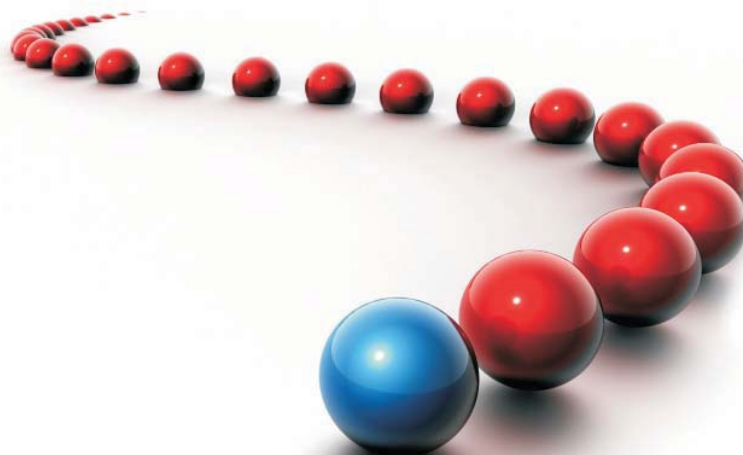


2009 ANNUAL REPORT



CONSILIUL NAȚIONAL PENTRU COMBATEREA DISCRIMINĂRII

2009

Annual report



CONSILIUL NAȚIONAL PENTRU COMBATEREA DISCRIMINĂRII

The Steering Committee

National Council for Combating Discrimination

Csaba Ferenc Asztalos, President¹ (August 2009)
Paula Roxana Truinea, President ad interim (August-January 2010)²
Corina Nicoleta Comșa, Vice-president (2007 - 2009)³
Ana Monica Vasile, Member (August 2009)⁴
Gheorghe Ioniță, Member (September 2009)⁵
Anamaria Panfile, Member (November 2009)⁶
Dezideriu Gergely, Member
Dragoș Tiberiu Niță, Member
István Haller, Member

¹ The mandate of NCCD President and member in the Steering Committee of Mr. Csaba Ferenc Asztalos ended in August 2009.

² Ms. Paula Roxana Truinea fulfilled the position of ad interim President during August 2009 – January 2010. The mandate of Committee member ended in January 2010.

³ Ms. Corina Nicoleta Comșa fulfilled the position of Vice-president during 2007 - August 2009. The mandate of Committee member ended in August 2009.

⁴ The mandate of Committee member of Ms. Ana Monica Vasile ended in August 2009.

⁵ The mandate of Committee member of Mr. Gheorghe Ioniță ended in September 2009

⁶ The mandate of Committee member of Ms. Anamaria Panfile ended in November 2009.

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Foreword

Discrimination can easily be ignored by passers-by through a kind of indifference that practically denies that the said experience would be a humiliating one. It happens again and again, not only to you, but also to your relatives and friends so that you can finally reach the conclusion that you belong, one way or another to a group of people who are treated as inferior.

Perhaps the most common reaction we have following such an experience is not to go somewhere where we were refused, not to apply for a certain position, not to go to a workplace, not to send our child to a certain school, not to go to a certain hospital and so on.

In 2009, Romania is among the few EU Member States in which the legal protection against discrimination covers all spheres of life. It is among the few Member States in which protection against discrimination covers not only the criteria stipulated by the European Directives, but any other criterion. It is among the Member States that have one institution that deals with all forms of discrimination: a specialized independent institution, with administrative-jurisdictional powers.

Legislation and institutional mechanisms in the field of discrimination play an extremely important role. However, good legislation and an operational institution, in themselves and in isolation are not sufficient. In the absence of secondary measures to accompany the legislative framework or administrative measures, discrimination will have the same rigorous and negative expression.

In a very unusual manner, in Romania a significant number of complaints concern discrimination in the field of wages of socio-professional categories, other than those traditionally known as “vulnerable groups”. Anyway, in any case it must not be ignored that discrimination not only takes the form of legal provisions or practices, but also of behaviours which have an impact over the environment in general, ranging from language violence, ostracism to measures at the workplace, at school or in the relation with authorities or with private institutions.

In 2009, harassment by language and behaviour continued to exist in a way which shows us how important it is to understand that any person belonging to a national minority has the right to freely choose to be treated or not as such. Access to education was in

some cases affected, despite the intervention of the Ministry of Education. The publishing of public interest information by local authorities only in Hungarian language and the imposition of knowing the Hungarian language for employment has raised discrimination issues for persons belonging to the Romanian community.

Persons with disabilities were faced to the phenomenon of discrimination particularly within employment relationships. Accessibility and reasonable adjustment remain by far the major issues. Sadly, the discrimination phenomenon affected also children with disabilities, even in the school environment. The preservation of confidentiality of personal data, access to medical services and school environment proved to be a field of discrimination for HIV infected persons.

Differentiated treatment based on gender had extremely serious facets. Unfortunately, were registered discrimination cases in labour relationships due to the gravidity status, as well as the persistence of discriminatory language against women in the public space. Moreover, labour relations were ranked 1st as regards the manifestation of discrimination, also based on criteria such as different convictions or opinions, trade union membership or physical characteristics.

What is the conclusion we draw? Romania has made significant progress in the field of non-discrimination and of legal protection of vulnerable groups. Beyond the coercive force of the state displayed by legislation and its enforcement, we should not ignore the fact that discrimination harms dignity under the mental and emotional aspect. Ultimately and after all, in a democratic society we have the legitimate expectation of being treated to the highest quality the society has.

To achieve such a goal, we need a lot of involvement and especially persuasion. Such a goal cannot be achieved only by NCCD. But NCCD tries to play an essential role: to engage the means available, to cooperate and collaborate with other state institutions, to get engaged together with civil society and not last to approach the man in the street, to publicly discuss issues of discrimination, to become aware of the consequences of this phenomenon which could reach women, men, young or old people, children, senior officials or ordinary workers, minorities, ethnic or otherwise. Discrimination must be sanctioned prohibitively, but this is not an aim in itself. Considerable efforts are needed to prevent and combat discrimination!

The Authors

Chapter 1

National Council for Combating Discrimination

- The decision of the **Council of the European Union 2002/92/EC** regarding the principles, priorities, intermediate objectives and conditions stipulated in the Accession Partnership with Romania stipulated: “**the setting up and ensuring of the appropriate operation of institutions to prevent and combat all forms of discrimination**”⁷ in Romania.
- Ensuring the transposition of the Council Directives no. **2000/43/CE**⁸ and **2000/78/CE**⁹, following the amendments and supplements brought by Law no. 324/2006, the National Council for Combating Discrimination is: “**the state authority in the field of discrimination, autonomous...under the Parliament’s control and a guarantor of the observance and application of the non-discrimination principle...**”
- In order to combat discrimination deeds, the Council exercises its prerogatives in the following fields: a) **prevention** of discrimination deeds; b) **mediation** of discrimination deeds; c) **investigating, ascertaining and sanctioning** of discrimination deeds; d) **monitoring** of discrimination cases; e) **granting of specialized assistance** to the victims of discrimination.
- Through the **Judgment of the Romanian Constitutional Court** no. 1.096 of 15 October 2008, published in the Official Journal no. 795 of 27 November 2008, the Constitutional Court ascertained that, according to the provisions subject to constitutionality control: “The National Council for Combating Discrimination is **an administrative body with jurisdictional prerogatives, which enjoys the independence** required to fulfill the **administrative-jurisdictional act**”.

⁷ See the *European Journal of European Communities*, L44/82, 14.2.2002, *Council Decision on the principles, priorities, intermediate objectives and conditions contained in the Accession Partnership with Romania*.

⁸ *Council Directive 2000/43/EC on implementing the principle of equal treatment between persons irrespective of racial or ethnic origin*, published in the *Official Journal of European Communities* no. L180 of 19 July 2000.

⁹ *Council Directive 2000/78/CE establishing a general framework for equal treatment in employment and occupation*, published in the *Official Journal of European Communities* no. L303 of 2 December 2000.

Title 1 The Lisbon Treaty amending The Treaty regarding the European Union

The Lisbon Treaty¹⁰, entered into force on 1 December 2009, brings significant progress as regards the fundamental rights protection:

- Through art. 9 and 10 of the Treaty, the European Union re-affirms **the principle of non-discrimination**, as a transversal element in defining and applying its policies and actions, pursuing to “**combat any discrimination** on criteria of gender, race, ethnic origin, religion or convictions, disability, age or sexual orientation” as well as to “combat social exclusion”.
- The European Union **adheres to the European Convention for the protection of human rights and fundamental freedoms**, whose provisions, including non-discrimination are general principles of Union’s law. Thus, the law of the European Union shall be interpreted by the European Court of Human Rights in the light of the European Convention not only as a general principle, but also, through direct application in the cases covered by this legal instrument of human rights.
- The Lisbon Treaty **recognizes the rights**, freedoms and principles stipulated in the **Charter of fundamental rights of the European Union** as adopted on 12 December 2007, settling that this instrument has the same legal value as that of the treaties. Thus, the principle of observing human rights as part of Union’s law is formalised.
- **The Charter of fundamental rights** re-states important legal measures aimed mainly at **forbidding discrimination** on criteria of gender, race, colour, ethnic or social origin, genetic characteristics, language, religion or convictions, political or any other opinion, affiliation with a national minority, wealth, birth, disability, age or sexual orientation (art. 20 and art. 21).

¹⁰ *The Lisbon Treaty amending the Treaty on the European Union and the Treaty establishing the European Community, signed in Lisbon, 13 December 2007, published in the Official Journal of the EU 2007/C 306/01, consolidated version of the Treaty regarding the European Union and the Treaty on the operation of the European Union, published in the Official Journal of EU 2008/C 115/01.*

Title 2 NCCD and the issues of discrimination in Romania in international reports

The Agency of the European Union for Fundamental Rights

1 In June 2009, the **Agency of the European Union** for Fundamental Rights (FRA) published its **annual Report** which analyzes mainly the situation of racism, xenophobia, anti-Semitism, islamophobia and discrimination in the European Union.

- Romania is mentioned as a **positive example** as regards the mandate of its equality institution, the National Council for Combating Discrimination. The report shows that NCCD: “grants assistance to victims but at the same extent it could ensure the mediation of cases and order the administrative sanctioning in case it finds discrimination, under the legality control of contentious matters courts”.
- Romania is classified among the Member-States “in which are registered **up to 100 complaints** yearly” regarding **discrimination on the ethnic origin criterion**, together with “Bulgaria, Denmark, Greece, Hungary, Ireland, Latvia, Lithuania, Portugal and Slovakia”.
- Romania is mentioned among the Member States¹¹ in which were reported cases of **direct and indirect discrimination** as well as forced evacuations **against Roma**, considered by FRA as among the most vulnerable groups regarding access to housing. On the other hand, Romania is presented as **an example of good practice**, as regards the governmental program “Social houses for Roma communities” implemented by the National Agency for Housing, National Agency for Roma and local authorities.

2 In October 2009, the **Agency of the European Union** for Fundamental Rights (FRA) published the report regarding the **situation of Roma housing** in the European Union.

- The National Council for Combating Discrimination is mentioned among the equality institutions which adopted different measures to prioritize the issues of Roma and Travellers, organized courses in the non-discrimination field with civil servants and published reports which analyze this topic. In the same sense, it is shown that these institutions employ Roma persons: as Portugal, Romania, Ireland do.

¹¹ Bulgaria, Czech Republic, Spain, Finland, France, Hungary, Ireland, Italy, Lithuania, Poland, Portugal, Slovenia, Slovakia, Sweden and United Kingdom.

12 | "BUILDING TRUST IN HUMAN RIGHTS"

- Romania is mentioned among Member States in which the **situation of housing** of the Roma community **does not register a progress** but a declining trend, but is presented as a **positive case** among other countries that have adopted a **governmental policy** which recognizes the specific needs of Roma housing to ensure their social inclusion.

- The report shows that in some member states, including Romania **there is no clear mechanism** of assigning **alternative accommodation**, an extremely large variation of practices being reported at local level.

- The Report shows that in Romania **Roma are the most disadvantaged** in comparison with other ethnic groups as regards **access to public services** and according to a survey, Roma consider that public transportation in the areas inhabited by them is "absent" or "badly operating". Certain settlements and in some cases, social houses are located near garbage storage areas and in other cases, certain localities and settlements are inhabited exclusively or largely by Roma.¹²

3 In March 2009, the Agency of the European Union for Fundamental Rights (FRA) published the **Updated Report** regarding **the situation of anti-Semitism** in the European Union.

- The Reports shows that in Romania were "**reported anti-Semitic acts** from **vandalism** against property and goods to the **publishing of certain articles, books** or public **anti-Semitic statements**".¹³

4 In March 2009, the Agency of the European Union for Fundamental Rights (FRA) published the report regarding the "**Homophobia and discrimination on the sexual orientation criterion**" and gender identity in EU Member States - social situation.

- Romania is mentioned as a **positive example** regarding the mandate of the equality institution, in keeping with the trend of the European Union of regulating **one institution** to deal with **discrimination based on all forbidden criteria**. It is the case of **18 institutions** in the European Union: Belgium, Bulgaria, Denmark, Germany, Greece, France, Ireland, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Netherlands, Austria, Romania, Slovenia, Slovakia and United Kingdom.

- Romania is enumerated among the **few Member States** that produce **statistics** based on **complaints** regarding discrimination on different criteria. It is the case of: Austria, Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Netherlands, Romania and Sweden.

- The Report shows that according to the last Eurobarometer, **Romania is the Member State** with the largest number of respondents **which do not feel comfortable** to have a "gay

¹² FRA's report „Housing conditions of Roma and Travellers in the European Union“ available on the Agency's official internet page, at FRA web address: http://fra.europa.eu/fraWebsite/attachments/ROMA-Housing-Comparative-Report_en.pdf

¹³ FRA's Report on "Anti-semitism", available on the internet page of the Agency at the web address: http://fra.europa.eu/fraWebsite/products/publications_reports/pub_cr_antisemitism_en.htm

neighbour” (36%), followed by Lithuania, Latvia, Bulgaria and Hungary. Moreover, public **derogatory statements motivated by hatred** against LGBT people are reported in Malta, Italy, Lithuania, Poland, Cyprus, Greece and Romania.

● The report notes the **differences existing** between Member States regarding the **civil partnership**. 14 Member States **do not regulate** rights ensuing from the civil partnership for LGBT persons (Austria, Bulgaria, Cyprus, Estonia, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, Poland, Romania and Slovakia), while only **3 Member States** (Belgium, Netherlands, Spain) **grant** full rights to the same sex couples.¹⁴

State Department of the United States of America

USA's State Department published in 2009 the **Annual Report regarding Human Rights practices** in Romania.¹⁵

● The Report specifies that “NCCD is an **independent** institution under the Parliament’s control” and it underlines that: “Generally, the institution of the Ombudsman and NCCD **operated with the cooperation of the Government**, and this and the political parties did not interfere in the activity of the two institutions. However, in the last four months of the year, **NCCD’s activity was blocked** when due to the agitated political atmosphere, **the Parliament did not appoint the members of NCCD’s Steering Committee**. Also, none of the two agencies received proper resources. Generally, the agencies enjoyed public confidence. **NCCD was considered efficient...**”

● The Report concludes that: “**Extensive discrimination** and occasional acts of violence **against Roma continued** to be an issue. **Homosexuals**, lesbians, bisexuals, transsexuals **continued to face discrimination** from the society. **Discrimination of HIV/AIDS** infected persons (especially children) continued to be **an issue**.”

● “**Women, Roma and other minorities** were frequently **victims of discrimination** and violence.” “**Discrimination of disabled persons** continued to be an issue during the year.”

¹⁴ FRA's report regarding „Homophobia and discrimination on sexual orientation criterion and gender identity in EU Member States – social situation” available on the official internet page of the Agency at the web address: http://fra.europa.eu/fraWebsite/products/publications_reports/pub_cr_homophobia_p2_0309_en.htm

¹⁵ Annual Report of the State Department of the USA regarding practices in the field of Human Rights in 2009 in Romania, available at http://romania.usembassy.gov/media/2010/2010_rhr_ro.html

Title 3 Romania's representation at European level

Group of governmental experts regarding non-discrimination within the European Commission

- Romania is represented in the Group of governmental experts regarding non-discrimination within the European Commission¹⁶ through the National Council for Combating Discrimination. Mr. Dezideriu Gergely, member in NCCD's Steering Committee is a permanent member and Mr. Octavian Stamate from the Ministry of Foreign Affairs is an alternate member¹⁷.
- In 2009, following the request of the European Commission, NCCD communicated information regarding the national situation in the domain of multiple discrimination and inclusion of the equality principle in national policies, practices and legislation. Considering the good practice example in Romania, the European Commission requested the Romanian representative to present within the Group's works of 27 April 2009, the legislative framework and practice regarding multiple discrimination.
- The Group of governmental experts in the field of non-discrimination drew-up **the Report regarding multiple discrimination in EU member states**.¹⁸ Following the request of the European Commission, Mr. Dezideriu Gergely represented the Group of experts and presented the conclusions of the Report within the **3rd Summit of equality**, organized by the Presidency of the European Union in Stockholm, on 16 -17 November 2009.¹⁹

The group of experts on Roma and Travellers within the Council of Europe

- Romania is represented within the Group of experts for Roma and Travellers (MG-S-ROM) within the Council of Europe²⁰, through the National Council for Combating

¹⁶ The group of governmental experts on non-discrimination was set up in July 2008 by the European Commission. The group examines the impact of European policies in the field of non-discrimination in the Member States and validates good practices and assesses the implementation of measures in this domain. For details, see <http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=458>.

¹⁷ Until the beginning of 2010, Mr. Octavian Stamate on behalf of the Ministry of Foreign Affairs was delegated as alternate member. Currently, the Ministry of Foreign Affairs undergoes the procedure of appointing a new alternate member.

