United Nations A/HRC/WG.6/15/ROU/3

General Assembly

Distr.: General
29 October 2012

Original: English

Human Rights Council
Working Group on the Universal Periodic Review
Fifteenth session
Geneva, 21 January – 1 February 2013

Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21

Romania

The present report is a summary of 12 stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

I. Information provided by other stakeholders

A. Background and framework

1. Constitutional and legislative framework

1. Noting Romania's acceptance of the UPR recommendation to ensure conformity of domestic legislation with its international obligations, Amnesty International (AI) considered that Romania failed to do so, in particular with regard to the housing legislation which does not conform to Romania's obligations under ICESCR. AI observed that gaps in the law have allowed a number of large scale forced evictions of Roma communities and the resettlement of residents in locations, which fail to meet international standards on the right to adequate housing.[2]

2. Institutional and human rights infrastructure and policy measures

2. Save the Children- Romania (SC-R) recommended that Romania establish an Ombudsman for Children.[3]

3. The Commissioner for Human Rights of the Council of Europe (CoE-Commissioner) commended the National Council for Combating Discrimination (NCCD) for its work in the fight against discrimination and the development of a body of case-law on discrimination.[4] CoE-Commissioner encouraged Romania to strengthen and assist the NCCD in its valuable work.[5]

4. The Joint Submission (JS) 3 stated that the mandate of the NCCD was limited by the 2008 decision of the Constitutional Court and that the NCCD was only able to ascertain discriminatory normative acts, but not to issue a binding decision to stop the juridical effects of such acts. This means that such normative acts could continue to produce their legal effects, in spite of their discriminatory content.[6]

B. Cooperation with human rights mechanisms

5. JS4 reported that the Government did not consult civil society during the UPR cycles and did not organise discussions prior to drafting or submitting the national report.[7]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

6. The Centre for Legal Resources (CLR) stated that the anti-discrimination legislation provided for sanctions in the form of an administrative fine. It considered that the practice of NCCD to issue warnings and recommendations instead of fines when it identifies discrimination, especially to authorities and public institutions or legal persons, did not provide for an effective remedy. CLR recommended that NCCD refrain from such practice and that Romania increase fines for discrimination.[8] JS3 highlighted that the NCCD had not used the mechanism provided by law to monitor the implementation of its decisions.[9]

7. CoE-Commissioner noted with regret that the Roma remained marginalised and socially excluded, and faced strong prejudices among the majority of the population.[10] JS3 reported about segregation of the Roma in hospitals, refusal to provide them with medical

treatment and negligence towards Roma patients.[11] Furthermore, JS1 referred to reported cases of segregation against Roma children in the formal educational system. It stated that classes and even schools existed *de facto* only for Roma children, with lower quality of education compared to formal schools. It noted the difficulty to integrate Roma children in regular schools after they had been taught in separate schools.[12] The Society for Threatened People (STP)[13]and CoE-Commissioner[14] made similar observations.

8. AI considered that Romania has failed to implement measures that would effectively respect, protect and fulfil the right to adequate housing for all its citizens, either in law or practice. It noted that consequently, marginalized communities, such as the Roma, frequently suffered systematic abuse of their right to housing, including forced eviction and relocation to highly polluted areas.[15] CoE-Commissioner noted that a large number of Roma lived segregated from the majority population in communities with inadequate housing and without access to basic services, such as electricity, running water, central heating and waste disposal.[16]

9. AI noted that although the Anti-Discrimination Law prohibits discrimination in access to housing, it fails to prohibit racial segregation as a form of discrimination and construction of new housing units that would result in segregation of the Roma. According to AI, this gap, combined with negative attitudes towards Roma, allowed local authorities to implement projects that created segregated, inadequate housing for Roma and other low income groups.[17] AI considered that Romania failed to take effective measures to eliminate discrimination against Roma in access to adequate housing and thus, to implement the accepted recommendations of the 2008 review.[18] AI recommended that Romania ensure that the Housing Law expressly prohibit segregation on the basis of race or any other prohibited ground of discrimination to ensure equal treatment in access to housing and protection from discrimination.[19]

10. CoE-Commissioner urged Romania to ensure effective enforcement of comprehensive anti-discrimination legislation in order to guarantee the equal treatment of Roma in all social sectors.[20]

