate, after researching the housing and hygiene conditions of the families who live in Primaveraii street, and noticing that the location is placed in the protection zone of the filtering station, has informed the Miercurea Ciuc City Hall about their obligation to conduct an impact study on health in regard to the filtering station and/ or to change the emplacement location to an appropriate one.

For establishing the danger represented by the activity of the filtering station, the Agency for Environment Protection – Harghita has asked a report to be issued. Mr. Radu Silberg from ICCR Cluj-Napoca, who realized the report, has indicated that moving the Roma families near the filtering station represents a threat for the health and life of those who live near the water filtering station and recommended their immediate movement in another area.

Affecting human dignity Case Romani CRISS vs. Traian Basescu

On the afternoon of May 19th, 2007, Mr. Traian Basescu, the President of Romania, addressed to journalist Andreea Pana: “You, pussy, don’t you have anything else to do today?”, then continued the conversation with his wife, Mrs. Maria Basescu, talking again of the journalist “How aggressive that stinky Gypsy was”.

Subsequently, the Spokesperson of the President issues a press release and informs that Mr. Basescu regrets that “an inappropriate expression [...] has become public”. There are no public apologies to the women in Romania, or to the Roma community, as the press release underlines that the use of “Gypsy woman” term is just an expression “used under a state of maximum political and media pressure”.

On 21.05.2007, Romani CRISS filled a complaint to the National Council for Combating Discrimination (NCCD) regarding the behaviour of Mr. Traian Basescu that affected the human dignity and created a degrading, humiliating and offensive environment towards the women and people of Roma origin in Romania.

Romani CRISS stated, inter alia:

- By using the phrase “You, pussy, don’t you have anything else to do today?”, Mr. Traian Basescu adopts a sexist behaviour, as he use an offensive and degrading term in public, addressing to a journalist, while in the context of professional relations. In addition, the term “pussy” has also a sexual connotation, thus contributing to the aggravation of the illegal character of Mr. Basescu’s behaviour.
- The President of Romania behaved profoundly racist by showing “How aggressive that Gypsy woman was!” In his phrasing, Mr. Basescu not only makes a statement regarding the ethnic origin of the journalist, but also attributes her epithets with obvious pejorative connotation, such as “aggressive” and “stinky”, thus aggravating the discriminatory character of his behaviour. Perceived or real, the ethnic appurtenance of the journalists constitutes, to the President, a reason for insult, offence and verbal aggression.
- The President of Romania uses a tough, sexist and racist language, therefore the aggravate circumstance is imposed.
- The press release of the President of Romania’s spokesperson does not constitute public apologies and does not contribute to any redress, but the opposite, it aggravates the discrimination acts committed by Mr. Basescu. Moreover, it shows an obvious lack of will to admit the illegality of the committed act and to make any effort in view of redress.

The acts committed by Mr. Basescu hold a maximum gravity, because he is the President of Romania and not only has he violated the law, but he also gives a signal of high tolerance towards committing acts of discrimination.

Through Decision no.92 of 23.05.2007, the National Council for Combating Discrimination decided:

- a) with 6 votes for and 2 against, the act reported by the complainant in terms of discrimination by gender does not fall under administrative liability, as per G.D. 137/2000, republished;
- b) in unanimity of votes, the act reported by the complainant in terms of discrimination by ethnicity shall constitute discrimination as per art.2, para.1 and para.4 of G.D. 137/2000, republished;
- c) with 6 votes for and 2 against, Mr. Traian Basescu shall be sanctioned with a warning.

Romani CRISS appealed the Decision of the NCCD's Director College, in terms of gender discrimination, to the NCCD and to the Appeal Court. The NCCD rejected the appeal and, at present, the case is pending before the Appeal Court.

Affecting human dignity Case Romani CRISS vs. Calin Popescu Tariceanu

On May 30th, 2007, while at the reunion of the Permanent Delegation of the Liberal National Party, in Brasov, Mr. Calin Popescu Tariceanu, Prime-Minister of Romania and, in the same time, president of the Liberal National Party, made some statements in regard to the Romanian Roma citizens located in the capital of Italy. Following these statements, Romani CRISS filed a complaint to the National Council for Combating Discrimination based on provisions of articles 2 and 15 of Governmental Ordinance no.137/2000, republished.

In fact, the Prime-Minister said: *"It's about the number of Romanians, of Romanian citizens, attention, of Romanian citizens of Roma ethnicity who constitute a group with, many times, particular dangerous delinquent characteristics that flourish in Rome"*. Mr. Tariceanu's statement brings out a racist discourse because he presents that Roma as a group that has, in many occasions, delinquent features *"extremely dangerous"*. Thus, he makes a clear connection between the ethnic factor and delinquency, and, in the same time, he underlines the particular degree of dangerousness in case of Roma delinquency.

It's extremely severe the association that Prime-Minister does between the Mob and Roma groups. Thus, in the context of Romanian and Italian authorities' preoccupation with the phenomenon of Roma community's delinquency, the Prime-Minister states: *"I want you to understand me very well; if Italy has been known in the 20's due to the Mob, I don't want Romania to affect, ruin its image because of these groups who commit all possible crimes from robbery, prostitution, drug trafficking, paedophilia and the list could continue"*.

In the laudable attempt to protect the image of Romania abroad, the Prime-Minister presents a state of delinquency circumscribed to ethnic criteria and shows that these groups of Romanian citizens of Roma ethnicity (as he accurately described them) commit all possible crimes, thus he makes a statement regarding those people's ethnicity, but not how this fact was established nor how the certainty of these crimes being committed was established, nor if there are documents, such as court decisions that ascertain the crimes committed and the ethnic appurtenance of the people in question. It's even worse that Mr. Tariceanu doesn't make any differences when he talks of Roma communities from Italy, in general.

When the Romanian Prime-Minister explains the origins of delinquency in Roma, he shows that *"due to the phenomenon related to Roma's low capacity of social insertion, these phenomenon appear and are a preoccupation to the Italian authorities and not only, to all the countries in Europe and we need to think of a set of special measures"*. Consistently, the Prime-Minister reiterates the connexion of ethnic appurtenance and delinquency, starting right from the causes of delinquency and showing how social motivations are the origin, namely the precarious social status of Roma and, implicitly the failure of social insertion policies carried out till the present.

Trying to justify his discriminatory behaviour, Mr. Tariceanu says: *"I don't want for all Romanians who work in Italy to suffer because of a group of people...I don't want the group's image to be projected upon the entire Romanian community in Italy"*. The manner in which the Prime-Minister presents the situation, respectively that possible hostile reactions could be caused by an illegal behaviour

of some Roma people reflects that fact that, in his opinion, the Roma are the only, or at least the main guilty people for such a state of facts.

Moreover, the act of discrimination committed by Mr. Tariceanu is aggravated due to his position: he made these statements as a Prime-Minister. Such a reaction from high-positioned officials of the Romanian State brings a clear prejudice to the Roma minority, both at domestic level and international level. To this end, the reactions of some of the readers of articles on this topic are eloquent in terms of strengthening the negative stereotypes against the Roma because of the racist message sent by the Prime-Minister.

Through decision no.180/ 17.07.2007, the NCCD decided that the reported facts do not constitute discrimination. Romani CRISS appealed the decision to the NCCD and the Court of Appeal Bucharest.