¹⁸ See the report of the Group of governmental experts in the field of non-discrimination, available at the address http://www.se2009.eu/polopoly_fs/1.24895!menu/standard/file/Report%20on%20GEG%20MD240809.pdf

¹⁹ See the summary of presentations within the Equality Summit, 16-17 November 2009, Stockholm, at http://www.se2009.eu/en/meetings_news/2009/11/18/legislation_important_in_efforts_to_combat_discrimination

²⁰ The Group of Experts for Roma and Travellers operates under the authority of the European Committee for Migration within the Council of Europe. The Group analyzes the implementation of policies and practices of member states regarding Roma and travellers, draws-up principles and guidelines in the domain of policies promoting the rights of Roma and travellers and oversees the observance of legal standards within the Council of Europe.

Discrimination. Mr. Dezideriu Gergely, member of NCCD’s Steering Committee is a permanent member. Upon his appointment, the members of MG-S-ROM elected through vote Romania’s representative as Vice-President of the Group (2005-2006). Subsequently, Mr. Dezideriu Gergely was elected President of MG-S-ROM, with two successive mandates (2008-2009 and 2009-2010).²¹ Following the request of the Secretariate of the Group of experts, in 2009 NCCD communicated reports regarding the situation in the domain of Roma discrimination in Romania.

Cooperation with the Romanian Government in developing national positions

● During 2009, **upon the request of the Romanian Government**, NCCD communicated written comments on the **draft EU Council Directive regarding the implementation of the equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation**, which is under debate within the European Union (during the French, Czech and Swedish presidencies). NCCD’s Steering Committee drew-up comments on articles for each working group within the project, in view of stating Romania’s position, which were communicated to the Directorate of European Affairs of the Ministry of Foreign Affairs and Directorate for European Affairs of the Ministry of Labour.

● **Upon the request of the Romanian Government**, NCCD communicated opinions regarding **cases pending before the European Court of Justice** concerning issues related to discrimination. The Steering Committee drew-up comments in order to analyze the appropriateness of certain interventions regarding cases C-486/08 Zentralbetriebsrat der Landeskrankenhauser Tirols, C-104/09 Roca Álvarez, C-341/08 Petersen (Sozialgericht Dortmund-Germany), C-499/08 Andersen, C-246/09 Bulicke.

European Network of Equality Institutions in the European Union (EQUINET)

● The National Council for Combating Discrimination is a member in the **European Network of Equality Institutions in the EU** (Equinet). Equinet consists of **33 institutions** similar to NCCD, with the aim of facilitating information exchange between European equality institutions regarding the uniform application of European law in the domain of non-discrimination.²²

● During **2009**, the members of NCCD’s Steering Committee participated to the meetings organized by Equinet and to the consultations of Equinet with the Agency of the European Union for Fundamental Rights.

²¹ For additional information, see <http://www.coe.int/T/DG3/RomaTravellers/mgsrom/>

²² For additional information see <http://www.equineteurope.org/>

Chapter 2

National Council for Combating Discrimination in 2009: regulations, discrimination cases, legality control

Amendment of NCCD's prerogatives

- Through **Law no. 62 of 1 April 2009**²³ was **approved** Emergency Ordinance no. 61²⁴ on the implementation of the principle of equal treatment between women and men as regards access to goods and services and the supply of goods and services. The Ordinance transposes the provisions of Council Directive 2004/113/CE of 13 December 2004²⁵. Article 16 establishes NCCD's **prerogative to ascertain and sanction the contraventions stipulated in G.E.O. no. 61 of 1 April 2008**, according to the procedure settled through G.O. no. 137/2000, republished.
- Through **Law no. 76 of 1 April 2009**²⁶ was **repealed** art. V of Emergency Ordinance no. 75 of 11 June 2008²⁷ which provided that "Notifications having as object **legislative measures** adopted in the context of establishing the wage policy of the budgetary personnel **do not fall under the jurisdiction** of the National Council for Combating Discrimination".
- The most significant amendment as regards NCCD's prerogatives ensued from **Judgment no. 997 of 7 October 2008**²⁸ of the Constitutional Court. The Court set down that the provisions of art. 20 par. (3) of Government Ordinance no. 137/2000 are **unconstitutional to the extent they are interpreted as granting** the National Council for

²³ Law no. 62/2009 approving G.E.O. no. 61/2008 on the implementation of the principle of equal treatment between women and men as regards access to goods and services and the supply of goods and services, published in the Official Journal no. 229 of 8 April 2009

²⁴ G.E.O. no. 61 of 14 May 2008, published in the Official Journal no. 385 of 21 May 2008.

²⁵ Council Directive 2004/113/CE of 13 December 2004 regarding the implementation of the principle of equal treatment between women and men regarding access to goods and services and supply of goods and services, published in the Official Journal of the European Communities (JOCE) no. L373/37 of 21 December 2004.

²⁶ Law no. 76/2009 approving G.E.O. no. 75/2008 regarding the establishing of measures to settle certain financial issues in the system of justice, published in the Official Journal no. 231 of 8 April 2009

²⁷ Emergency Ordinance no. 75 of 11 June 2008 regarding the establishing of measures to settle certain financial issues in the system of justice, published in the Official Journal no. 462 of 20 June 2008

²⁸ Judgment of the Constitutional Court no. 997 of 7 October 2008, published in the Official Journal no. 774 of 18.11.2008

Combating Discrimination **the power**, within its jurisdictional activity to cancel or to refuse to apply certain mandatory laws, **considering them discriminatory** and to replace them with norms created through the judiciary or provisions of other laws.

Clarification of NCCD's constitutional status

- Through **Judgment no. 444 of 31 March 2009**²⁹, the Constitutional Court established in this case that “the National Council for Combating Discrimination is an **administrative body with jurisdictional prerogatives**, which enjoys the **independence** required to perform the administrative-jurisdictional act”, “thus being observed the Constitutional provisions contained in art. 126 par. 5 which forbid the setting up of extraordinary courts”.
- Through **Judgment no. 1470 of 10 November 2009**³⁰, the Constitutional Court has settled that “the jurisdiction of the National Council for Combating Discrimination is **not mandatory**, given that the law does not stipulate the obligation of the injured person to follow an administrative-jurisdictional procedure prior to notifying the court, but only **an opportunity to choose** between the two ways of using this right, thus the provisions of art. 21 par. (4) of the Constitution are not breached.
- Through **Judgment no. 1494 of 10 November 2009**³¹, the Constitutional Court settled that the provisions of art. 20 par. 8-10 of G.O. no. 137/2000 on communicating the **decision of the Steering Committee** and the **term for disputing** this decision **meet the requirements** imposed by the constitutional norms, being in full **accordance** with the provisions of art. 16, art. 21 and art. 24 of the Constitution and those of art. 6 of the Convention for the protection of human rights and fundamental freedoms.

Complaints addressed to the National Council for Combating Discrimination

The number of complaints addressed to NCCD in 2009 is **528**. The decrease of complaints in relation to those addressed in 2007/2008 (**836/837**) is to a large extent **explained** through the **amendment of anti-discrimination legislation** (G.O. no. 137/2000, republished) and especially **GEO no. 75/2008** which **has limited NCCD's competence** with regard to legislative measures in the field of wages of the budgetary personnel and **Judgment of the Constitutional Court no. 997** by which it was settled that NCCD **has no competence** to deliver decisions on discrimination ensuing directly from the content of **legislative norms**.

²⁹ Judgment no. 444 of 31 March 2009, published in the Official Journal no. 331 of 19 May 2009.

³⁰ Judgment no. 1.470 of 10 November 2009, published in the Official Journal no. 887 of 18 December 2009

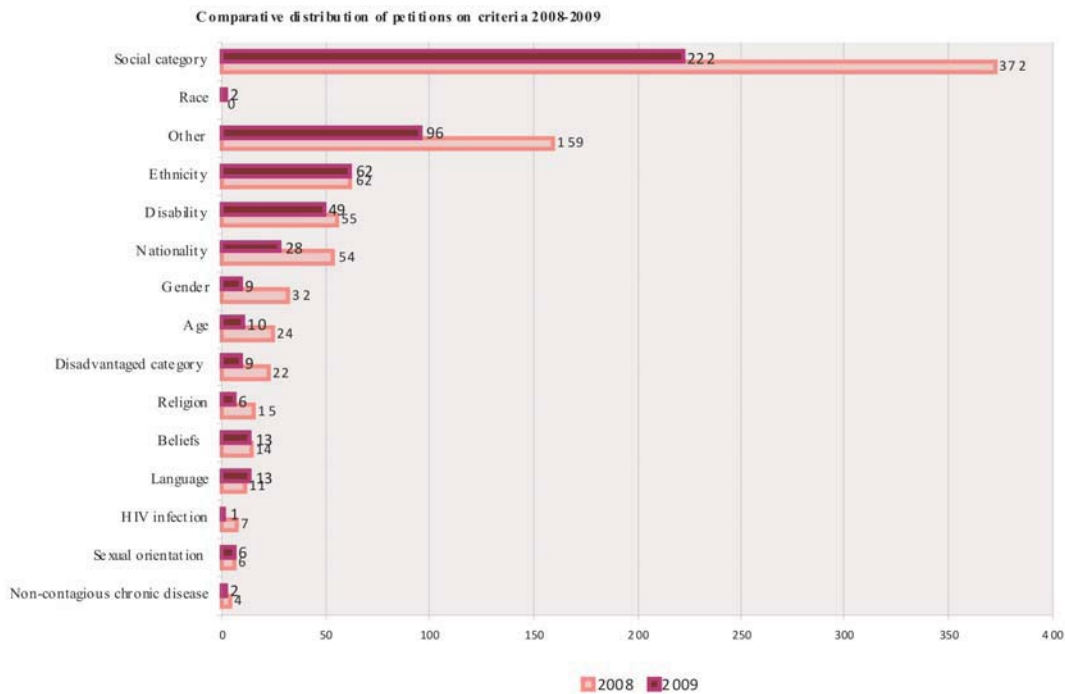
³¹ Judgment no. 1.494 of 10 November 2009, published in the Official Journal no. 909 of 24 December 2009

The Constitutional Court settled: "if we admitted that through the way of the jurisdictional control pursuant to art. 20 par. (3) of Government Ordinance no. 137/2000, the National Council for Combating Discrimination could ascertain the existence of discriminatory situations ensuing directly from the content of norms, the Council's decisions would then result in ending the application of such provisions and even in the application by analogy of other laws which do not refer to the person or group socially discriminated. In such a circumstance, we question the legitimacy of this body to interfere with the legislative powers, by cancelling the application of certain laws and establishing the application of others, but also with the powers of the Constitutional Court which fulfills the role of negative legislator when it finds the non-compliance of a law or ordinance with the constitutional provisions, in terms of article 16 regarding the non-discrimination principle".

Criterion	Complaints addressed to NCCD							
	2002	2003	2004	2005	2006	2007	2008	2009
Non-contagious chronic disease	0	0	6	2	3	2	4	2
Sexual orientation	1	5	6	9	6	7	6	6
HIV/AIDS infection	0	1	15	10	5	3	7	1
Language	0	2	1	2	2	7	11	13
Convictions	4	12	23	19	8	10	14	13
Religion	2	9	9	11	8	12	15	6
Disadvantaged category	2	0	10	6	4	26	22	9
Age	6	11	14	17	10	10	24	10
Gender (Sex)	3	14	13	9	11	22	32	9
Nationality	1	12	21	39	20	39	54	28
Disability (infirmity)	3	31	18	21	20	70	55	49
Ethnic origin	34	66	45	85	69	82	62	62
Other	52	184	108	61	132	32	159	96
Race	0	0	1	1	2	0	0	2
Social category	26	126	63	90	132	514	372	222
Total	134	473	353	382	432	836	837	528

- The **decreasing ratio** of complaints addressed to NCCD in 2009 is also reflected in the **number of complaints** on discrimination on the social category and socio-professional category.
- If in **2007** out of the total 836 complaints, **515 referred to social categories and socio-professional categories**, in 2008 the number of these complaints decreased to **372** and in 2009 to **222**.
- Thus, there is a **decrease** of about **50%** of the complaints regarding discrimination on this criterion compared to 2007 and about **40%** compared to 2008.
- The explanation for this decline, in NCCD's opinion is closely related to the **amendment of NCCD's prerogatives** through legislation, namely following the constitutionality control. (Judgment no. 997/2008).

	2008		2009	
	Number of complaints	Percentage	Number of complaints	Percentage
Social/professional category	372	44,4%	222	42,04%
Other	159	18,9%	96	18,18%
Ethnic origin	62	7,40%	62	11,74%
Disability (Infirmity)	55	6,57%	49	9,28%
Nationality	54	6,45%	28	5,30%
Gender (Sex)	32	3,82%	9	1,70%
Age	24	2,86%	10	1,89%
Disadvantaged category	22	2,62%	9	1,70%
Religion	15	1,79%	6	1,13%
Convictions	14	1,67%	13	2,46%
Language	11	1,31%	13	2,46%
HIV/AIDS infection	7	0,83%	1	0,18%
Sexual orientation	6	0,71%	6	1,13%
Non-contagious chronic disease	4	0,47%	2	0,37%
Race	0	0,00%	2	0,37%
Total	837	100%	528	100%



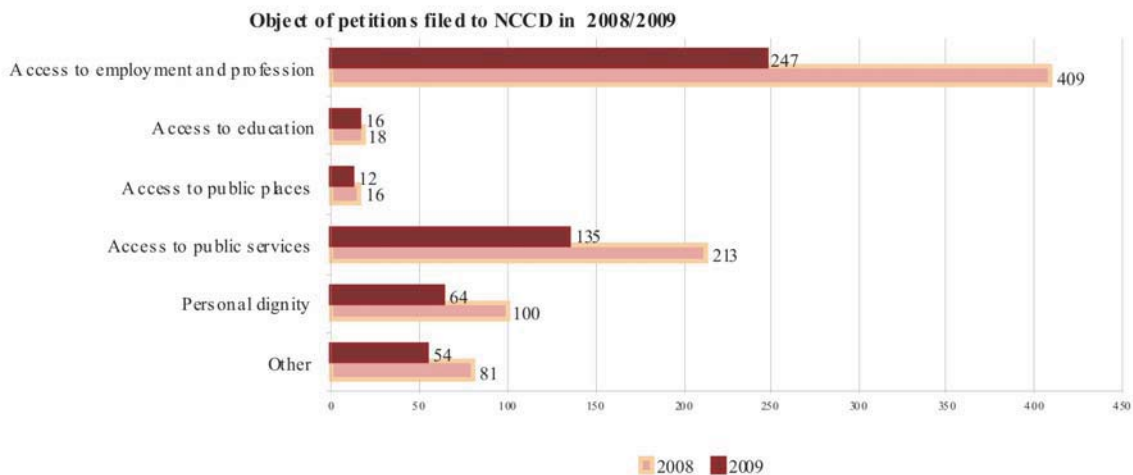
Besides cases notifying discrimination based on the affiliation with a socio-professional category, both in 2008 and 2009, the complaints regarding **ethnic discrimination** remained at an estimated number of 62 per year, accounting for a significant percentage of approximately 7.40% (2008) and 11.74% (2009) of all complaints addressed.

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● Are following, in descending order the complaints regarding **discrimination on the disability criterion**, 6.57% (2008), with a slight decrease (49 complaints compared to 55 in 2008) to 9.28 % (2009). Unlike 2008, the complaints on the criteria of **nationality, gender, age, religion** are in decline in 2009: (nationality 28 compared to 54; gender 9 compared to 32; age 10 compared to 24; religion 6 compared to 15). Complaints regarding discrimination based on **convictions or language** remained at a similar level: 14 and 11 in 2008 and 13 and 13 in 2009.

Object of complaints addressed to NCCD

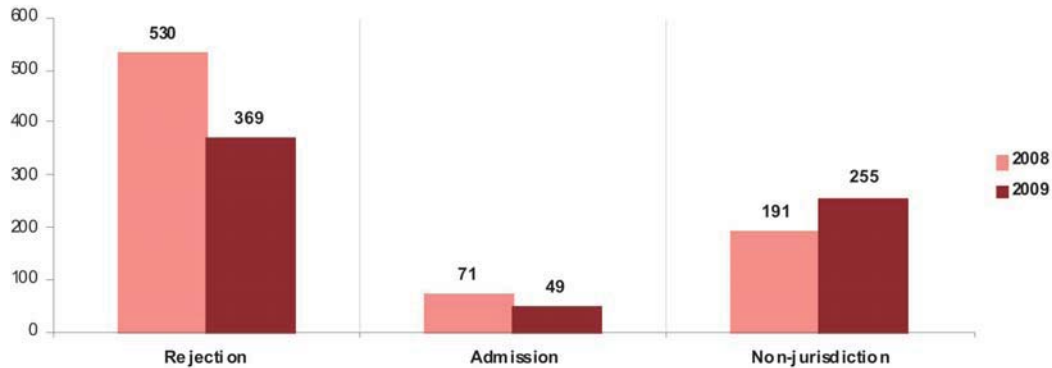
- The complaints addressed to CNCD in 2009 record **similar trends** to those in 2008. Thus, **most** complaints addressed in 2009 alleged discrimination deeds regarding the **field of labour**, access to employment, occupation, promotion or salary entitlements (247).
- Are following the **access to public and administrative services** (135), **the right to personal dignity** (64), education (16), public places (12) as well as other fields (54).



Solutions delivered by the Steering Committee

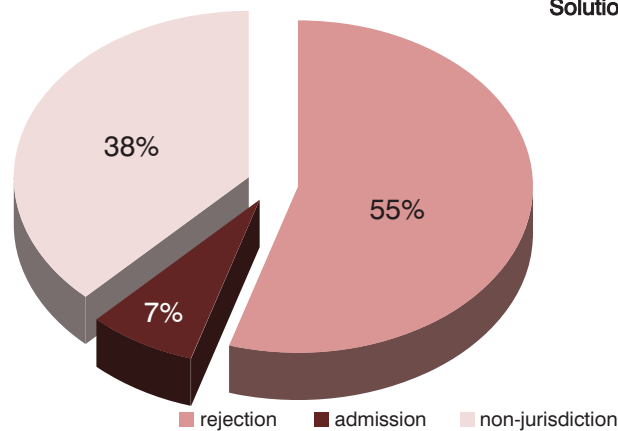
- In 2009, NCCD's Steering Committee delivered **673 decisions**. The number of decisions corresponding to complaints settled by the Steering Committee includes both complaints filed in 2009 and in the previous year, largely registered in the last quarters of the year.
- Through the solutions adopted in 2009, were **rejected** about **369** complaints and in **255** cases it stated its **lack of jurisdiction** and in **49** cases the Steering Committee **ascertained** discrimination.