11. Concerning the implementation of the 2008 UPR recommendation no. 4, JS4 stated that the Government did not take preventive measure to fight discrimination against homosexuals, including awareness raising programmes. It reported that no activity was carried out to address discrimination on the ground of sexual orientation in the framework of the 2007-2013 National Strategy for Implementing Measures on Preventing and Combating Discrimination. JS4 indicated that homosexuals remained one of the most discriminated groups. It further noted lack of awareness about and prejudices against sexual minorities among police forces and cases of harassment by or lack of response from law enforcement officers when asked to provide protection to victims of homophobic violence. JS4 reported that Romania did not provide training on respect of diversity and LGBT issues for law enforcement bodies, as requested by the 2008 UPR recommendation no.3.[21] Similarly, JS4 noted that no training on diversity and non-discrimination was provided for health care professionals as requested by the 2008 recommendations no. 28. JS4 noted that homosexuality remained listed under personality and behaviour disorder in the textbooks of medical universities.[22]

12. JS2 reported about discrimination against and segregation of women living with HIV in hospitals and cases of breach of confidentiality of patients' HIV positive status by medical personnel.[23] JS2 highlighted the denial or hindrance of access to medical assistance during childbirth for women living with HIV and failure by some healthcare providers to take special measures to prevent HIV transmission from mother to child. The occurrences of refusal of gynecological consultations, post-abortion health care or the performance of abortion to women with HIV positive status by public health care resulted in cases of patients not treating their diseases, resorting to self-medication or unsafe abortion or not

declaring their HIV status when accessing health care services.[24] JS1 recommended that Romania raise public awareness to combat all forms of discrimination against people living with HIV / AIDS, primarily addressing the communities in rural areas.[25]

2 Right to life, liberty and security of the person

13. The Romanian Independent Society of Human Rights (SIRDO) stated that measures to eradicate and prevent torture remained inadequate.[26]

14. The Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CoE-CPT) recommended that Romania deliver a firm message of "zero tolerance" of ill-treatment to all police officers, including through the adoption of a statement at the highest political level. As part of this message, it should be make it clear that any police officer committing, as well as tolerating and encouraging ill-treatment will be severely punished.[27]

15. CoE-CPT recommended that Romania end the detention of convicted persons in police detention places. It also recommended ensuring that each detainee has a living space of at least 4 m² in cells.[28]

16. Regarding implementation of the 2008 UPR recommendation no. 6, JS3 indicated a number of cases of excessive use of firearms, violence and abuse against the Roma by police.[29] Noting violence against the Roma committed by state and non-state actors, the European Roma Rights Centre (ERRC) also referred to the recent cases of violence against Roma involving police officers that resulted in the death. ERRC recommended that Romania conduct independent, thorough and effective investigations into any police action resulting in the death of the Roma members and make the findings public.[30]

17. While noting the prohibition of corporal punishment of children in all settings, the Global Initiative to End All Corporal Punishment of Children (GIEACP) referred to research findings indicating that children continued to be physically punished.[31] Similarly, SC-R referred to research findings indicating the high occurrence of psychological and physical abuse of children in their families.[32] GIEACP expressed hope that during the review of 2013 the recommendation will be made to Romania to strengthen the full implementation of legislation on corporal punishment of children, including through awareness raising and education programmes, and appropriate complaints mechanisms.[33] SC-R recommended that Romania enforce legislation on child protection against violence and ensure special procedures and standards for identifying, registering, referring and monitoring cases of violence against children.[34] SC-R also recommended that Romania raise awareness about positive educational methods for parents and teachers, including for tackling conflict situations within the family, at school and in the community.[35]

18. The Council of Europe (CoE) highlighted the conclusion of European Committee of Social Rights (CoE-ECSR) stating that the simple possession of child pornography is not a criminal offence.[36]

19. As CoE noted, CoE-ECSR stated that light work for children under the age of 15 was not defined in legislation and that the prohibition of employment under the age of 15 was not guaranteed in practice owing to ineffective application of legislation.[37]

20. CoE's Group of Experts on Action against Trafficking in Human Beings (CoE-GRETA) stated that Romania had taken steps to prevent and combat human trafficking through the adoption and periodic updating of anti-trafficking legislation, the establishment of an institutional framework for action against trafficking, particularly the National Agency against Trafficking in Persons and regional centres, and the introduction of a National Identification and Referral Mechanism. However, CoE stressed the need for further measures to tackle the root causes of trafficking, especially through fostering access

to education and jobs for vulnerable groups.[38] CoE-GRETA also considered that Romania should adopt the new anti-trafficking strategy as a matter of priority.[39]

21. ERRC indicated that Roma were over-represented among victims of trafficking, especially for the purposes of begging, forced labour and sexual exploitation. ERRC stated that very few Roma were reported to access victim prevention and protection services, and that the general social protection system failed to reduce the extreme vulnerability of members of the Roma to trafficking.[40]

22. CoE-GRETA highlighted problems as regards to victims' access to health care and suitable accommodation.[41] JS1 expressed concern that adequate state funding was not allocated for protection and assistance for trafficking victims and that NGOs operating in this area relied mainly on foreign funding. It further noted that shelters for victims were few and did not receive sufficient support from the Government. JS1 was also concerned that the increasing number of trafficking victims of the Romanian nationality abroad did not want to return to Romania due to the limited assistance and protection programmes and scarce social reintegration opportunities. JS1 recommended that the Government allocate adequate financial resources to ensure the quality and continuity of assistance and protection services to victims of trafficking.[42] CoE-GRETA made a similar recommendation.[43]

23. CoE-GRETA highlighted shortcomings in the institutional and procedural framework for the repatriation and return of victims of trafficking. CoE-GRETA urged Romania to ensure that returns take due regard of the victims' rights, safety and dignity, and in the case of children, take into consideration their best interest.[44]

24. SC-R stated that the percentage of children among victims of human trafficking had grown in 2011 and that the majority were victims of sexual exploitation. While girls remained more vulnerable, an increase in the number of trafficked boys was noticed.[45] CoE-ECSR stated that it was not established that measures taken to combat trafficking and sexual exploitation of children were sufficient.[46] CoE-GRETA considered that Romania should strengthen the prevention of trafficking in children.[47] SC-R recommended that Romania develop support services for child victims of trafficking and commercial sexual exploitation, including systematic medical, psychological, social and legal assistance. SC-R also recommended ensuring that child victims not be prosecuted for prostitution.[48]

3. Administration of justice, including impunity, and the rule of law

25. CoE-CPT recommended that Romania ensure that any person placed in police detention places: (a) should be subject to a medical examination within 24 hours of admission; (b) has access to a lawyer from the very outset of deprivation of liberty; (c) is informed of his/her rights and (d) has the right to inform a relative or third party of his/her situation from the very outset of deprivation of liberty.[49]

26. CoE urged Romania to step up proactive investigations into trafficking for the purpose of labour exploitation and to investigate any report of alleged involvement of public officials in offences related to human trafficking.[50]

27. CoE-GRETA was concerned that trafficking victims' access to assistance and protection appeared to hinge on their readiness to cooperate with law enforcement agencies.[51] CoE urged Romania to ensure that all assistance measures provided for by law be guaranteed in practice, regardless of the victims' willingness to cooperate with law enforcement agencies.[52]

28. CoE-GRETA welcomed the introduction of a legal provision concerning the non-punishment of victims of trafficking for their involvement in unlawful activities to the extent that they had been compelled to do so.[53] However, ERRC reported that despite legal

provisions emphasising non-prosecution of trafficking victims, it was common among law enforcement personnel to bring criminal charges against them to "promote" their cooperation. ERRC recommended that Romania ensure that trafficking victims are not prosecuted.[54] CoE-GRETA urged Romania to reinforce measures to protect victims of trafficking, with due regard to the special situation of child victims, regardless of whether or not they had agreed to participate in criminal proceedings.[55]

29. CoE stressed the importance of ensuring effective access to legal redress and compensation for victims of trafficking.[56]

30. CoE-CPT recommended that Romania ensure that all police detention places are regularly inspected by an independent body empowered to visit detention places and interview detainees without witnesses.[57]