Solutions delivered by NCCD in 2009



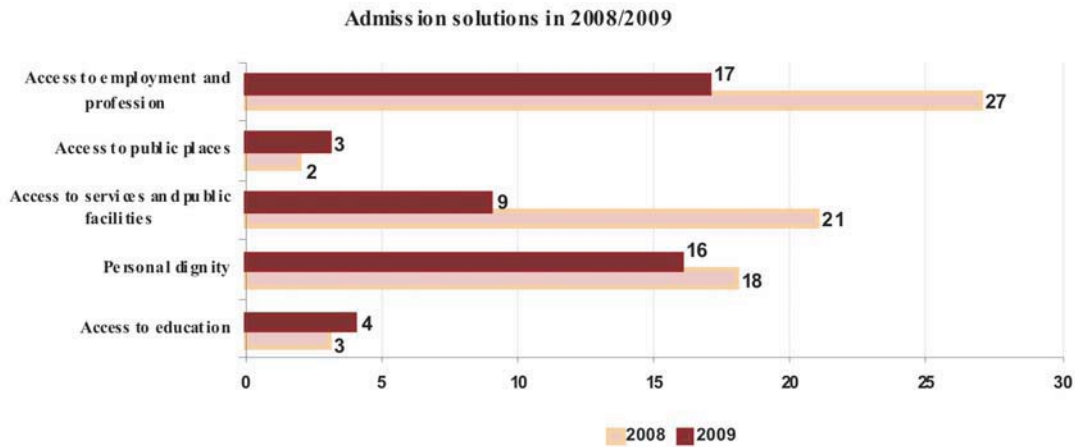
● Basically, in about 8% of the cases, the Steering Committee ascertained a discrimination situation, while in 55% of the cases the complaints were rejected for various grounds. Also, in 37% of the cases, NCCD stated its non-jurisdiction in relation to the object of complaint subject to judgment.

Solutions delivered by NCCD in 2009



Solutions admitting complaints

● The solutions ascertaining discrimination in 2009 register **similar trends** to 2008. Overall, a relative proportional relationship between the object of complaints addressed to NCCD (mainly as regards the field of labour relationship, access to services and personal dignity) and the object of solutions of ascertaining (mainly as regards labour relationships, access to services and personal dignity) can be found.



2009					
			Number of decisions	Percentage	Total percentage
Labour relationship: environment-Employment	private		7	14,28%	34,69%
Labour relationship: environment - Wages	private-		1	2,04%	
Labour relationship: environment-Employment	public		7	14,28%	
Labour relationship: environment-Wages	public		1	2,04%	
Labour relationship: environment-accessibility	public		1	2,04%	
Personal dignity			16	32,65%	32,65%
Public services-Denying the access			2	4,08%	22,44%
Public services-Regulation			2	4,08%	
Public services-Accessibility			4	8,51%	
Public services-Medical			2	4,08%	
Public services-Confidentiality			1	2,04%	
Education-Access			2	4,08%	8,16%
Education-Participation			2	4,08%	
Electoral-Exercise of the mandate			1	2,04%	2,04%
			49	100%	100%

Decisions ascertaining discrimination: sanctions and recommendations

● In 2009, the Steering Committee delivered **49 decisions ascertaining discrimination**. Subsequent to ascertaining a discrimination deed, the Steering Committee rules the imposition of a **contraventional sanction**, which may consist of a **warning** or **fine**. Also, the Steering Committee issues **recommendations** to the claimed party aimed at preventing the violation of the

non-discrimination principle or removing the consequences of discrimination. The Steering Committee issued in **61%** of the cases **recommendations** addressed to the claimed party, it ruled the sanctioning by **warning in 37%** of the cases and the sanctioning by **fine in 15%** of the cases.

2009		
	Number of sanctions	Total percentage
Recommendation: public institution	17	61,22%
Recommendation: private institution	9	
Recommendation: individual	4	
Warning: public institution	9	37,50%
Warning: private institution	7	
Warning: private person	8	
Fine: public institution	1	15,62%
Fine: private institution	1	
Fine: individual	8	
Ascertaining decisions	49	100%

● **Most recommendations** made by the Steering Committee in cases of ascertaining discrimination were addressed to **public authorities or institutions** (17) and to **private firms or companies** (9). Although in a smaller percentage, the sanctions by **warning** were applied to both **public institutions** (9) and **private firms of companies** (7). The contraventional sanction by **fine** was applied in particular against **natural persons**.

Fines			2009
Field	Criterion	Fine	
Personal dignity	Ethnic origin	400 lei	
Personal dignity	Ethnic origin	600 lei	
Education	Ethnic origin	1000 lei	
Labour relationships	Convictions/opinions	600 lei	
Exercise of mandate of elected representative	Convictions	600 lei	
Education	Disability	600 lei	
Personal dignity	Sexual orientation	500 lei	
Labour relationships	Pregnancy/Gravidity	4000 lei	

Solutions mediating discrimination cases

● According to **art. 2 par. 10 of G.O. no. 137/2000**, republished, the “elimination of all forms of discrimination” is achieved through:

- a) prevention of all discrimination deeds by establishing special measures, including affirmative ones to protect disadvantaged persons who do not benefit from equality of opportunities.
- b) **mediation** by amicably settling disputes arisen following the perpetration of discrimination acts/deeds;
- c) sanctioning the discriminatory behaviour...

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- According to art. 19 of G.O. no. 137/2000, republished, "The Council exercises its prerogatives in the following fields:
 - a) prevention of discrimination deeds;
 - b) mediation of discrimination deeds;**
 - c) investigation, ascertaining and sanctioning of discrimination deeds;
 - d) monitoring of discrimination cases;
 - e) granting of specialized assistance to the victims of discrimination."
- According to **art. 80 of the Procedures of settling** petitions and notifications before NCCD, published in the Official Journal no. 348 of 6 May 2008:

"The parties may turn up, during the settling of the petition, even without having been summoned in order to request the adoption of a decision to establish the amicable settlement. The Parties may request in writing to the Steering Committee to acknowledge their reconciliation, without turning up on term. The amicable settlement will be communicated in writing and will be contained in the decision of the Steering Committee".

Mediation		2009
Field	Criterion	Result
Labour relationships	Disability	Reinstatement
Personal dignity	Social/prof. category	Assuming
Public services/confidentiality	HIV infection	Assuming
Total	3	

- In **2009**, the Steering Committee settled by mediation **4 complaints** which were related to aspects of labour relationships, access to public services and preservation of confidentiality of the medical diagnosis and respect of the right to personal dignity.
- The Steering Committee delivered 3 classification decisions³², acknowledging the amicable settling of the cases before NCCD.

Specialized assistance and regional offices

- According to **art. 19 let. e of G.O. no. 137/2000**, republished, the National Council for Combating Discrimination exercises its prerogatives in the following fields: a) prevention of discrimination deeds; b) mediation of discrimination deeds; c) investigation, ascertaining and sanctioning of discrimination deeds; d) monitoring of discrimination cases; e) **granting of specialized assistance to the victims of discrimination.**
- Through the **National strategy implementing the measures to prevent and combat discrimination**³³, art. 5 let. b), NCCD aims to develop "institutional capacity in order to

³² NCCD's Committee delivered 3 classification decisions because 2 files were joined and thus one decision was delivered.

³³ National Strategy implementing measures to prevent and combat discrimination, published in the Official Journal no. 674 of 3 October 2007

prevent and effectively combat all forms of discrimination”. In this regard, according to art. 7 lett. d) “each year, starting from 2007 until 2012 **will be created regional structures of control and monitoring**”.

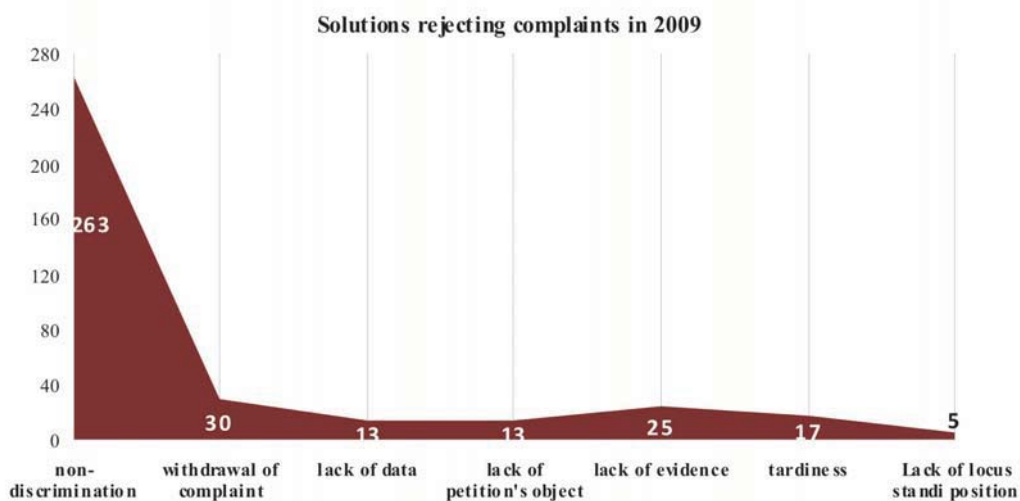
Speacialized assistance		2009	
Method	Number of persons	Activity	
Telephone assistance	2050	Counseling	
Support at the institution’s premises	800	Counseling	
Email assistance	150	Counseling	
Total	3000		

● During **2009**, NCCD provided specialized assistance to a number of about **3000** persons. Of these persons, around **800** have applied directly to the **institution’s premises**, over **2000** have **contacted us by phone** and around **150** persons applied through **email**.

● In **2009**, the National Council for Combating Discrimination operated locally, **through regional offices** operational in **Buzău** and **Tîrgu-Mureş**. Currently, the main activity of the regional offices is the prevention and monitoring of discrimination deeds, the provision of specialized assistance and local cooperation with representatives of non-governmental organizations and local public authorities in the non-discrimination domain.

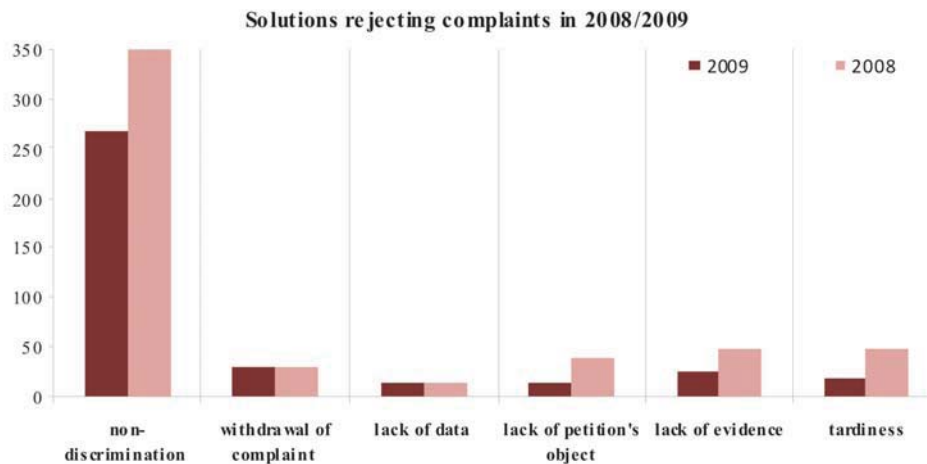
Solutions rejecting complaints in 2009

● In 2009, were adopted around **366 decisions** by which were rejected complaints alleging certain discrimination deeds and **3 cases** were **classified** after mediation.



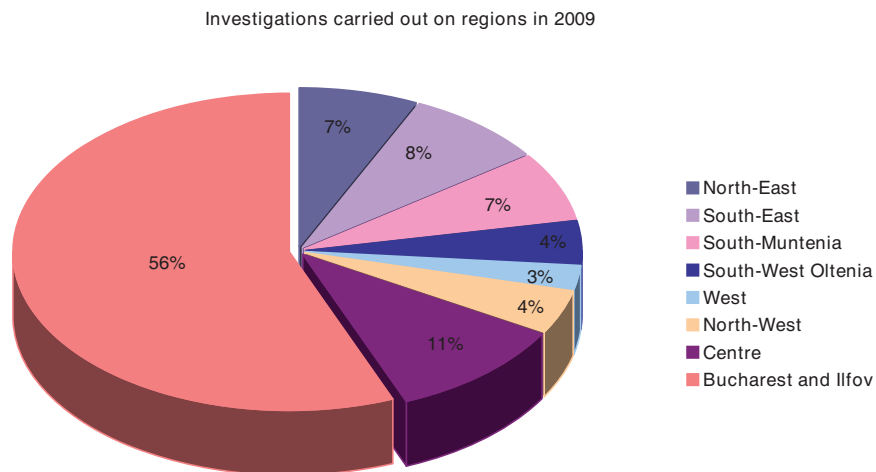
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● In 263 cases, the Steering Committee found that not discrimination deeds **could be set down**. 25 cases were rejected because of the **lack of evidence**, 17 cases were **tardily** filed and 26 cases were rejected because of **missing identification data** or missing **object** of the complaint. 30 cases were classified following the **withdrawal of complaints** and 5 were rejected due to the **lack of capacity to stand the proceedings**.



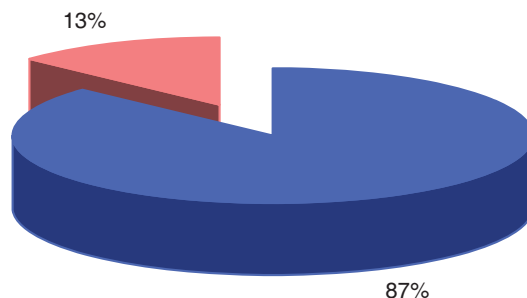
Investigations carried out regarding discrimination cases addressed to NCCD

● Within the procedure of settling complaints regarding the perpetration of discrimination deeds, in 2009 the institution's specialized department carried out **121 investigations**.



- Over 100 investigations were conducted in urban areas (87%) and only 13% of them in rural areas.

Investigations carried out in the rural/urban environment in 2009



Self- notifications of NCCD’s Steering Committee

During 2009, the members of NCCD’s Steering Committee were self-notified in 15 cases.

- **Most self-notifications** (6 cases) referred to hypothetical cases of discrimination based on **ethnic origin/nationality/language**. In another 3 cases, self-notifications referred to discrimination aspects **based on other criteria** that those explicitly stipulated in art. 2 par. 1 of G.O. no. 137/2000. For example, they referred to requirements contained in job advertisements, including physical characteristics such as “**good appearance**”, “**height**”, etc. Other situations referred to the hypothetically different treatment based on **age, religion/convictions or gender**.

Self-notifications		2009	
Criterion	Number of self-notifications	Percentage	
Ethnic origin/Nationality/Language	6	40%	
Age	3	20%	
Other	3	20%	
Religion/Convictions	2	13,3%	
Sex (Gender)	1	6,66%	
Total	15		

- The object of self-notifications referred particularly to **the field of labour** – employment and profession - 6 cases. 3 cases referred to the **access to education**, 2 cases referred to the right to **personal dignity**, 2 cases to the **access to services** and other fields -2 cases.

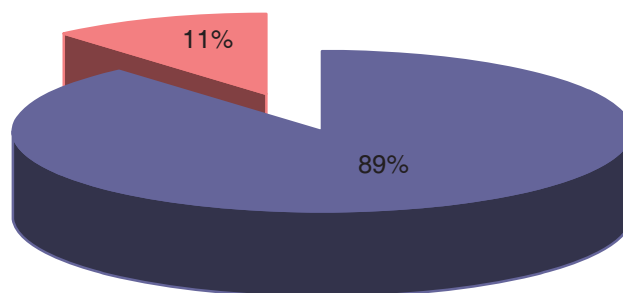
Self-notifications		2009
Object	Number of self-notifications	Percentage
Labour relationships/Employment	6	40%
Education	3	20%
Personal dignity	2	13,3%
Access to services	2	13,3%
Others	2	13,3%
Total	15	

In 6 cases, the Steering Committee ascertained that the notified deeds are **discrimination**. In 5 cases it decided to issue a **recommendation** to the claimed parties and in 2 cases it decided to apply a sanction by **warning** and in **one case** it sanctioned the claimed party with contraventional **fine** amounting to 1000 lei.

The legality control of the Steering Committee decisions in 2009

During 2009 were settled complaints against the Decisions the NCCD's Steering Committee filed to appeal courts or subsequently to the High Court of Cassation and Justice in 2008 or 2007. **Regarding the number of decisions** adopted by the Steering Committee in 2007-2009, i.e. **2098** (decisions), in 2009 **254 cases** are pending **before the courts of appeal and the Supreme Court**.

Solutions delivered by courts in 2009

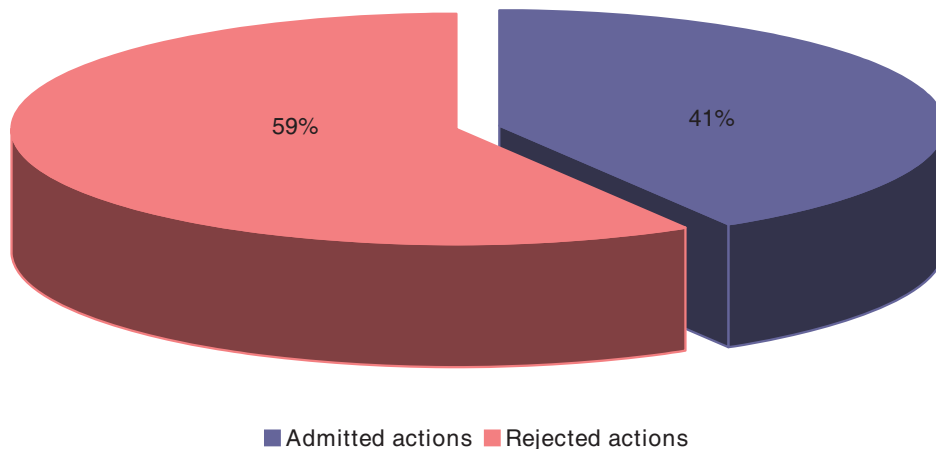


- Of the 254 cases, NCCD won before courts in 165 cases (either on the judicial stage of the merits or of appeal) and in 21 cases the actions against its decisions were admitted. Basically, in around 90% of the cases, the courts maintained the Steering Committee’s decisions, establishing their legality. Currently, 110 cases are pending before courts (merits/ appeal).

**Discrimination cases
filed directly before courts**

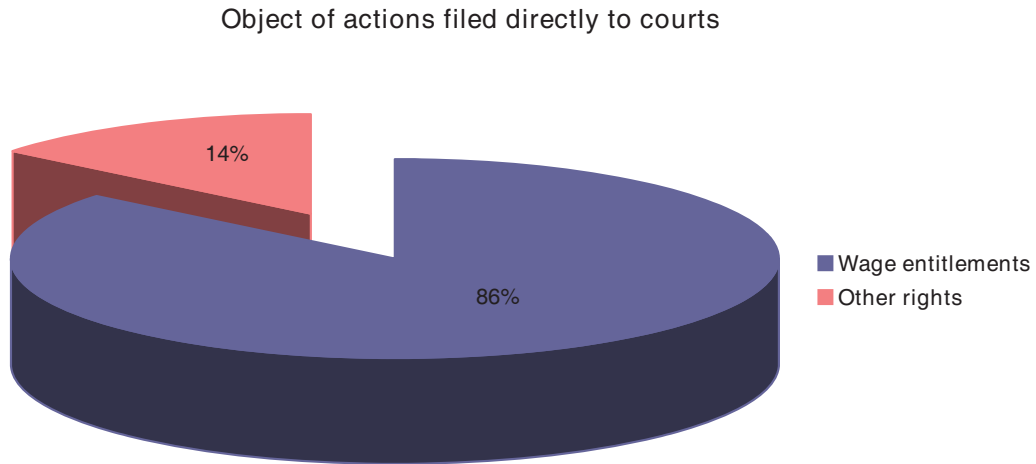
- According to art. 27 par. 1 of G.O. no. 137/2000 republished. “The person deeming himself/herself to be discriminated can file before the court a claim for **compensations and reinstatement of the situation previous to discrimination** or the **cancellation of the situation created through discrimination**, according to ordinary law. The claim is exempt of judicial stamp tax and is not conditional upon notifying the Council.”
- According to art. 27 par. 3 of G.O. no. 137/2000 republished “The proceedings shall take place by **compulsorily summoning** the Council”.
- In 2009, the Council was **summoned in court in 1543 cases**, as **expert in the non-discrimination domain/advisory authority for courts** and **monitor** of discrimination cases. In these cases, NCCD drew-up opinions through its **Steering Committee** and **Legal Department**.

Court's solutions in 2009



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● In 2009, the courts empowered to solve discrimination cases (from 2007-2009) **admitted around 887 cases** (judged on the merits or on appeal) and **rejected 1252 cases**.



● The object of actions filed directly to courts referred generally to **wage entitlements** (86%) and the remaining cases referred to petitions corresponding to labour conflicts, cancellation of administrative acts, termination of agreements, refusal to settle applications, claims etc.

Chapter 3

Prevention of all forms of discrimination

The year 2009 continued the increasing involvement of NCCD in the social domain of preventing and combating discrimination, in the practice of informing and raising awareness on the acceptance of diversity, promotion of tolerance and respect for all human rights. In accordance with its capacities of National Authority for prevention and fight against all forms of discrimination, of research and application of policies in this field - acting in the society as a bond between categories and ideologies, as a platform for dialogue between citizens and institutions - NCCD sought in 2009 also to observe the guidelines of its activity, by pursuing the Objectives and Priorities established in the **National Strategy implementing the measures to prevent and combat discrimination (SNIMPCD) 2007-2013 published in the Official Journal no. 674 of 3 October 2007.**

In accordance with the evolution of the Romanian society and with European practices, NCCD undertook during the year a series of projects and programs targeted to domains of interest and impact in the society, in view of effectively implementing the anti-discrimination principles and of having a better response in the society. NCCD's actions to prevent and combat all forms of discrimination covered all the issues established through the objectives of the National Strategy, but it focused its attention and efforts in the domain of education, in the areas of interest for young people and training of teachers to promote the principles of equality and diversity, of acquiring a European mentality of the XXI century. Considering that the young generations need clear reference points for integration and communication in a contemporary world based on respect for the rights of every person and every social group, without neglecting the other parts of the society, in 2009 NCCD implemented some projects and programs addressed to pupils, students, master students and teachers which were enclosed under the **Objectives and Priorities of its action Strategy.**

OBJECTIVE 1 Effective protection and remedy against discrimination**Priority 1.4 – Consolidating cooperation in the domain of fight against discrimination with other institutions with prerogatives in this field, at national and international level**

● [Art.9 (d);(e);(f)] During November 2008 – November 2009 the General Division of Social Assistance of Bucharest implemented in partnership with Roma Center “Amare Romentza” the project “Center of information and counselling for Roma ethnic origin persons” within the grant Scheme PHARE 2006/018-147.04.02.03.02.01 “Social services”. Within the above-mentioned PHARE project, the National Council for Combating Discrimination (NCCD) was responsible for the organization in partnership with G.D.S.A.B. of three information sessions regarding the prevention and combating of discrimination for Roma persons located in Bucharest. The information of the 400 Roma persons aged between 16-35 years was also done from the perspective of setting up a new center in which will be delivered information and counselling services in the fields of social assistance, employment, obtaining identity documents, prevention and combating of discrimination. Within the meetings the participants were acquainted with NCCD’s statute, its structure and the prerogatives of each department, the structure and prerogatives of NCCD’s Steering Committee, the main fields in which NCCD exercises its prerogatives, the procedures of settling petitions registered with the Council.

OBJECTIVE 2 Ensuring the inclusion and equal opportunity in economic area in terms of employment and occupation

In 2009, there were no projects funded through the institution’s budget for this purpose.

OBJECTIVE 3 Ensuring equality of access, participation and result as regards public and private services conceived for the general public

● [Art.15] Following the partnership between NCCD and Post Secondary Sanitary School “Carol Davila” in Târgoviște was conducted the Campaign “Treatment without discrimination”. Two training modules were organized containing: Module I – *(Non)-discrimination in the health system*, which comprised the legal framework in Romania and European trends; concrete examples of sanctions applied by NCCD and ECHR and Module II – *Attitudes and prevention of discrimination in the health system*. The objective of the project was to promote education for diversity in the medical education in Romania. 150 persons who are preparing to become health professionals attended and they were informed on the importance of applying the non-discrimination principle and the respect for diversity,

on the prevention of stereotypes and prejudices among health professionals, prevention of intolerant and discriminatory attitudes towards patients and knowledge of everyday issues of groups vulnerable to discrimination. The interest for the management of diversity was illustrative and the way in which attitudes influence relations between people attracted most attention: the attitudinal sources of discrimination and the vicious circle of discrimination.

● [Art.16] Following a partnership initiated in 2008 with the Ministry of Education, Research and Youth, NCCD continued in 2009 the project “*School without discrimination*” in view of enhancing the interest of teachers for the issues of diversity, of supporting them in developing curricula in the context of diversity, of preventing stereotypes and prejudices among the young people of the next generation, preventing intolerant and discriminatory attitudes among young people, knowing daily issues of groups vulnerable to discrimination, diminishing the level of intolerance and discrimination in schools, as well as setting up a network of teachers within kindergartens and high-schools to promote pro-diversity attitudes among young people. Due to the interest shown by teachers after running the campaign last year (having as direct beneficiaries 100 professors, teachers and educators across the country and indirect beneficiaries about 10.000 pupils and pre-school pupils across the country) it was decided to continue to project in 2009. The courses took place in five localities of Romania, in order to facilitate the participation of teachers of all areas (of eight-nine counties each): Brăila (17 – 18 October), Braşov (31 October – 01 November). Cluj-Napoca (14-15 November), Piatra-Neamţ (28-29 November), Reşiţa (12 -13 December).

● [Art.16] In November and December 2009 took place the IIIrd edition of the project “*We are equal! Let’s be friends – Equality and non-discrimination*” designed for pupils aged between 8 and 19 years in the schools and high-schools of **Bucharest**. The main activity was the participation of pupils in a literary contest which pursued to inform the target group with regard to human rights and especially the right to non-discrimination and the principle of equality of opportunity. The project was based on the need of bringing in the traditional education system new methods based on interactivity, transdisciplinarity, debates, active participation of pupils, use of modern teaching methods. The method of elaborating an essay on a given subject was preferred among the activities of the project, as it is very modern and complies with the standards of the European Union and it stimulates pupils to gather evidence on that topic, therefore to know their rights and make use of them.

● [Art.16] During 17-18 October 2009 took place the courses held within the project “*Discrimination in education*” implemented by the *National Council for Combating Discrimination* in partnership with *Industrial High-School in Râmnicu-Sărat*, Buzău county. The project comprised training courses on the topic of non-discrimination and diversity in education addressed to teachers and educators in Buzău county, thus the direct beneficiaries of the project were 66 teachers and indirect beneficiaries were about 5000 pupils. The courses held during two days had as topics: NCCD’s presentation, legal framework on non-discrimination in Romania and Europe, examples of cases sanctioned by NCCD, role play - filing a petition, attitudes, effects of discrimination, changing attitudes and change of

mentality, complexity of discrimination. By this it was pursued to become aware of the European dimension in education, to promote a free, tolerant, fair society, to know and respect child's rights, to know and respect ethnic, cultural, social-political and economic differences in order to achieve European unity in and through diversity. The organizing school has pupils which are part of the categories vulnerable to discrimination, mainly through information deficit and with significant economic and social differences. Only a small part of the population has a level of training beyond compulsory education. The parents' lack of education influence children's motivation for school and they lose interest for school, begin to be absent, abandon. The role of teachers therefore becomes crucial, being known that teachers become models of behaviour for their pupils. It is the reason why the school opened its doors and organized these courses for 66 of the teachers of Buzău county who are facing the same issues.

● [Art.16] During 15-17 May 2009 was held the first session of information courses within the project “We want. We can. We succeed” conducted in partnership with the School with classes I-VIII Nicolae Titulescu in Buzău for 65 educators, teachers, professors, school mediators and school inspectors from the county. The courses were held by NCCD's specialized personnel and the objective was to acquaint the personnel of the Romanian education system with non-discrimination principles, with good practices in the diversity domain, to inform them on the legal provisions in this domain, on the role of the school, of trainers in changing attitudes and mentality as regards the respect for diversity in the relations among the Romanian citizens.

OBJECTIVE 4 Enhancing recognition and awareness of diversity targeting media, culture and sports

Priority 4.1 – Consolidating anti-discrimination initiatives at national level and programs of intercultural awareness regarding diversity and non-discrimination: Art.20 (a)

● In July, during 5 days, with the purpose of bringing together young people and adults representatives of national minorities in Romania, in view of knowing and consolidating inter-ethnic and inter-confessional relations, NCCD in partnership with Alteris Association and Department for Inter-Ethnic Relations of the General Secretariate of the Government organized in the Leisure Center Pădureni, Covasna county, the second edition of the Camp of Ethnic Minorities of Romania, ALTERIS 2009. The main purpose was to promote culture and inter-cultural dialogue, ethnic and religious diversity, to raise awareness among relevant persons in view of developing harmonious inter-ethnic and inter-confessional relations. During the program of the camp took place inter-active activities of ethnical inter-knowledge and sports games. Each day ended with an artistic show representative for each ethnic group within the theme “Artistic evening of ethnic groups”. The camp brought together representatives of 11 ethnic

communities of Romania, young people and adults – Bulgarian, German, Swabian, Serbian, Lipovans Russian, Turkish, Tatars, Roma, Szeckler, Magyar, Romanian, Macedonian, Macedonian–Cipan and Macedonian Farseroti – from different regions of the country – Transylvania, Banat, Maramureş, Dobrogea.

Priority 4.1 – Consolidating anti-discrimination initiatives at national level and programs of intercultural awareness regarding diversity and non-discrimination: Art.20 (c)

● On the occasion of the International Day of Human Rights, proclaimed by the General Assembly of the United Nations Organization on 10th of December, the National Council for Combating Discrimination held on the 10th of December a debate named “Human Rights in Romania in 2009”. On this occasion were awarded prizes to certain personalities, who through their activity in the domain of human rights protection and fight against discrimination have joined the efforts of our institution to prevent and combat discrimination.

Priority 4.3 – Cooperating and consolidating relations with sports institutions and bodies through actions and programs aimed at preventing and combating all forms of discrimination in sport: Art.22 (b)

● Given the increasingly violent atmosphere in which take place several sports competitions in Romania and abroad, NCCD in partnership with Romanian Football Federation implemented during 30 May - 13 June the campaign “No racism! No violence!”, with a clear objective to stop racist and violent manifestations inside and outside stadiums.

The campaign involved, according to the partnership with the Romanian Football Federation the preparation of promotional materials to ensure visibility and promote the message against racism and violence.

These were disseminated in the mini-tournament of football that took place on 30 May and in the Romanian Cup final between Politehnica Timișoara and CFR Cluj from 13 June.

Diplomas, trophies and t-shirts bearing the campaign message were disseminated and the activities were transmitted by TV stations Pro TV and TVR1 within their sports broadcasts, with the purpose of promoting social dialogue and the principle of non-discrimination in sport.

The campaign was primarily designed for the 20 teams of juniors belonging to age groups 1998, 1999 and 2000, around 500 children, but also for the 1.000 spectators and TV-spectators of the football matches. According to the evaluation of the campaign, its impact, through its nature taking place within sports manifestations of large audience, was a very high one: around 500 children participated in the mini-tournament of football; 1000 spectators attended the mini-tournament of football; the total number of direct beneficiaries was 10.000 persons, the number of TV spectators cannot be assessed, but it can be estimated to around 1.000.000 persons.

OBJECTIVE 5 Focusing efforts on the application of a zero tolerance policy to any form of discrimination in the Romanian society

Priority 5.2 – Consolidating the education of citizens in the discrimination domain through educational, formal and non-formal processes: Art.25 (a);(b);(d);(e)

● Following the invitation received from the Teachers' Corps and County School Inspectorate of Bacău, the National Council for Combating Discrimination organized an information session in Bacău, during 31.01 – 2.02. Within this project took place courses of preventing discrimination on the theme "*Philosophy of diversity as a life attitude*" with the aim of training educational staff in Bacău county to approach the issues regarding fight against discrimination in schools at European standards, taking into account that in the school units of the county the Roma school population has a high proportion. The courses were addressed to teachers in the county, i.e. 30 school directors and 30 coordinators of educational projects.

The attendance to courses exceeded the estimated number of teachers, even if these took place largely in the free days of the week. The interest for NCCD's perspective over the prevention and combating of discrimination was suggested by the information and training campaign carried out during 2008, in partnership with the Ministry of Education, Research and Youth named "*School without discrimination*".

Priority 5.2 – Consolidating the education of citizens in the discrimination domain through educational, formal and non-formal processes: Art.25 (i)

● In order to focus on the issues of combating discrimination and promoting diversity, NCCD organized in Mangalia the summer school "Young people and diversity" addressed to students and master students. For recruitment, NCCD posted ads on its official site and on the notice boards of Faculties and universities in Bucharest and to compete, students and master students were invited to send a CV, letter of intent, essay with topic at choice on the theme of preventing and combating discrimination and the associated issues to non-discrimination. Following the analysis of applications, NCCD selected a number of 44 participants admitted to this Summer School with the purpose of creating a concrete framework of cooperation among young people, of awareness of diversity of opinions and identities, of consolidation of non-discriminatory mentalities, of organizing life in a common space, exercising tolerance to new and assertiveness.

6 courses sessions on the topic of non-discrimination, the principle of equality among citizens, defense of human rights and promotion of tolerance and diversity were held. The first session had as topic “Equality principle in Community law” and the course was followed by practical activities in the form of games. The aim of the first game: to know and accept everyone in the group; to show that we are different - to show that we are equal; to reflect on how we form our identity. The second game named “Personal identity/equality in diversity” consisted in a competition of drawings. Participants were asked to draw a slogan for their t-shirts, to disclose them and say whom they are. The participants presented their drawings to their colleagues and a winning drawing was chosen.

The second session had as theme “Equality of opportunity in the context of contemporary society”. The third session had as theme “The case-law of the National Council for Combating Discrimination”. The fourth session consisted only of practical activities held through two role plays with the participants. The first play regarded the organization of life in common, exercising tolerance to new and assertiveness, the second aimed to increase the participants’ capacity of claiming, to improve their negotiation style. The fifth session was held within the limits of the theme “Promoting diversity through international treaties”. The sixth session covered the theme “Barriers in intercultural communication”.

Priority 5.2 – Consolidating citizens’ education in the discrimination domain through educational, formal and non-formal processes: Art.25 (j)

● On 24 October 2009, the National Council for Combating Discrimination in partnership with Intelship Association Romania organized in Bucharest the information session “Informed young man, hard to discriminate”. The event was structured on two sessions, addressed to young students and master students to universities and faculties in Bucharest: an information session regarding the field of prevention and fight against discrimination and a second session, in which youngsters had the opportunity to participate in a series of interactive activities, moderated by the representatives of Intelship Association Romania, on the same theme aimed to arouse their interest and preoccupation regarding the continuous promotion of an attitude of mutual respect to other people and of acceptance of human diversity. At the beginning of October, Intelship Association Romania launched an invitation to students and master students to take part in the information session “Informed young man, hard to discriminate”. In this regard, were posted ads on the website of Intelship Association Romania and on online communities: yahoo groups, facebook, jobmate, yahoo messenger. To compete, students and master students were invited to fill in the form attached on the site of the association until 13 October, 24.00 o’clock and were asked to answer three questions, which constituted the selection criteria. After the deadline for registration, Intelship Association Romania selected for the participation to the event a number of 30 eligible persons, according to the criteria.