4. Right to privacy, marriage and family life

31. SC-R stated that thousands of children are not registered at birth.[58]

32. ERRC stated that Roma children were overrepresented in the state- care institutions due to various factors, including poverty and discrimination.[59] ERRC stated that some Roma children were subjected to physical abuse, ill-treatment and various forms of discrimination in state-care institutions. It observed that they also experienced discrimination outside institutions, in access to public services, such as education and health care. A large number of Roma children in institutions were reportedly enrolled in special education. ERRC recommended that Romania ensure that Roma children were not removed from their families on the basis of poverty or material concerns.[60] Furthermore, SC-R recommended that Romania prevent the institutionalisation of children, including by offering support services to families and by investing in foster care.[61]

33. JS4 stated that the 2011 Civil Code introduced a restrictive definition of family - a man and a woman united by marriage - compared to the previous definition formulated in gender-neutral terms. It added that the Code prohibited same-sex marriage and did not recognize same-sex marriages and civil partnerships contracted abroad.[62]

5 Right to work and to just and favourable conditions of work

34. As CoE noted, CoE-ECSR considered that the measures taken to remedy long-term or youth unemployment rates were inadequate.[63] CoE-Commissioner stated that the unemployment rate remained particularly high among the Roma, noting that employers were reluctant to hire Roma members due to existing stereotypes about them. CoE stated that a resolute action to ensure the long-term integration of Roma into the labour market should be a priority in the Government's systematic work to enhance the protection of the human rights of Roma.[64] Likewise, JS1 recommended that Romania strengthen measures to reduce unemployment, particularly long-term unemployment, and promote equal access to the labour market for vulnerable groups, particularly the Roma minority and the youth.[65]

35. As CoE noted, CoE-ECSR found that the right of young workers and apprentices to a fair wage or other appropriate allowances was not guaranteed in practice.[66]

6. Right to social security and to an adequate standard of living

36. JS1 was concerned about the level of the extreme poverty, which resulted in an increase in migration. It noted that the Roma minority was particularly affected by extreme poverty.[67] SC-R considered that measures taken by the authorities to address the impact of poverty on children were insufficient and that there was no national action plan to address child poverty. SC-R recommended that Romania adopt measures to combat child poverty.[68]

37. JS1 noted the reduction in the salaries of civil servants and pensions at a time when the cost of living was rising. It also observed that unemployment benefits were not sufficient to cover living costs.[69] CoE-ECSR stated that the adequacy of old age benefit, survivors' benefit and employment injury benefit was not secured.[70]

38. Regarding the 2008 UPR recommendation no. 6, JS3 stated that forced evictions carried out by local authorities without respecting legal procedures, had continued.[71] AI stated that the Law on Housing failed to provide legal protection against forced eviction. While the law provided some protection to tenants and specified the conditions under which a landlord might legally evict tenants, it did not protect people without formal tenure status.[72]

39. Furthermore, AI noted that the law did not require the authorities to put in place the necessary safeguards prior to, during and after evictions, as required by international human rights law.[73] ERRC reported that local authorities often failed to give adequate notice of eviction to residents and to provide adequate alternative housing.[74] AI stated that although an eviction can be postponed if the people affected challenge the court decision, they often only learn about the decision to evict a few days before the eviction is scheduled to take place, and often lack the resources to take legal action. Legal aid, although guaranteed by law for those lacking the necessary funds, is generally not available in civil cases. As a result, those who suffer forced evictions rarely seek redress through the courts.[75]

40. AI recommended that Romania adopt the necessary legal and policy measures to ensure that everyone has at least a minimum degree of security of tenure, protecting them against forced evictions, harassment and other threats; and amend the housing legislation so that it expressly prohibits forced evictions and sets down safeguards in line with international human rights standards, and obliges the authorities to ensure that all relocation sites comply with international standards on adequacy of housing.[76]

41. CoE-Commissioner expressed concern about reports of forced evictions of the Roma. Alternative housing was not always offered by the authorities, and when this is the case, it is often build in very precarious conditions. Reportedly, many evicted Roma families had been placed in metal cabins or shacks next to sewage treatment plants or industrial areas. Evictions frequently took place without adequate consultations or prior notice.[77] AI made similar observations.[78] ERRC stated that forcibly relocated Roma were often left without access to basic hygiene facilities and living conditions. There was overcrowding in resettled communities. As the Government largely placed Roma at the edge of cities, access to public transportation, work and schools was negatively affected. ERRC concluded that Romania had not taken adequate steps to address the housing situation of Roma since the last periodic review.[79]