Priority 5.4 – Monitoring and investigating the discrimination phenomenon in Romania, identifying the extent of the phenomenon, action directions, required measures and initiatives to prevent all forms of discrimination: Art.27 (f)

● In August 2009, the National Institute for Opinion and Marketing Studies (INSOMAR) carried out at the request of NCCD the opinion poll “The discrimination phenomenon in Romania - perceptions and attitudes”.

The conclusion that emerges from the debates is that the study reflects reality on the perception of the public regarding the discrimination phenomenon, highlighting the efforts of the National Council for Combating Discrimination to promote and maintain a correct and non-discriminatory language addressed to vulnerable groups, even if the issue of discrimination is not always correctly understood by the population, as there are situations in which the violation of a right is perceived as discrimination, although legally speaking that action is not a discrimination deed.

A comparison with a European study EU-MIDIS from April 2009 highlighted that Romanian citizens are no different than European citizens in this regard, as according to the data emerged from the European investigation it results that the European citizens as a whole do not know their rights regarding the field of discrimination and do not know how to refer to an institution responsible for this area.

Priority 5.4 – Monitoring and investigating the discrimination phenomenon in Romania, identifying the extent of the phenomenon, action directions, required measures and initiatives to prevent all forms of discrimination: Art.27 (a)

● The National Council for Combating Discrimination presented to the public its Activity report for 2008, during a press conference, on 29 April 2009. The report was printed on 100 copies and the annexes were published on a CD which was disseminated to non-governmental organizations, public institutions which are NCCD's partners, to the embassies of United Kingdom, Netherlands and USA, representatives of written press and audio-visual media. According to the law, the Report was submitted at the Standing Bureaus of the Chamber of Deputies and the Senate, for debate and approval.

Priority 5.4 – Monitoring and investigating the discrimination phenomenon in Romania, identifying the extent of the phenomenon, action directions, required measures and initiatives to prevent all forms of discrimination: Art.27 (e)

● Since 2006, the National Council for Combating Discrimination collaborates with the **New Magazine for Human Rights (NMHR)**, which is a quarterly publication edited by

the Center for International Studies in cooperation with C.H. Beck publishing house. The publication is a continuation of the Romanian Magazine for Human Rights, edited between 1993 and 2005. This was conceived to respond to academic requirements and be at the same time a resource for institutions and organizations involved in understanding and promoting human rights. Thus, during 2009 and on the four numbers of the Magazine published from May to November, NCCD continued to join the principles promoted by NMHR through its editorial pages, i.e. the reconciliation between the principle of dignity and the principle of human freedom. In our vision and that of our collaborators, the reconciliation of the two values is not only possible, moreover dignity and freedom strengthen each other. The topics of recognition and mutual support are another goal of NMHR, i.e. closeness between the theory and practice of human rights.

Priority 5.4 – Monitoring and investigating the discrimination phenomenon in Romania, identifying the extent of the phenomenon, action directions, required measures and initiatives to prevent all forms of discrimination: Art.27 (e)

● The Center of Constitutional Law and Political Institutions in partnership with National Council for Combating Discrimination edited at Hamangiu publishing house the content of a scientific workshop organized by the Law Faculty of University of Bucharest on 18 December 2008. The texts were printed as a book under the name “Constitution and religion” with the goal of disseminating information on religion and the limits of constitutional provisions, in order to provide a perspective to specialists but also to be a promising beginning in the scientific research regarding the content and functions of the law in harmony with religious manifestations, subject to the dominant principle of current human civilization, that of non-discrimination, tolerance and respect for human rights. Being emphasized that for state-legal institutions religions are the source of legal sources, the book is addressed to legal counselors, expert theologians but also to the public interested in the intersection between the legal and the religious domain, but also in their reciprocity and social interaction, by providing an authentic and decent religious manifestation by the legal domain, with no offence to other moral-ethical or spiritual principles that interfere with the socio-cultural field of the world today.

Chapter 4

Opinion poll: The discrimination phenomenon in Romania – perceptions and attitudes

Prejudices, by their stable and relatively rigid structure create on the medium and long term the stereotypes existing in the society. These, in turn generate discrimination as a negative behaviour. That is why periodical opinion polls to identify and analyze the perceptions of the public over the discrimination phenomenon, the level of tolerance, etc. are extremely important. On the other hand, it can be analyzed to what extent the perceptions of the discrimination phenomenon are found equally or proportionately in the petitions addressed to the National Council for Combating Discrimination.

- In 2009, the National Council for Combating Discrimination ordered **the investigation of public opinion regarding the perceptions of the discrimination phenomenon** in Romania. Thus, during 1-24 August 2009 INSOMAR applied on a representative sample of 1021 persons a questionnaire which aimed to capture the most important trends of the discrimination phenomenon in Romania.

The groups to which rejection occurs most are persons with a different sexual orientation, persons infected with HIV/AIDS, mentally disabled persons and Roma origin persons.

- For persons with a **different sexual orientation**, the rejection percentages are **90.5%** (negative responses to the hypothetical situation of having in the family a person with a different sexual orientation); **71%** (refusal to accept in the circle of friends); **54%** (refusal to have a gay neighbour or work colleague).

- These high percentages of rejection of people with a different sexual orientation are in accordance with the general perception that the Romanian population has to gay type relationships. In 2008, following the survey conducted by Gallup, also at the request of NCCD, **68%** of Romanians considered that gay relationships are a "bad thing", **19%** answered that gay cannot be classified "neither as a good thing, nor as a bad one", **12%** did not know what to answer and refused to offer an answer and **1%** classified belonging to a sexual minority as a good thing.

- Having the same homophobic attitude, in the 2008 survey **64%** of the population expressed their disagreement to same sex marriages, **68%** to the possibility that gay adopt

children and 56% considered that gay people should not be allowed to organize public events.

● As a completion to these data, in the survey conducted in 2009 at the request to respond freely, with the first word that comes to mind when hearing the word “gay”, 22% answered through references to words like “**repulsion, repugnance/disapproval**”; 15.5% associated it with “**sickness/madness**” and 8.2 % classified it as “**abnormality/eccentricity/oddity**”.

From the data obtained, it is obvious that the high percentage of rejection of persons with a different sexual orientation is generated by certain stereotypes deeply rooted in the collective mind.

The profile of persons who have a higher tendency to refuse the vicinity of a sexual minority member can be portrayed as having the following characteristics: age over 50 years, with no more than 10 classes or vocational school education, from the rural environment, resident in Moldova or Wallachia, who had no conversation in the last 6 months with a person belonging to the sexual minorities group.

The tolerant person to having a neighbour member of a sexual minority is rather 18-34 years old, with higher education, from the urban environment, resident in Bucharest or Transylvania, who had a conversation in the last 6 months with a person from the group of sexual minorities.

● **Persons infected with HIV/AIDS** are rejected within the family by **84.1%** of the majority population (these would not want a person infected with HIV/AIDS to enter the respondent’s family); **52.2%** would not want to have a friend infected with HIV/AIDS; **37.4%** would refuse the vicinity with a person infected with HIV/AIDS and **36.8%** would not like to work with such a person.

● At the request to freely express a word to characterize a person infected with HIV/AIDS, **34.7%** think of “**compassion/mercy**”, **20.6%** of “**illness/pain**” and **5.4%** to “**fear/danger**”.

As regards people infected with HIV/AIDS, there is a social distance mainly caused by ignorance of the causes, effects and ways of transmission of this disease. One can say that in the Romanian society persons with such a disease are sympathized with “remotely” with no desire for their real integration within the society.

The profile of persons who rather feel uncomfortable around people infected with HIV can be described by the level of education – less educated persons feel more uncomfortable - and region - persons from Wallachia show the highest degree of discomfort around people infected with HIV. Persons who show a high degree of comfort around persons infected with HIV have high-school or faculty studies and are resident in Moldova.

We must keep in mind that the answer regarding the degree of comfort around persons infected with HIV reflects a stereotypical projection, as a small percentage of the population experiences this situation de facto.

- Similarly, with regard to **mentally disabled persons**, 79.9% of the Romanians would not accept within the family a person with such a disability, 57% would not want to have a close friend with a mental illness; 44% would reject a neighbour and 46.9% a work colleague.
- The first words that come to the Romanians' mind when they hear the expression "disability/infirmity" are related to "**compassion/mercy**" in a 44.2% proportion, "**illness**" for 11.3% and "**hardship/pain**" for 7%.
- Another category discriminated within the Romanian society are **Roma origin persons**. 53.3% would not want a Roma person to be part of the family, 38% avoid the friendship of a Roma, 30% would refuse vicinity and 25.3% would not want a Roma work colleague.
- These values can be correlated with those obtained from the agreement of Romanians to phrases like "**Roma are a shame for Romania**" (48% consider this statement to be true); "**most Roma violate laws**" (72.4%); **there should be places in which Roma should not be received**" (20.4%), "**there should be special classes for Roma children**" (31.2%); "**Roma should not travel abroad**" (32.5%).
- For a confirmation of stereotypes by which are characterized Roma origin persons, we also quote the results obtained in 2008 to the requirement to express three characteristics of the Roma minority. The highest percentages were obtained by characterizations like "**thieves**" (47%); "**dirty**" (44%); "**lazy**" (43%).

Education is a variable that influences attitude towards the Roma minority. People with higher education have a stronger tendency to agree to have a Roma origin person as work colleague, compared with people with no more than 10 classes or graduates of vocational school.

The profile of persons who have a higher tendency to refuse to have a work colleague Roma is characterized by no more than 10 classes education or vocational school, resident in Wallachia and who did not have a conversation with a Roma person in the last 6 months.

The tolerant person to having a Roma colleague is rather with higher education, resident in Bucharest or Transylvania and who had a conversation in the last 6 months with a Roma person.

Although data obtained from opinion polls clearly show which are the most discriminated groups of persons in the Romanian society, these are not found in the petitions addressed to the National Council for Combating Discrimination. Paradoxically, from persons with another **sexual orientation** were received for solving only **6 petitions** in 2009; from persons **infected with HIV/AIDS**, **one petition**; a number of **62 petitions** notified possible discrimination deeds against **Roma origin persons**. As regards petitions received from **disabled persons (49 petitions in 2009)** we must say that most of them refer to situations of persons with a physical disability, locomotor or visual. For mentally disabled persons, we cannot normally talk about a petition if it is not filed by a legal representative of the person, a member of the family or a non-governmental organization.

Possible explanations for the very small number of petitions notifying discrimination deeds against persons with a different sexual orientation or infected with HIV/AIDS:

- NCCD is perceived as a “state” institution, as there is a distrust of the population in such administrative organizations. In **2009**, a percentage of around **18.5%** expressed their **trust in NCCD**. Most respondents, **43.4%** answered that they had no trust, but no distrust, therefore an attitude which can be considered indifferent towards an institution like NCCD. It must be underlined that compared to 2008, the attitude of trust to NCCD remained identical, although the institution’s notoriety increased (in **2008** NCCD was known by **63%** of persons and in **2009** by **71%**).
- Another reason why some groups of persons, especially those with a different sexual orientation and those infected with HIV/AIDS avoid addressing petitions to NCCD is related to the fact that this approach requires the supply of certain personal, even intimate information.
- In the process of transmitting petitions to NCCD, there is a large number of persons (both those belonging to the Roma minority, but also those with a different sexual orientation) that use the alternative of their representation by a non-governmental organization (ex. Romani Criss, Accept etc.).

Chapter 5

Discrimination deeds ascertained by NCCD's Steering Committee

"Discrimination means any distinction, exclusion, restriction or preference based on race, nationality, ethnic origin, language, religion, social category, convictions, gender, sexual orientation, age, disability, non-infectious chronic disease, HIV contamination, affiliation to a disadvantaged category, as well as on any other criterion aiming or resulting in the restriction or hindering of the recognition, use or exercise, under equality conditions, of the human rights and fundamental freedoms or of the rights recognized by the law ..."

Of the **673 solutions** adopted by NCCD's Steering Committee in 2009, **the existence of a discrimination deed** was ascertained in **49 cases**, which is around 7.28% of all complaints.

- Most discrimination cases ascertained in 2009 referred to the **ethnic origin** and **disability** of persons, followed by **gender (sex)**, and **pregnancy status**, **HIV infection**, **convictions**, social category, language, physical characteristics as well as sexual orientation.
- The fields which experienced discrimination deeds refer mainly to **labour relations**, **access to public services** and **damage to the right of personal dignity**.
- In the 49 cases, the Steering Committee ascertained **direct** or **indirect** discrimination deeds and **acts of harassment**. The sanctioning by contraventional **fine** was decided in **14.89%** of the cases, sanctioning by **warning** in **48.9%** of the cases and issuing of a **recommendation** in **61.7%** of the cases.

Ascertaining decisions according to the discrimination criterion

2009		
	Number of decisions	Percentage - total
Race/Nationality/Ethnic origin	17	34,69%
Disability (Infirmity)	7	14,28%
Sex (Gender)	3	
Pregnancy (gravidity)	2	10,20%
Convictions	5	10,20%
Social/professional category	4	8,16%
HIV infection	3	6,12%
Physical characteristics	3	6,12%
Language	3	6,12%
Sexual orientation	1	2,04%
Medical situation	1	2,04%
Total	49	100%

Ascertaining decisions according to the discrimination field

2009			
	Number of decisions	Percentage	Percentage-Total
Employment relationship: private environment-Employment	7	14,28%	34,69%
Employment relationship: private environment -Wage	1	2,04%	
Employment relationship: public environment-Employment	7	14,28%	
Employment relationship: public environment-Wage	1	2,04%	
Employment relationship: public environment -Accessibility	1	2,04%	
Personal dignity	16	32,65%	32,65%
Public services-Denying the access	2	4,08%	22,44%
Public services-Regulation	2	4,08%	
Public services-Accessibility	4	8,51%	
Public services-Medical	2	4,08%	
Public services-Confidentiality	1	2,04%	
Education-Access	2	4,08%	8,16%
Education-Participation	2	4,08%	
Electoral-Exercise of mandate	1	2,04%	2,04%
	49	100%	100%

Decisions ascertaining discrimination: sanctions and recommendations

2009		
	Number of sanctions	Percentage - Total
Recommendation: public institution	17	61,22%
Recommendation: private institution	9	
Recommendation: individual	4	
Warning: public institution	9	37,50%
Warning: private institution	7	
Warning: private person	8	
Fine: public institution	1	15,62%
Fine: private institution	1	
Fine: individual	8	
Ascertaining decisions	49	100%

- **Most recommendations** drawn-up by the Steering Committee when ascertaining cases of discrimination were addressed to **public authorities or institutions** (17) and to **firms or private companies** (9).
- Although in a smaller percentage, sanctions by **warning** were applied to both **public institutions** (9) and to **firms or private companies** (7).
- The contraventional sanction by **fine** was applied mainly against **individuals**.

Discrimination on the criterion "Race/Nationality/Ethnic origin"

1. **Roma. Employment relationship. Local expert on Roma issues.** M.S. complained about the suppressing and non-budgeting of the position of local expert on Roma issues in 2009. Although he was employed for a non-determined period, the local counselors adopted a decision by which they decided to suppress the position and therefore not to include it in the budget. The Steering Committee set down that the governmental policy on improving the conditions of Roma (G.D. no. 430/2001, subsequently amended and supplemented) stipulated the need of employing certain experts on Roma issues at local level. These measures took into account the different conditions (socio-economic) of the Roma community in relation to the majority and pursued to strengthen the capacity of cooperation between authorities and the local community in order to improve Roma's living conditions. Taking into account that in this case it did not result that the purpose of these affirmative measures would be achieved at the level of the claimed local authority, the suppressing of the

position had discriminatory consequences in the absence of objective and reasonable justification. Otherwise, the courts considered that the suppressing of the position was unlawful. Through decision no. 393 of 02.07.2009, the Steering Committee ascertained that the notified deeds are discrimination and ordered the sanctioning by warning of the defendant (Art. 2 par. 1, Art. 2 par. 4 and Art. 6 lett. a of G.O. no. 137/2000, republished).

2. Roma. Access to places open for the public. B.C. and S.M. complained about the fact that trying to enter the local swimming pool, their access was denied because of their ethnic origin. The defendant showed that their removal was due to the uncivilized behaviour and the scandal they aroused. Following the investigation of the case and the presentation of the contradictory assertions of the parties, the Steering Committee set down that the evidence of the file reveals that the denial (the differentiated treatment) was motivated by the ethnic affiliation of the petitioners. Through decision no. 135 of 26.02.2009, the Steering Committee ascertained that the notified deeds are discrimination and ordered the sanctioning by warning of the defendant. (Art. 2 par. 1 and Art. 10 lett. f of G.O. no. 137/2000, republished).

3. Roma. Access to places open for the public. B.R. complained about the fact that he was not served and was taken away from the restaurant due to his ethnic origin. At the time of the incident he requested the intervention of police forces and the defendant mentioned that he refused serving three persons as one of them aroused a scandal on another occasion. Previously, the defendant declared that the petitioner could not be served because he “has problems of body hygiene and he smells bad”. Setting down the evidence of the file, the Steering Committee found that the reasons put forward could not reverse the presumption of the refusal to serve the petitioner due to his ethnic origin. Through decision no. 244 of 14.04.2009, the Steering Committee found that the notified aspects constitute direct discrimination and ordered the sanctioning by warning of the defendant (Art. 2 par.1 and par. 4, Art. 10 lett. f and Art. 14 of G.O. no. 137/2000 republished).

4. Roma. Discriminatory statements. Personal dignity. P.G. complained against neighbours B.T. and F.L. regarding the statements made against her referring directly to her ethnic origin. Trying to enter the building where she lived, she was accused that “a dirty and filthy Gypsy has no place in the attic”. Among other things, she was accused that “they feel sick only when they think that they have a filthy crow as neighbour”. Following the investigation and the contradictory assertions of the parties, through decision no. 373 of 02.07.2009, the Steering Committee ascertained that the notified deeds are harassment and it decided to issue a recommendation to the defendants. (Art. 2 par. 4, Art. 15 of G.O. no. 137/2000, republished).

5. Roma. Discriminatory statements. Personal dignity. M.S. complained about the statements made within a local council meeting referring to Roma persons, labelled as “paunchy Gypsies” and accused that “because of them are thrown the rockers and jolly-boats in ditches”. The defendant showed that the statement was not made with the intention to discriminate but to indicate the ethnic origin of the persons in question. The Steering Committee set down that the mention of ethnicity, the addition of generic characterizations and attribution of certain facts based on stereotypes could create an intimidating

environment, based on ethnic origin. Through decision no. 558 of 19.11.2009, the Steering Committee found that the notified deeds are harassment and it decided to issue a recommendation to the defendant. (Art. 2 par. 5 of G.O. no. 137/2000, republished).

6. Roma. Discriminatory statements. Personal dignity. R.G. complained against D.D. regarding the statements made against him referring to his ethnic origin. The petitioner showed that he works as commercial agent in the city market and the market director told him: "you, crows should disappear from here until I come back from the Town Hall". Following the investigation and the presentation of evidence of the file, the Steering Committee set down that the expressions used were likely to harm the dignity of the petitioner in comparison with others, taking into account the explicit references to his ethnic origin. Through decision no. 268 of 28.04.2009, the Steering Committee ascertained that the notified deeds are harassment and it decided to sanction the defendant by warning. (Art. 2 par. 5, Art. 15 of G.O. no. 137/2000, republished)

7. Roma. Discriminatory statements. Personal dignity. Roma Party Pro Europe complained about the public statements which incited to racial hatred and violence against the Roma community which were expressed within the meeting organized by the Noua Dreaptă Association, on 20.09.2008, in Timisoara. The Steering Committee set down that the said discourses associated the Roma community with various crimes, using insulting phrases in relation to the Roma community. Through decision no. 400 of 22.07.2009, the Steering Committee set down that the notified deeds constitute discrimination and it decided to sanction the defendant by warning (Art. 2 par. 5 and Art. 15 of G.O. no. 137/2000, republished).

8. Roma. Discriminatory statements. Personal dignity. Community. CNCD was self-notified regarding the statements of Mr. G.B. "These Gypsies of Rapid swear at me in Piatra Neamț, in Ploiești, in Bacău! No Rapid supporter will enter Ghencea anymore, Gypsies should go home to swear!" The statements were completed: "If I look better, Copos is just like them, a Gypsy. He is a little dark-haired and has a swarthy complexion". The Steering Committee set down that the statements of the defendant were not public information, did not contribute to any form of public debate which could bring progress in interpersonal relationships, but they uselessly offended two communities of persons: both the community of persons belonging to the Roma minority and the supporters of Rapid football team. Through decision no. 602 of 26.11.2009 the Steering Committee ascertained that the mentioned statements are harassment and it decided to contraveniently sanction the defendant with fine amounting to 1000 lei (Art. 2 par. 5 and Art. 15 of G.O. no. 137/2000, republished).

9. Roma. Discriminatory statements. Personal dignity. Community. CNCD was self-notified regarding the promotion and publishing of an advertisement, as follows: "If you don't buy a BMW on ground that "all Gypsies got it" it means that Gypsies have won". The defendant showed that such messages are not aimed at perpetrating a discrimination, but to give a non-conformist attitude to the magazine they publish and it is meant to remove a stereotype of urban culture. The Steering Committee set down that the message promoted could have negative effects toward the community of Roma persons. Unlike other messages with shocking content promoted by the defendant, which referred directly to cars, the analyzed message refers

directly to people who would own these cars, based on stereotype assumptions which could be avoided, without referring to the ethnic origin. Through decision no. 245 of 14.04.2009, the Steering Committee set down that the notified aspects are harassment and it decided to sanction the defendant by warning and to issue a recommendation (Art. 2 par. 5, Art. 2 par. 1 and par. 4 of G.O. no. 137/2000, republished).

10. Roma. Discriminatory statements. Personal dignity. Community. The Institute for Public Policies complained about the publishing of the article names “Gypsies ballad” in “România Mare” magazine as it promotes a behaviour which is aimed at offending dignity and generating a humiliating environment against the Roma minority. The Steering Committee set down that the statements in the article do not contribute to any form of public debate, but they uselessly offend an ethnic community, being a form of expression which disseminates hatred based on intolerance. Through decision no. 17 of 13.01.2009, the Steering Committee ascertained that the notified deeds are discrimination, it decided to sanction the defendant by warning and by issuing a recommendation (Art. 2 par. 1 and par. 4, Art. 15 of G.O. no. 137/2000, republished).

11. Roma. Discriminatory statements. Personal dignity. C.T. complained about the publishing of an article in the daily magazine “Renaşterea Banăţeană” by which was aimed to generate an offensive environment and to insult his dignity based on his ethnic origin. The defendant considered that the article was edited in good faith, it did not aim to discriminate or insult the dignity of the petitioner. The Steering Committee set down that in relation to the topic presented, references to the petitioner focused on his ethnic origin and therefore they induced a difference in comparison with other persons. Between the petitioner and his ethnic origin were made stereotypical associations based on discriminatory perceptions that persons with a certain ethnic origin perpetrate illegal deeds. Through decision no. 593 of 24.11.2009, the Steering Committee ascertained that the notified deeds constitute direct discrimination and it decided to issue a recommendation (Art. 2 par. 1 of G.O. no. 137/2000, republished).

12. Roma. Discriminatory statements. Personal dignity. Petitioner A.M. complained among others with regard to the statements of her building co-inhabitants regarding her ethnic origin. The petitioner complained about insults addressed to her family in public related to the use of the terms “gypsy” and accusations of unreal facts. The Steering Committee set down that the statements made which were tightly connected to her ethnic origin had a discriminatory effect by which her personal dignity was offended. Through decision no. 360 of 25.06.2009, the Steering Committee ascertained that the notified deeds partly constitute discrimination, it decided to sanction the defendant by warning and by issuing a recommendation. (Art. 2 par. 1 and par. 5 of G.O. no. 137/2000, republished).

13. Roma. Discriminatory statements. Personal dignity. A.M. complained about the statements of G.P. addressed to the petitioner’s daughter regarding her ethnic origin. He publicly addressed to her saying: “You, Gypsy (...) Bloody Gypsy, I will break your head” and “she should be taken to Bug”. The defendant showed that the remarks regarding the girl’s ethnic origin were not made with the purpose to discriminate. The Steering Committee set down that the said statements are discriminatory and could cause offense to personal dignity. Through decision

no. 114 of 24.02.2009, the Steering Committee ascertained that the notified deeds partly constitute discrimination and it decided to contraveniently sanction the defendant with fine amounting to 400 lei (Art. 2 par. 5 and Art. 15 of G.O. no. 137/2000, republished).

14. etc. **Jewish. Discriminatory statements. Personal dignity.** Community. F.G. complained regarding the posting of anti-Semitic comments on the web page of the Press Agency "Mediafax". Among others, are mentioned statements like: "But the Jewish rallies forced us to accept communism and were the assassins of this nation", "Jewish are interested only in themselves. They are very proud now of being the chosen nation...", "the involvement of the Jewish SRI (Secret Services n.t.) in this useless and disgusting business", "But the Jewish what do you think they do, intelligent man? They are worse than the Nazis. If you could follow better what are and were their real business, you would discover that they are the real murderers", "The Germans made a big mistake with the Jewish, they would have rather approached the current Romanian politicians" etc. Through decision no. 191 of 31.03.2009 the Steering Committee set down that the said comments were posted by third persons as a reaction to news or articles published on the claimed site, considering that some of them constitute harassment. Mediafax denied the content of those messages, published the terms and conditions of publishing comments and operated a filter of selecting certain forbidden terms of syntagms. Also, the messages in question were suppressed. The Steering Committee decided to issue a recommendation (Art. 2 par. 5 of G.O. no. 137/2000, republished).

15. **Jewish. Discriminatory statements. Personal dignity.** The Jewish community Bârlad complained about the use of the word "Jew" in a written publication, considering that this term is discriminatory. Through decision no. 372 of 02.07.2009, the Steering Committee considered that the use of this term could offend the dignity of persons belonging to the Jewish community and it decided to issue a recommendation to the defendant (Art. 2 par. 1 and par. 4 of G.O. no. 137/2000, republished).

16. **Magyars. Education. School plan.** NCCD was self-notified regarding the fact that Mureş School Inspectorate drew-up the school plan for the IXth class by providing 4200 places with teaching in Romanian language, considering the 3700 pupils participating in the Romanian language teaching section (VIIIth classes) and 1400 places for the 2000 pupils participating at the Romanian teaching section (VIIIth classes). Being in the course of drawing-up, at the moment of analysis, the County School Inspectorate communicated that: from all pupils: 3565 (6, 61%) in Romanian teaching language, 1892 (34.29%) in Hungarian teaching language and 61 (1.11%) in German language teaching will be made up 200 classes of which 137 of Romanian language (68.5%), 60 of Hungarian language (30%) and 3 of German language (1.5%). The Steering Committee set down that the proposal of setting up the classes settled a disproportion between Romanian teaching classes and other classes referred to the percentages of pupils considered in drawing-up the school plan. Taking into account the stage of elaboration of the school plan, through decision no. 47 of 27.01.2009 the Steering Committee did not ascertain the perpetration of a discrimination deed, but it set down that the application of such a plan would have indirect discriminatory effects over pupils belonging to the Hungarian community and it decided to issue a recommendation.

17. **Magyars. Education. School plan.** The Union of Hungarian Teachers in Romania complained about the application of the school plan drawn-up by ISM which set-up a disproportionate number of classes referred to the number of pupils studying in Romanian and Hungarian teaching languages. It showed that although the Ministry of Education requested that the number of classes of Hungarian teaching language be modified, this was never achieved. Also, the Ministry of Education requested the review of the school plan, but the operated review stipulated the decrease of the number of classes and not its increase. The statistical data presented by the parties showed a disproportionality not only between pupils who learn in Romanian and Hungarian and the available classes for continuing studies, but also among options expressed by pupils, to the disadvantage of those who want to continue studying in Hungarian. This disproportion was able to affect teachers who teach in Hungarian classes. Through decision no. 291 of 14.05.2009, the Steering Committee ascertained that the notified deeds are indirect discrimination and decided to contraveniently sanction the defendant with fine amounting to 600 lei and by issuing a recommendation (Art. 2 par. 3, Art. 11 par. 1 of G.O. no. 137/2000, republished).

Discrimination on the "Disability" criterion

18. **Disability. Labour relations. Reasonable adaptation at the workplace.** L.L.R., person with disability of Ist degree complained about the conditions at the workplace and how he was treated, given his medical situation. The petitioner showed that the existing health facilities and the workplace did not allow him to work under normal circumstances, i.e. under the conditions stipulated by the law regarding the protection of persons with disabilities. His disability was a reason of marginalization at work and he did not receive anything to do. The Steering Committee considered that the situation presented calls into question the failure to reasonably adapt the workplace, under minimal conditions, corresponding to the petitioner's disability. Through decision no. 665 of 26.11.2009 the Steering Committee ascertained that the notified aspects constitute discrimination and it decided to sanction the defendant by warning (Art. 2 par. 1 of G.O. no. 137/2000, republished).

19. **Disability. Labour relations. Termination of labour agreement.** L.L.E. complained about the termination of her labour agreement due to the disability acquired during the course of work. Although the defendant considered that he lawfully terminated the labour agreement, in fact he alleged that he had no part-time positions in his organisational chart (n.n. which could be filled by the petitioner) and on the other hand he had no activities corresponding to the disability resulted from the decision regarding her work capacity. The Steering Committee ascertained that the defendant did not justify the impossibility of ensuring a part-time position and did not reject allegations that he had a working unit with labour positions in this regime. Considering the provisions of law no. 448/2006 which ensures the reasonable adaptation at the workplace, through decision no. 463 of 02.09.2009, the Steering Committee ascertained that the notified deeds are discrimination and it decided to sanction the defendant by warning (Art. 2 par. 1 of G.O. no. 137/2000, republished).

20. **Disability. Labour relations. Re-employment refusal.** F.A.E. complained about the refusal of the defendant to re-employ him following the expiry of the labour agreement on determined period because he is a disabled person, although other persons were employed by the defendant. The petitioner was the beneficiary of a reduction of retirement age according to the law regarding the protection of disabled persons, but he worked on a determined period in order to supplement his contributory period and his retirement age in order to retire on reason of age limit. The defendant alleged that there were no vacant positions and no position adapted to a person with disability. The Steering Committee observed that the petitioner requested to be employed on his previous position, which presumed that it complied with his needs, considering his long period of work in that position. Through decision no. 77 of 03.02.2009, the Steering Committee ascertained that although the grounds stated are apparently neutral, these are not objectively justified, thus an indirect discrimination was set down in this case, it decided to sanction the defendant by warning and by issuing a recommendation (Art. 2 par. 3 and Art. 6 par. 1 of G.O. no. 137/2000, republished).

21. **Disability. Rejection of the competition application for employment.** M.G.C. complained about the rejection of his application to participate in a competition to fill a position, on reason of not fulfilling the medical criteria, although the family doctor issued the medical certificate with the observation "medically capable". The petitioner submitted the medical certificate at the file, as well as the disability certificate. The defendant claimed that the refusal was based on the lack of capacity to cope with the position's requirements, in this case the inadequate health status. The Steering Committee observed that there was no doctor in the examination commission which rejected the application and the responsibility of establishing the capacity of a person to fill a position did not belong to the commission, but to medical bodies. Through decision no. 345 of 23.06.2009, the Steering Committee set down that due to the disability, without establishing a direct and objective link with the petitioner's medical inability, his right to take part in the competition to fill a position was limited. Thus, the Steering Committee ascertained the direct discrimination, decided to sanction the defendant by warning and by issuing a recommendation (Art. 2 par. 1, Art. 7 par. 2 of G.O. no. 137/2000 republished).

22. **Disability. Adaptation. Accessibility to the building.** A.K. complained about the fact that she is a disabled person and she obtained the approval of the Town Hall for building an access ramp to the entry in the building (n.n. block of flats) where she lives, however this was never executed. The building of the ramp was conditional on obtaining the consent of all owners of apartments in the block. The tenants' association agreed to the ramp building, but the Town Hall communicated technical guidance on the construction and many inhabitants expressed their discontent that the access staircase will be lowered. In this context, the ramp was not built anymore. Through decision no. 371 of 02.07.2009, the Steering Committee ascertained that the generated situation had direct consequences for the petitioner, as her access to places designed for public use was hampered, the absence of a reasonable adaptation having a crucial role. The Steering Committee ascertained the petitioner's direct discrimination and decided to issue a recommendation to the defendant (Art. 2 par. 1 of G.O. no. 137/2000, republished).

23. Disability. Social rights. Accessibility. G.U.P. complained about the fact that he is a person with severe disability and the defendant refuses to pay his allowance and additional personal funds through bank transfer. The petitioner showed that until December 2008 he received these entitlements through bank transfer, the same payment method used for the pension. Because of the non-payment through these means, in the periods of hospitalization for treatment and recovery he cannot benefit from his rights. The defendant showed that because of procedural changes and a series of illegal payments it was decided to switch to another payment system. The petitioner was offered the options of payment through proxy or cash-office. The Steering Committee noted that the purpose alleged by the defendant, that payment should be made only to entitled persons is a legitimate one, but the chosen method had a disproportionate effect on persons with disabilities, such as the petitioner. Through decision no. 516 of 29.10.2009, the Steering Committee ascertained that the notified deeds constitute indirect discrimination and it decided to sanction the defendant by warning and by issuing a recommendation (Art. 2 par. 3 of G.O. no. 137/2000, republished).

24. Disability. Education. Exclusion. L.I.D. complained about the attitude of the teacher and parents toward her minor child, pupil in the 1st class, person with disabilities. Although there were no objections to school enrollment, one week after the start of the courses, following a meeting with parents, the teacher and the school director asked the petitioner to withdraw the child from school because the children’s parents don’t accept her. In this respect, teachers initiated an action of gathering signatures. The Steering Committee considered that through the attitude towards the minor pupil was created an intimidating and degrading treatment grounded on her disability. Through decision no. 101 of 17.02.2009, the Steering Committee ascertained that the notified deeds constitute direct discrimination, it decided to contraveniently sanction the teacher with fine amounting to 600 lei, to sanction the school director by warning and by issuing a recommendation (Art. 2 par. 1, Art. 2 par. 4 and par. 5, Art. 11 par. 1 and 2 of G.O. no. 137/2000, republished).

Discrimination on the criterion “HIV infection”

25. Medical services. Release of documents. Unreasonable conditions. “Alături de voi” foundation complained about the refusal of the doctor to release a document certifying the registration of a student as a person suffering from a chronic illness. The document was required for the application for accommodation in the students’ home. The refusal was justified through the fact that the issue would require taking a risk by the doctor, because accommodation would be in rooms with more persons. Also, the issue was conditional on a written confirmation from another doctor, an infectionist, to determine the lack of infection risk. Although the refusal stated the protection of the health of third parties, NCCD’s Steering Committee considered that this is not objectively justified and reasonable in relation to the student’s medical situation. Through decision no. 609 of 16.11.2009, the Steering Committee ascertained that the notified deeds are discrimination and it decided to sanction the defendant by warning (Art. 2 par. 1 and Art. 2 par. 5 of G.O. no. 137/2000, republished).