42. STP expressed concern about the living conditions of the Roma. It stated that vast majority of the Roma lived in poverty, on the periphery of cities and villages, and that the hygienic condition, the severe financial situation and the high level of unemployment led to their marginalisation.[80]

43. ERRC recommended that Romania provide adequate alternative accommodation to evicted Roma and ensure that forcibly evicted communities had regular access to work, education, health care and public services.[81] CoE-Commissioner urged Romania to safeguard the right to adequate housing; refrain from evicting Roma families when proper alternative shelter cannot be provided and find durable solutions with respect to the lack of tenancy or ownership documents than many Roma face. CoE-Commissioner also urged Romania to undertake measures to liaise with and strengthen the capacity of local administrations to adopt and implement community projects aimed at improving the living conditions of Roma.[82]

7. Right to health

44. JS1 noted that the healthcare system required patients to pay for medical consultations and medications which, combined with the widespread poverty afflicting the country, forced people not to seek proper medical assistance and healthcare. JS1 stressed that access to healthcare was made difficult due to extensive corruption at the medical, paramedical, and administrative levels. It reported that it was customary that patients and their families pay additional money to receive adequate care, in addition to the cost of the consultations and medications. JS1 also referred to reports of women in need of a caesarean delivery who lost their babies because they were unable to promptly pay the medical staff, and because the hospital/clinic waited to be paid before the doctor could perform the caesarean.[83]

45. JS1 stated that lack of medicines, adequate medical equipment, and available beds also affected public health facilities. Owing to poor conditions of local hospitals and clinics, Romanians had to travel to larger cities, sometimes located hundreds of kilometers from their residence, in order to receive proper care. JS1 recommended that Romania increase the annual budget allocations for health in order to provide for quality healthcare as well as adequate education, training and salaries for medical and paramedical staff.[84]

46. CoE-ECSR stated that infant and maternal mortality rates were high and that measures taken to reduce them were inadequate.[85] SC-R stated that malnutrition or poor health of mothers; extreme poverty and lack of adequate access to health care were among the causes of child mortality.[86] SC-R recommended that Romania implement large scale programmes for the prevention of child malnutrition and child mortality, with a focus on the most disadvantaged communities. Additionally, SC-R recommended that Romania develop child mental health services, including the community health centers and enhance the access to them, including by increasing the number of specialists in the field and covering the costs of psychotherapy services through the public health insurance system and developing periodic screening for early diagnosis and intervention in the cases of children dealing with mental and behavioral disorders.[87]

47. JS2 stated that although abortion was legal, there were some barriers in accessing necessary services, including lack of specific and clear legal provisions in case of an objection by medical personnel to perform medical services on the grounds of religious or conscientious reasons.[88]

48. JS1 reported that early pregnancies among 15 to 19 year-old girls were frequent, particularly among Roma girls.[89] SIRDO also referred to a large number of registered childbearing among girls. It highlighted lack of education concerning health and contraceptive measures for young girls.[90] JS2 recommended that Romania take measures to prevent teenage pregnancy and ensure the provision of services to support teenage mothers to continue their education.[91] JS2 recommended that Romania make a wide array of family planning methods available and affordable, provide mandatory sexual education in schools, and increase knowledge about family planning among women and men.[92]

49. Noting the large number of people living with HIV/AIDS, JS1 recommended that Romania improve its policy and programmatic responses to prevent HIV/AIDS, especially by strengthening its commitment to ensure universal access to prevention, treatment, care, and effective interventions for people living with HIV/AIDS, particularly for school-age children.[93] JS2 recommended that Romania adopt national strategies on HIV/AIDS and sexual and reproductive health and rights.[94]

8. Right to education

50. JS1 noted with satisfaction the adoption, in 2011, of the new Law on education, which aims at improving the quality of education and increasing the state budget allocations

for education.[95] However, SC-R stated that the education system was severely underfinanced, and that the implementation of the Law on education was hampered by the Government's decision to postpone until 2014 the application of the article guaranteeing that education should receive 6% of the GDP. SC-R pointed that although compulsory education is free of charge, parents have to pay for various costs, including supplementary tuition, transport, refurbishment and maintenance of the school-buildings and sport equipment. According to SC-R, these "hidden costs" created clear disadvantages for children coming from poorer families, and could even cause non-enrolment or school dropout.[96] Moreover, JS1 stated that the overall quality of education was hampered by corruption. Some payments and personal relationships are sometimes required to pass an exam and enter university.[97] SC-R recommended that Romania allocate and spend at least 6 percent of GDP for education and invest in increasing access to quality education for all children.[98]