26. Education. Extra-curricular activities. Exclusion. G.D.S.A.C.P. (General Division for Social Assistance and Child Protection) and "Health Aid Romania" foundation complained about the situation of a student whose participation to a school trip organized by the class was denied. The teachers requested a medical letter to show that she is able to take part in the trip. Following the submission of this document, the pupil's participation was denied since in the trip table of pupils enrolled for the trip was mentioned for this pupil: "under the strict liability of the accompanying teacher". Considering that no attendant was ensured, it was judged to be in the interest of the child not to participate in the trip. The Steering Committee considered that the reasons stated could not be considered as objectively justified and the solution adopted was not commensurate to the pupil's medical condition. Through decision no. 671 of 26.11.2009, the Steering Committee found that the notified deeds constitute indirect discrimination and it decided to issue a recommendation (Art. 2 par. 3 of G.O. no. 137/2000).

27. Social rights. Conditions. Confidentiality of diagnosis. ARAS Association complained about the procedure of admission of HIV infected persons in the assistance and care centers. The petitioner stated that among the documents needed to obtain the benefit of medical and social services the HIV test is required, which could fail to ensure the confidentiality of the medical diagnosis. The defendants showed that for the admission to specialized centers, the commissions may request conducting investigations regarding the health status. They also showed that although the forms contain standardized data, the medical personnel and civil servants are obliged to maintain confidentiality of data. The Steering Committee found that the publication of the condition of the HIV test may lead to failure to ensure confidentiality and to creating a different treatment, discouraging HIV infected people to access these social services. Through decision no. 93 of 17.02.2009, the Steering Committee found that the notified deeds are discrimination and it decided to issue a recommendation (Art. 2 par. 1 of G.O. no. 137/2000, republished).

Discrimination on the criterion "Social and socio-professional category"

28. Common area property owner. Public services. Thermal energy systems. K.G. complained about the refusal to approve disconnection from the central heating system and to allow her to install a separate system of heating and preparation of domestic warm water. The refusal was justified through the fact that the property is located in a common heating area. However, the petitioner showed that only 19 of the 40 apartments don't have own thermal systems. The Steering Committee noted that in the adoption of the heat supply strategy the different situations of the house owners as regards the different heating systems were not taken into account, thus the principle "one building – one system of thermal energy" had discriminatory effects in practice. Through decision no. 98 of 17.02.2009, the Steering Committee found that the notified deeds are direct discrimination and it decided to sanction the defendant by warning and by issuing a recommendation. (Art. 2 par. 1, Art. 10 lett. h of G.O. no. 137/2000, republished).

29. **Common area property owner. Public services. Thermal energy systems** M.I. complained about the same aspects. Through decision no. 274 of 28.04.2009, the Steering Committee ascertained again that the notified deeds are direct discrimination and decided to sanction the defendant by warning and by issuing a recommendation (Art. 2 par. 1, Art. 10 lett. h of G.O. no. 137/2000, republished).

30. **Public office. Rejection of application for participation to residency competition.** E.S.G. complained about the denial of her participation in the residency competition, given that she was exercising a public office, although she fulfilled the requirements for participation. The defendants showed that the application was rejected according to the law regarding the health reform. The Steering Committee ascertained from the parties' allegations that the refusal of the application was based on legal provisions, however from the analysis of the law such a limitation did not result. On the other hand, the exclusion from participation to the competition was not objectively justified, taking into account that if the petitioner had passed the residency exam, she would have had a right to choose between the public office and the residency. Or, submitting her resignation in order to take part in the competition is a disproportionate method to the aim pursued. Through decision no. 7 of 08.01.2009, the Steering Committee found that the notified deeds are direct discrimination and it decided to sanction the defendant by warning and by issuing a recommendation (Art. 2 par. 1 and par. 4, Art. 6 lett. d and Art. 11 par. 1 of G.O. no. 137/2000, republished).

31. **Teacher. Wage entitlements. Failure to grant gift vouchers.** D.I. and D.L., teachers complained about the fact that they did not received gift vouchers because of their trade union membership. The petitioners were part of a trade union and subsequently they decided to become members of another trade union in their field of activity. Following this option, they did not receive gift vouchers granted to other colleagues. The Steering Committee found that the vouchers were granted to all employees, except the petitioners. Although all employees were in a similar situation and benefitted from gift vouchers, the petitioners were treated differently. Through decision no. 193 of 31.03.2009, the Steering Committee found that the notified deeds are direct discrimination and it decided to issue a recommendation to the defendant (Art. 2 par. 1 of G.O. no. 137/2000).

Discrimination on the Sex (Gender) criterion

32. **Gender. Wage entitlements. Non-transparent wage increase system.** B.C.D. complained about the non-fulfillment of employer's obligations in labour relations and the system of granting wage increases to the employees. The representatives of the defendant showed that the wages of the employees have been increased according to their length of services and contribution to the smooth running of the company, but not all wages have been increased. For example, in the department in which 3 men and 3 women worked, only women's wages increased and the petitioner who worked in that department did not receive an increase as he was newly employed. The Steering Committee acknowledged the case-law of the European

Court of Justice which shows that in a situation in which the mechanism of wage increase lacks any transparency, the employer is obliged to show the increase criteria, otherwise discriminatory effects could be retained. In the notified case, the Steering Committee noted that by contrast, the employer's system creates the prerequisites of differentiations without objective justifications, the increase being granted randomly. Through decision no. 292 of 14.05.2009, the Steering Committee found that the parties' allegations are likely to induce different treatment assumptions that allow supposing that the wage increase was made apparently based on criteria not justified objectively. It was also decided to issue a recommendation to the defendant (Art. 2 of G.O. no. 137/2000, republished).

33. Gender. Discriminatory statements. Personal dignity. FILIA Center complained about the public statements of defendant M.T. regarding the influence of sex on the person's decisions, at certain periods of the month. With regard to women, the defendant showed that "three days a month are terrible, because you don't think normally in these days. If you have to make a decision during your periods it is terrible (...)". Among others, he added: "I have only women directors and I don't allow them in these periods, when hormones explode to sign contracts with money". The defendant considered that that the statements made were a personal opinion and the exercise of the right to freedom of expression. No discriminations were caused as regards the company's employees, in this regard submitting statements from the directors of the company. Also, we cannot allow a generalization over the whole category of women starting from the alleged discrimination against three persons. The Steering Committee set down that the statements subject to analysis even if they did not pursue, they had an effect of offending personal dignity of women active in the economic life, i.e. a humiliating atmosphere based on the gender criterion and these strengthen the stereotypes regarding the place and role of the woman in public life. Through decision no. 277 of 28.04.2009, the Steering Committee found that the notified deeds are discrimination and decided to sanction the defendant by warning (Art. 2 par. 1 and Art. 15 of G.O. no. 137/2000, republished).

34. Gender. Discriminatory statements. Personal dignity. FILIA Center complained about the public statements of defendant S.N. regarding the role of the young woman politician: "for young women who wish to become senator or deputy, is there nothing else in the world, they cannot have children, they only think to become parliamentary, senators and so on". Among others it is mentioned that "without any discussion", there should be "a few" women in politics, but these should be "older, not to make a political career". The defendant showed that his statements do not constitute discrimination and contain no discriminatory intention, they are just an occasional opinion, in a light phone conversation and are not a creed, a slogan or a political program. He just wanted to make an illustration on the lack of preoccupation for establishing a family. Through decision no. 59 of 03.02.2009, the majority of the Steering Committee found that the notified deeds are discrimination and it decided to issue a recommendation to the defendant. It set down in this respect that the issues regarding women's involvement in political life is not a controversial topic, but a current issue on the agenda of social policies in the European Union and the said statement offend the dignity of women active in the public and political life (Art. 2 par. 1 and par. 3 of G.O. no. 137/2000, republished).

Discrimination on the criterion "Pregnancy" (Gravidity)

35. **Pregnancy/Gravidity. Labour relations. Termination of labour agreement.** T.D. complained about the termination of her labour agreement because of her pregnancy status. The petitioner showed that after disclosing to her employer that she was pregnant, she was announced that the company no longer needed her services and asked her to resign. Given the petitioner's refusal to resign, the company terminated her labour agreement for reasons attributable to the employee, in this case for violating the internal regulation. The company claimed that the termination of the labour agreement had nothing to do with the pregnancy status and the reasons are strictly related to the inappropriate fulfillment of work tasks. Setting down the parties' allegations, the Steering Committee found that from the documents submitted it did not come out that the treatment applied to the petitioner was not based on the pregnancy status. On the contrary, when announcing her pregnancy, the petitioner was subjected to a different treatment than other employees. Through decision no. 355 of 23.06.2009, the Steering Committee found that the notified deeds are direct discrimination and it decided to contraveniently sanction the defendant with fine amounting to 4000 lei (Art. 2 par. 1 and par. 5, Art. 6 lett. a of G.O. no. 137/2000, republished).

36. **Pregnancy/Gravidity. Labour relations. Not concluding the labour agreement.** S.E.L. complained about the suppressing of the position she filled due to her gravidity status. The petitioner announced her boss that she was pregnant and later he told her that the position she filled will be suppressed, because of the company's financial problems. The Steering Committee noted that the defendant offered to all employees the option of concluding another labour agreement to a company he owned, except for the petitioner. Thus, the apparently neutral ground of financial problems that caused the dissolution of the company led to the termination and non-conclusion of another labour agreement only for the petitioner, unlike other employees, who concluded labour agreements. Through decision no. 155 of 17.03.2009, the Steering Committee ascertained that the notified deeds are indirect discrimination and decided to sanction the defendant by warning (Art. 2 par. 3 and Art. 6 lett. a of G.O. no. 137/2000, republished).

Discrimination on the criterion "Religion or Convictions"

37. **Conviction. Labour relations. Hierarchical relations. Obligations.** T.A.M. complained about not being granted the leave, about registration of the working day as absent and the request to fill in additional activity reports, unlike other colleagues who were not treated in a similar manner. The reason for this treatment was the fact that the petitioner disclosed to the press internal information of the employer. The defendant submitted no justification on the reasons stated, mentioning only that the petitioner has a relationship of concubinage with another employee, that she is investigated and condemned by courts. In the absence of objective justifications from the defendant, the Steering Committee set down that the notified aspects could generate an intimidating and hostile environment to the petitioner. Through

decision no. 186 of 31.03.2009, it was found that the petitioner was harassed and decided to contravenitionally sanction the defendant with fine amounting to 600 lei (Art. 2 par. 5 of G.O. no. 137/2000, republished).

38. Conviction. Labour relations. Professional assessment. Refusal. A.V. complained about not being granted the professional assessment file because of her political options. The petitioner considered that she was treated differently from other employees, being the only one, together with another colleague who did not receive the professional assessment file, provided that they have another political option than the other employees. The defendant presented no justifications regarding the charged situation. The collective bargaining agreement of the employer stipulated specific obligations on assessment. In these circumstances, the Steering Committee found the existence of a differentiated treatment applied to the petitioner in relation to the other employees, to which she is in relation of comparability. Through decision no. 356 of 25.06.2009 it was found that the notified deeds are direct discrimination and decided to issue a recommendation to the defendant (Art. 2 par. 1 of G.O. no. 137/2000, republished).

39. Conviction. Discriminatory statements. Personal Dignity. P.H. complained about the statements made by A.F. regarding his religious beliefs. The petitioner showed that, during a televised intervention, among his statements the defendant made a direct association between the members of a religious cult recognized in Romania and people who commit crimes considering that "we cannot allow ourselves to be led by pentecostals, thieves and criminals". The petitioner showed that NAC (National Audiovisual Council) sanctioned the TV post by fine. The Steering Committee considered that the statements of the defendant had a discriminatory effect, offending personal dignity. Through decision no. 673 of 26.11.2009, the Steering Committee found that the notified deeds are discrimination and it decided to sanction the defendant by warning (Art. 2 par. 5 of G.O. no. 137/2000, republished).

40. Convictions. Employment requirements for a position of business administrator. The Humanist Association complained about the publishing of an employment announcement for the position of board manager which included among its requirements: "man with fear of God". Through decision no. 418 of 18.08.2009, the Steering Committee considered that the words used can be seen in conjunction with correctness and honesty and a requirement of rightness for a position which includes the management and administration of the estate which involves trust between employee and employer is an objective one as long as it does not generate distinctions between persons in comparable situations. On the other hand, insofar as such a condition actually implies the application by the employer of a selection process, based on purely subjective assessment criteria, which would result in the elimination of candidates or their refusal because of religious or philosophical beliefs would fall under Art. 2 par. 3 of G.O. no. 137/2000, republished. No such differentiations were set down in this case. During this settlement of the complaint, the employer changed the employment announcement.

41. Convictions. Exercise of mandate of elected representative. C.N. and others complained about the fact that following their participation in elections and obtaining the

mandate as per the evidence issued by the District Election Office, during the session of the Local Council because of their different political options and their ethnical affiliation their mandates were rejected through the vote of local counsellors belonging to the majority. The Steering Committee set down that the invalidation of the mandates of the 5 petitioners who were in an analogous situation with the remaining 10 counsellors is a differentiation which was based on their different political options. Also, it set down that the courts cancelled the invalidation decision of the local council. Through decision no. 332 of 04.06.2009, the Steering Committee set down that the notified deeds are direct discrimination and it decided to contraveniently sanction the defendants by fine amounting to 600 lei (Art. 2 par. 1 and par. 4, Art. 10 lett. h of G.O. no. 137/2000, republished).

Discrimination on the "Language" criterion

42. Hungarian language. Access to public information. Restrictions. D.T. complained about the fact that the official website of the commune Sântimbru (Harghita county), regarding mainly the Town Hall and Local Council did not include information in Romanian, as these were presented exclusively in Hungarian. The defendant showed that according to statistical data, there are no Romanian ethnic citizens in the commune and they did not know if the information were read by other people than those of the community. Also, it showed that the decisions of the local council were published in Romanian. The Steering Committee considered that the arguments of the defendant cannot be seen as reasonably justified. Through decision no. 346 of 23.06.2009 it ascertained that the notified deeds are discrimination and it decided to issue a recommendation to the defendant (Art. 2 par. 1 of G.O. no. 137/2000, republished).

43. Hungarian language. Access to public information. Restrictions. A similar situation was notified in another case regarding the internet page of Siculeni commune (Harghita county). Following the notification, the defendant updated the site, published the decisions of the local council and the minutes of meetings in Romanian. Through decision no. 644 of 24.11.2009, the Steering Committee ascertained that the notified deeds are discrimination and it decided to issue a recommendation to the defendant (Art. 2 par. 1 and par. 4 of G.O. no. 137/2000, republished).

44. Hungarian language. Employment conditions for filling public offices. D.T. complained about the condition of knowing the Hungarian language in order to fill the position of Deputy Director of Division of People's Records. Given that the essential prerogatives of the public office do not involve activities of public relations, the Steering Committee set down that the justification raised by the defendant is not reasonable for the purpose and nature of the job. Through Decision no. 347 of 23.06.2009, the Steering Committee set down that the notified deeds constitute discrimination and decided to issue a recommendation to the defendant (Art. 2 par. 1 of G.O. no. 137/2000, republished).

Discrimination on the criterion "Sexual orientation"

45. **Sexual orientation. Discriminatory statements. Personal dignity.** V.L.C. complained about the statements made against him by a person with direct reference to his sexual orientation. The notified incident referred to the fact that the petitioner was chased by the defendant and the latter used insulting words such as "queenie, prisoner, sick shit". The Steering Committee considered that the notified issues are a behaviour displayed because of the petitioner's sexual orientation, which aimed to create an intimidating, hostile and offensive environment. Through decision no. 598 of 26.11.2009, the Steering Committee ascertained that the analysed deeds constitute harassment and it decided to contraveniently sanction the defendant by fine amounting to 500 lei (Art. 2 par. 4 and Art. 2 par. 5 of G.O. no. 137/2000, republished).

I.G. complained about certain statements made regarding his sexual orientation. He showed that the defendant used several times words such as: "gay, queenie, fag". The Steering Committee analyzed the notified deeds in the context of harassment regulated in Art. 2 par. 5 of G.O. no. 137/2000, republished. No evidence to support the charged statements could be retained at the file and the case was classified.

Discrimination based on "Any other criterion"

46. **Medical services. Personal dignity.** F.E.C. complained that following a complaint for medical malpractice against his minor child was issued an internal letter to the members of the College of Physicians in O. by which are communicated the personal data of the petitioner and is stated that the latter "is determined to get rich at the expense of dentists" and therefore the members are advised to "be very careful and modify your behaviour towards him for your personal protection. We insist on a vigilant behaviour in this situation". NCCD's Steering Committee considered that the notified deeds involve the generation of an intimidating and degrading environment to the petitioner's situation which regarded firstly the health of his minor child. Through decision no. 595 of 24.11.2009 the Steering Committee ascertained that the notified deeds are discrimination and it decided to issue a recommendation to the defendant (Art. 2 par. 5 of G.O. no. 137/2000, republished).

47. **Labour relations. Termination of labour agreement.** D.N. complained about the termination of the labour agreement. He stated pressure to sign a termination agreement, justified by the company through the fact that there is no "chemistry" between him and the company director. Thus, although there is no discontent regarding his professional activity, the collaboration cannot continue. The defendant alleged that the termination of the agreement was due to the reorganization of activities and restructuring of posts and at that moment the company did not have a vacant position corresponding to the petitioner's training. However, analyzing the case of employees in the same situation with the petitioner, the Steering Committee set down that only in the latter's regard certain measures were taken, unlike other employees. Thus the petitioner was subjected to a less favourable treatment

than another person in a comparable situation. Through decision no. 358 of 25.06.2009, the Steering Committee found that the notified deeds are direct discrimination and it decided to sanction the defendant by warning.

48. Physical characteristics. Employment conditions. CNCD was self-notified regarding the fact that a company whose activity consisted on guard, protection and monitoring published an employment announcement for the position of region manager whereby it expressly required the condition of a “good appearance”. The company presented no justification for imposing such a condition. In relation to the activity of the company and the announcement as written, the Steering Committee set down that this could seriously discourage some candidates from applying for the employment competition. Also, if some persons have their applications for such a position, but they are rejected from selection due to physical characteristics, a differentiated treatment comes forth. Through decision no. 429 of 18.08.2009, the Steering Committee found that the notified deeds involve an indirect discrimination, it decided to sanction the defendant by warning and by issuing a recommendation (Art. 2 par. 3 and par. 4, Art. 7 par. 2 of G.O. no. 137/2000, republished).