51. JS1 stated that the drop-out rate had increased in recent years, especially at the secondary level, and mostly affected Roma communities.[99]

52. CoE-Commissioner expressed concern that a large number of Roma children did not attend schools.[100] STP stated that the number of illiterates, school drop outs and those who had never visited school was higher among Roma women.[101] JS1 referred to testimonies of Roma children, who felt discriminated, intimidated and harassed by teachers and peers.[102]

53. CoE referred to the recommendations of the CoE's Committee of Ministers (CoE-CoM) that Romania: a) develop comprehensive educational models for teaching in/of Tatar and Turkish; (b) provide training for a sufficient number of teachers for education in or of German, Hungarian, Turkish and Ukrainian; c) continue to develop a comprehensive offer of teaching in or of Romani and d) reconsider the thresholds for the official use of minority languages in administration.[103]

9. Cultural Rights

54. JS1 stated that the cultural diversity in the education system was not promoted. JS1 reported that the history and culture of the Roma and Hungarian minorities were not taught in schools, and very few universities taught in Roma and Hungarian.[104] JS1 recommended that Romania integrate Roma and Hungarian cultures in the school curricula and promote the establishment of Hungarian-taught courses at the university level.[105] Likewise, CoE-Commissioner stated that teaching Roma history is of the utmost importance for increasing understanding and tolerance. Therefore, CoE-Commissioner hoped for enhanced teaching of Roma history in schools and he particularly encouraged the systematic use of the CoE Fact sheets on Roma history in schools.[106]

10. Persons with disabilities

55. JS1 noted a widespread sense of stigma still associated with persons with disabilities, which caused their isolation and/or abandonment. He remarked that this was particularly evident in the school context.[107]

56. SC-R stated that children with disabilities still faced problems in accessing quality and inclusive education, as public schools were poorly prepared to receive them, and the number of support teachers remained low.[108] Additionally, JS1 noted that children with disabilities were often placed in specialized institutions, without exploring the possibility of their integration into the regular school system.[109] Similarly, CoE reported that the number of children with disabilities attending special education was high and that a considerable number of children with disabilities were left without education.[110] JS1 recommended that Romania ensure that children with disabilities were integrated in the school system and received adequate support.[111]

57. JS1 indicated that while the Government approved a national strategy for the protection, integration and social inclusion of the persons with disabilities for the period 2006-2013, persons with disabilities still faced challenges when seeking employment and were often institutionalized. JS1 recommended that Romania ensure the effective implementation of the United Nations Convention on the Rights of Persons with Disabilities, through the provision of measures aiming at the elimination of impairments and environmental barriers, which hinder full, effective, and equal participation of people with disabilities in the society.[112]

11. Minorities

58. CoE-Commissioner was concerned about anti-Roma rhetoric in domestic political discourse. Some politicians made stigmatising statements, among others linking Roma with criminality, and blaming the Roma for not trying to integrate.[113] CLR also pointed to a number of cases of discriminatory statements against Roma minority made by high level public officials.[114] JS3[115] and STP[116] made similar observations.

59. Furthermore, CoE-Commissioner stated that media continued to present negative and stereotypical images of Roma.[117] CoE-Commissioner stated that anti-Roma hate speech should be condemned and punished and suggested that the Government consider developing a high-priority action plan to raise public awareness of the problem of discrimination and to combat racism and intolerance.[118]

60. SC-R referred to information indicating that a large number of Roma children were undernourished and were confronted with problems in accessing education. SC-R recommended that Romania improve the access of Roma children to education, health services and social protection and develop a network of health and social mediators for Roma communities.[119]

61. Furthermore, STP stated that the implementation of the national strategy on the Roma was insufficient as the financing of measures at the regional level was not ensured.[120] It underlined a strong need for increased State support through educational programmes, improved health care, and public housing projects. A solution is needed for those who are excluded due to lack of identification papers and birth certificates. STP also stressed the need for measures to enhance societal recognition of the Roma as minority, and to inform and educate the population about the culture and history of the Roma people to sensitize them to obstacles and problems faced by the Roma, and to reshape existing poor image of the Roma.[121]