49. Physical characteristics and height. Employment conditions. CNCD was self-notified regarding the fact that a company published an employment advertisement for a promoter by which were required expressly “a height over 1.65 m and a nice appearance”. The company showed that it stipulated professional requirements which pursued an imposing appearance, reliability, credibility and capacity of persuasion. Also an untidy person with an unpleasant appearance could not appropriately fulfill the activities and the height criterion took into account that the employee would handle massive advertisement stands. The company itself admitted the inappropriate wording of “nice appearance” given that they were seeking to employ neat persons. Regarding the criterion of height, the Steering Committee considered that it is disproportionate to the aim pursued by the employer (the physical capacity to move panels) as they could test the candidates’ ability to handle certain stands without imposing a height criterion. Through decision no. 395 of 22.07.2009, the Steering Committee found that the notified aspects are indirect discrimination (as regards the nice appearance) and direct discrimination (based on the height criterion) and it decided to issue a recommendation to the defendant (Art. 2 par. 3, Art. 2 par. 1, Art. 7 par. 2 of G.O. no. 137/2000, republished).

Chapter 6

Observance of the non-discrimination principle in Romania: conclusions regarding the 2009 cases

The complaints addressed to the National Council for Combating Discrimination and the Steering Committee's decisions of ascertaining the differentiated treatment in 2009 show relevant issues regarding the prevention of the infringement of the non-discrimination principle in Romania.

Persons belonging to the Roma community

- Although in 2009 the number of complaints and situations of **segregation in education** of Roma children decreased in relation to the situation documented in 2008, **substantial** further **efforts** are needed to implement the Order of the Ministry of Education no. 1540 of 19 July 2007 regarding the prohibition of school segregation of Roma children.
- **Access to goods and services** conceived for the general public continued to be a **discrimination issue** in 2009 for persons belonging to the Roma community.
- The reports of the European Union Agency for Fundamental Rights show that in Romania, **Roma are the most disadvantaged** compared to other ethnic groups as regards **access to public services**.
- In some cases, the **suppression of the positions** of local expert on Roma issues, although provided as a tool of increasing cooperation between local authorities and Roma communities in the governmental policy have generated **discriminatory consequences**.
- The issue of **harassment through language and behaviour** against Roma persons, but also against the community as a whole **continued** to be advised to CNCD, most discrimination deeds against Roma aiming to offend personal dignity.
- It is **important to restate** that any person belonging to a national minority has **the right to freely choose to be treated or not as such**. "The possibility of recognizing themselves or not in the name adopted to designate the minority is one of the essential features of this right" (Art. 3 of the Framework-Convention regarding the protection of national minorities, ratified by Romania through law no. 33/1995).

Persons belonging to the Jewish, Hungarian or Romanian community

- In 2009, NCCD was notified and found situations which emphasized the use of a **discriminatory language** against the Jewish community, both as regards the designation of persons belonging to the community (“Jews”) and through its unjustified blaming and making guilty.
- Moreover, the Agency of the European Union for Fundamental Rights showed that in Romania were “**reported anti-Semitic acts** ranging from **vandalism** against property and goods to **publishing anti-Semitic articles, books or public statements**”.
- The **access to education** of pupils belonging to the Hungarian community was in some cases affected. Although in isolated cases, despite the intervention of the Ministry of Education at local level, school plans were **achieved disproportionately**, which affected both **pupils** and **teachers** of the classes in Hungarian language.
- **Publishing of public interest information** by local authorities only in Hungarian and **imposing the condition of knowing the Hungarian** language for employment raised **discrimination** issues for the persons belonging to Romanian communities. NCCD’s and courts’ solutions showed that the previously mentioned condition for employment must be objectively justified by a legitimate aim; the objective justification of using the maternal language in local public administration can be found for officers who work with the public, otherwise it could generate discriminatory effects for those who do not know the relevant minority language.

Persons with disabilities

- Persons with disabilities continued to face the discrimination phenomenon, being the **second category of discriminated persons**, at least as shown by all ascertaining decisions adopted by the Steering Committee in 2009.
- Discrimination deeds were ascertained **mainly** in the field of **labour relations**. Discrimination situations ranged from termination of labour agreement, to refusal of re-employment, rejection of the competition application to fill a position, to not adapting reasonably the workplace.
- **Not ensuring accessibility** for persons with disabilities was another aspect of discrimination, both as regards public institutions, apartments in building, but also access to the benefit of social rights (i.e. providing allowances through a unique payment system which does not take into account the specific case of persons who cannot move).

HIV infected persons

- The discrimination phenomenon affected the vulnerable groups, among whom were the HIV infected people. In 2009, the **difficulties** encountered and notified to NCCD were **similar to the previous year: keeping the confidentiality of personal data and access to medical services.**
- In 2009 were **ascertained** discrimination situations which emphasized **non-compliant procedures used to access certain social benefits or other public services**, as they did not ensure confidentiality of the medical diagnosis.
- Discrimination issues were ascertained also as regards the **situation of children infected with HIV, within the educational process**, which resulted in their marginalization. It must be mentioned that **similar aspects** of discrimination in education appeared against **children with disabilities.**

Equality between women and men

- The aspects ascertained in 2009 regarding the differentiated treatment based on gender have very **serious facets.** Discrimination appeared in **labour relations**, particularly through the **termination of the labour agreement** due to the **pregnancy status** or **non-concluding a new agreement** for the same reasons.
- The system of **wage increase** in the private field was considered discriminatory, given that the mechanism of increase was totally **non-transparent**, with a disproportionate impact over **male employees.**
- On the other hand, although isolated, was found the **persistence of** discriminatory **language** against women in the public space.

Convictions/Opinions

- In 2009, discrimination based on convictions or opinions was found particularly in the **field of labour relations.** **The political or other opinion** determined the non-granting and non-carrying-out of the **professional assessment** or the differentiated treatment **at the workplace** and ultimately **the invalidation of the mandate of elected representative** through the rejection vote of the majority with a different political orientation.
- These cases have emphasized that the labour relations may be affected also by the employees' convictions or political orientation.

Sexual orientation

- The problem of **harassment through language and behaviour** against persons with a different sexual orientation **continued** to be notified, being found especially with regard to offending personal dignity through discriminatory references charged to them.

Other criteria

- Labour was predominantly the field in which discrimination was experienced, both **based on explicit criteria** provided by Art. 2 par. 1 of G.O. no. 137/2000, but also based on **certain criteria**, which although not **specified** constitute at the same extent discrimination deeds. The cases consisted in rejecting the application for participation to the residency exam on reason of occupying a **public office**, not-granting of wage entitlements because of **trade union** affiliation, termination of the labour agreement due to **aversion**, employment requirements of “**nice appearance**” and “**height**” although these restrictions could not be objectively justified by a legitimate aim.

Chapter 7

National Council for Combating Discrimination in written press

During January – December 2008, we find in the central written press 49 articles which referred directly to the work of the National Council for Combating Discrimination. Following the monitoring of 13 publications (*Adevărul, Cotidianul, Cronica Română, Jurnalul Național, Pro Sport, Curentul, Evenimentul Zilei, Gândul, Gardianul, Gazeta Sporturilor, Libertatea, România Liberă, Ziua*) it was found that they maintained their interest for two discrimination cases made public in the previous year, in which were involved president Traian Basescu and Minister of Foreign Affairs at that time, Adrian Cioroianu.

- These cases were also commented upon in the 2008 report of Amnesty International. Thus, the authors of the report considered inadmissible the address by the President to a journalist “stinking gypsy”, as well as the solution of Adrian Cioroianu of sending to the desert “all those who tarnish the image of the country”, statement which referred directly to the Roma minority. Using the cases in which were involved the two politicians, the report drew attention over the level at which discriminatory attitudes continue to take place in Romania.

- A large number of articles (19 out of 49 in total) which included direct references to NCCD have as main topic the Roma minority. A proof of the interest shown by the written media towards the Roma issue is the campaign conducted by Jurnalul National “The word Roma is a neologism”. This provided the authorities (among which NCCD) and the entire society the possibility of making their views known regarding the use of the word “Gypsy” or “Roma”.

- Within the articles which referred to NCCD, there were 34 references to the **President of the institution**. An important part of these were published in June, following the decision of NCCD’s President to ask UEFA to sanction football clubs Steaua București and Ujpest for the racist and xenophobic manifestations of their supporters. During the match, the supporters of Steaua displayed a banner which contained an offensive message to the Hungarian people. In turn, Ujpest supporters were accused of racism as they called Romanians in the pejorative sense “Gypsy”.

- Also, the written press stated the position of the President on the petitions submitted to the National Council for Combating Discrimination by the T.A.T.A. Association which drew attention of the non-observance of equality in rights between parents. One of the

petitions filed by TATA Associations led to the sanctioning by NCCD of the manager of “Grigore Alexandrescu” hospital because fathers were not allowed to stay with the sick child.

There were 32 references to the activity of the Steering Committee of the National Council for Combating Discrimination. Some of them occurred in the context of the Steering Committee’s decision to be self-notified regarding the statements (of October 2009) with racist tinge of the owner of Steaua Bucharest club, Gigi Becali. He called the supporters and the owner of Rapid Bucharest team “Gypsies”.

- Other references were determined by the call of the Steering Committee to opinion leaders, with the aim of raising their awareness on the role they have in building a tolerant climate in Romania.

In the period January – December 2009, there were 84 references to the National Council for Combating Discrimination, an event which gained much attention from the press being the presentation of the opinion poll conducted by INSOMAR, at the request of NCCD. According to the poll conducted on a sample of 1201 persons, the categories subjected most frequently to discriminatory attitudes are Roma, HIV-AIDS infected people, persons with disabilities and those with another sexual orientation.

- An increase of the frequency of references to NCCD in relation to the whole year 2009 is found in the context of the Gay Parade, in May as well in the context of the institution’s statement of position regarding the discriminatory decision of Minister of Finance, A. Videanu. Through a Minister’s Order, the latter established new criteria regarding the granting of the right to treatment abroad for Romanian patients. The new criteria were discriminatory for old people.

- Most articles which referred to NCCD just presented the activity of the institution in a neutral tone, without ruling on its usefulness.

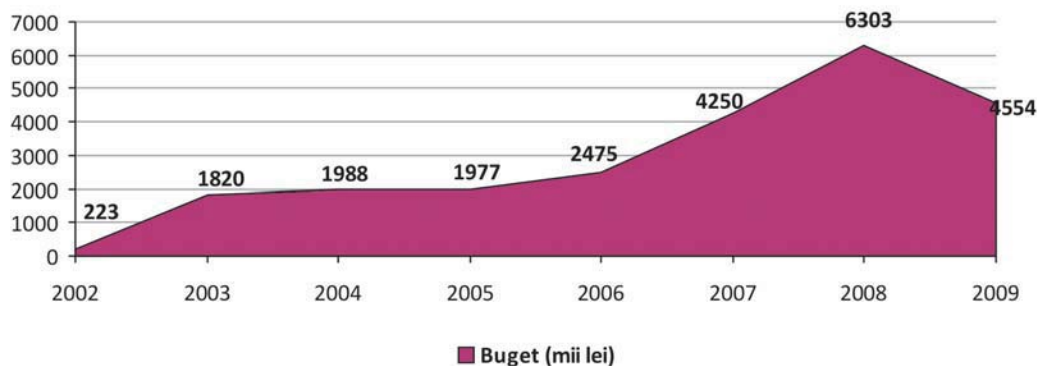
Chapter 8

Budgetary expenses, logistic and financial data

The budgetary execution for 2009 was 98.01% and is shown in the following table:

Name of the indicator	Code	Assigned (lei)	Used (lei)
State budget	51.01	4.554.200	4.463.452
Personnel expenses	51.01.10	3.370.000	3.346.741
Goods and services	51.01.20	673.200	635.129
Other expenses	51.01.59	478.000	448.846
Capital expenses	51.00.71	33.000	32.736

Budget evolution in the period 2002-2009

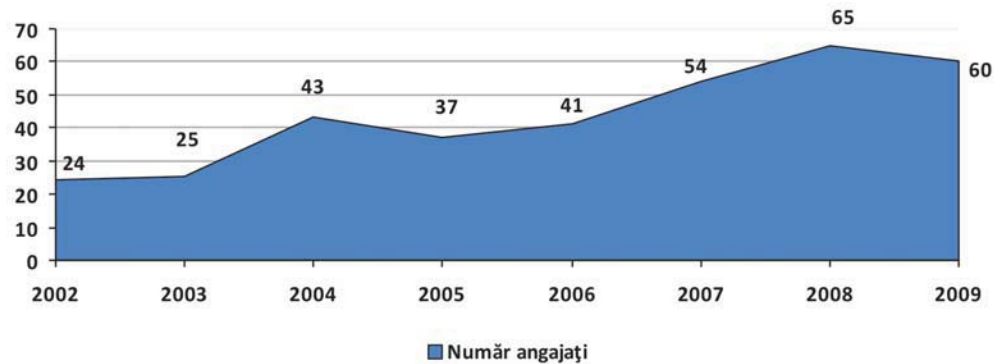


NCCD's functional office

● In 2009, the functional office of the National Council for Combating Discrimination was made up of 90 posts approved according to G.O. no. 137/2000, of which 80 were financed from the state budget. Of the 80 budgeted posts, at the end of 2009, 60 posts were shown as filled.

- The average age of the employees is 35 years.
- The weight of women is 64% and of men 36% in the total number of employees.
- 89% of the institution’s employees are university graduates.

Evolution of the number of employees in the period 2002 - 2009



Organisational and administrative difficulties

An important issue, that was identified and maintained in the previous years, is the operation of the institution in improper conditions, in an inappropriate building, with high seismic risk. The offices are spread out over four floors (2, 3, 4, and 6) and there are no effective security and sanitation services. There is no space for the organization and functioning of the warehouse of the institution.

The activity of hearing persons summoned in the files made based on petitions received by NCCD conducted by the members of the Steering Committee is difficult for the same reasons, as there are no appropriate living spaces designed for this activity. At the same time, audiences with the public, the activity of consultations and legal advice to petitioners and organisational periodical meetings with the personnel of the institution take place in difficult conditions for the same grounds.

Conclusions

In its 2009 activity, the National Council for Combating Discrimination exercised its legal prerogatives on the directions of preventing, mediating, investigating, ascertaining and sanctioning discrimination deeds. The Council also conducted activities in the field of monitoring discrimination deeds and provision of legal assistance to the victims of discrimination.

The activities of prevention of discrimination resulted in programs of information, training and education for citizens. The programs were conducted mostly in partnership with public institutions and civil society.

Partnerships with public institutions pursue, among others, to convince them to implement the principle of equality of opportunity and non-discrimination in their own institutional culture.

Persons with disabilities, persons belonging to the Roma community, persons infected with HIV/AIDS and those with a different sexual orientation remain in the public perception as the most discriminated against and marginalized categories of persons, according to the opinion poll conducted yearly on demand of the Council.

This perception is only partially confirmed by the statistics of petitions registered and solved by the Council. If the petitions regarding the discrimination of Roma persons are important in number, those regarding persons infected with HIV/AIDS or the different sexual orientation are insignificant. We acknowledge also that the number of petitions on the gender criterion is very small. The dynamic and effective activity of non-governmental organizations with the aim of promoting equality of opportunity for Roma is one explanation for the large number of notifications received by the Council and for the court actions in the domain of Roma discrimination.

The lack of sufficient knowledge of legislation in the field of non-discrimination and the lack of legal assistance to the victims of discrimination are some of the reasons of the small number of petitions for the criteria of gender, sexual orientation and HIV/AIDS.

The high percentage of Council decisions maintained by the courts confirm the quality of the institution’s activity of solving petitions, but also the professionalism of the activity of contentious matters department.

The Council’s operation was disrupted by the postponement of the procedure of appointing the members of the Steering Committee, following the successive conclusions of 5 of their mandates. Since August, the legal quorum required to settle petitions has been hardly met and since November it has been impossible to ensure the quorum.

The institution worked with a limited budget, which remained at the level of the budgetary year 2007. Also, the Council has improper premises for its activity, without facilities appropriate for its specific activity (for example for the access of persons with disabilities).

In the future, the Council must develop in the following areas:

- intensify its prevention activities by initiating new programs and partnerships. Along with public institutions, the training programs must also target the private field. In this regard, it is required to attract external funds and remove the incompatibility of participation of civil servants as experts and project managers;
- improve the process of resolution of petitions, observance of the deadlines for settlement, improve the quality of substantiation of solutions, maintain the independence of the Council in its activity of solving petitions;
- there should be a reinforced monitoring of social relations from the perspective of equality of opportunity and non-discrimination due to the period of economic crisis. The economic crisis is generally a source of tensions and conflicts in the society, which results several times in an increase of discrimination cases.
- speed up the specialization of the Council’s officers, elaborate studies and research in the domain of equality of opportunity and non-discrimination.
- increase the presence of the Council at specialized institutions in the European Union.

The Steering Committee

Current structure of the Steering Committee

(since April 2010)

Csaba Ferenc ASZTALOS – President
Dragoş Tiberiu NIŢĂ – Vice-President
Dezideriu GERGELY
István HALLER
Cristian JURA
Anamaria PANFILE
Ioana Liana POP
Vasile Alexandru VASILE
Sorina Claudia VLAŞ

Contributions

The activity report of the National Council for Combating Discrimination was achieved by a working group coordinated by Dezideriu Gergely, member of the Steering Committee;

We also thank for support to the following colleagues: Cristian Nuică, Head of Legal, Contentious and Contracts Department; Nicoleta Udrescu, Director, Economic and Human resources Division; George Lica, Iulia Vaida, Angelica Paraschiv, Daniel Dragoş, Ana-Maria Irimescu, Denisa Lazăr, Diana Pană, Silvia Răduţ, Alina Ungureanu, Daniela Vaidaş, Daniel Vasile, Ştefan Vasilescu, Ionuţ Cristinel Ciorăscu, Liliana Trică etc.

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You can also leave your messages tot the
above specified phone numbers!