12. Human rights and counter-terrorism

62. Amnesty International continued to be concerned that, despite existing evidence, the Government refused to carry out an investigation into the allegations of Romania's involvement in the rendition and secret detention programmes, or to hold those responsible to account.[122] AI considered that the secret internal investigation conducted in 2005 and a Romanian Senate inquiry in 2007 did not comply with Romania's international obligation to establish an independent, impartial, thorough and effective investigation into the above mention programmes.[123]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

AI	Amnesty International, London, United Kingdom;
CLR	Centre for Legal Resources, Bucharest, Romania;
GIEACP	Global Initiative to End All Corporal Punishment of Children, London, United Kingdom;
ERRC	European Roma Rights Centre, Budapest, Hungary;
SC-R	Save the Children- Romania, Bucharest, Romania;
STP	Society for Threatened People, Berlin, Germany;
SIRDO	Romanian Independent Society of Human Rights, Bucharest, Romania;
JS1	Joint Submission by Christina Organisations Against Trafficking in Human Beings (COATNET); Association Points-Cœur (France); Franciscans International (Switzerland) and Associazione Comunità Papa Giovanni XXIII (Italy);
JS2	Joint Submission by the Romanian Sexual and Reproductive Rights Coalition (including Euro -regional Centre for Public Initiatives (ECPI), Societatea de Educatie Sexuala si Contraceptiva (SECS), Centrul Parteneriat pentru Egalitate (CPE), Centrul FILIA, Uniunea Nationala a Oganizatiilor Persoanelor care traiescu cu HIV/SIDA (UNOPA), ACCEPT, Romani CRISS and Pro Women) (Romania), The Global Justice Initiative (New York, USA) and the Sexual Rights Initiative (Coalition that includes Action Canda for population and Development (Canada), Coalition of African Lesbians (South Africa), Creating Resources for Empowerment and Action (India), AKAHATA (Latin America), Egyptian Initiative for Personal Rights (Egypt), Federation for Women and Family Planning (Poland) and others.);
JS3	Joint Submission by the Roma Center for Social Intervention and Studies (Romani CRISS), Sanse Egale Association, Sanse Egale pentru Copii si Femei Association and El Tera Association (Romania);
JS4	Joint Submission by ACCEPT (Bucharest, Romania) and the European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA- Europe) (Brussels; Belgium).

Regional intergovernmental organization

CoE	Council of Europe;
	Attachments:
	CoE-Commissioner – Commissioner for Human Rights Letter to the Prime Minister of Romania, Strasbourg, 17 November, 2010 (Ref: CommHR7PP/sf202-2010);
	CoE-CM- Recommendation CM/RecChL (2012)3 of the Committee of Minsters on the application of the European Charter for Regional or Minority Languages by Romania, adopted by the Committee of Ministers on 13 June 2012;
	CoE-ECSR – European Committee of Social Rights, Conclusions 2009, 2010 and 2011;
	CoE-GRETA – Group of Experts on Action against Trafficking in Human Beings, Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Romania, Strasbourg, 31 may 2012;

CoE-CPT Rapport au Gouvernement de la Roumanie relatif à la visite effectuée en Roumanie par le Comité européen pour la prévention de la torture et des peines ou traitements inhumains ou dégradants du 5 au 16 septembre 2010, Strasbourg, le 24 novembre 2011.

[2] AI, pp.1-2.
[3] SC-R, p. 5.
[4] CoE-Commissioner, p.2.
[5] CoE-Commissioner, p.2.
[6] JS3, p. 4.
[7] JS4, p.4.
[8] CLR, paras. 5, 9 and 15.
[9] SC-R, p. 4.
[10] CoE-Commissioner, p.1.
[11] JS3, p. 12.
[12] JS1, para. 32; see also STP, para. 3.
[13] STP, paras. 2,3 and 4.
[14] CoE-Commissioner, p. 4.
[15] AI, p.1, see also CLR, para.26, JS3, p. 10 and STP, paras. 5-8.
[16] CoE-Commissioner, p. 3.
[17] AI, pp. 2-3.
[18] AI, p. 2, see also SIRDO, p. 3.
[19] AI, p. 4.
[20] CoE-Commissioner, p.2.
[21] JS4, pp. 1-2.
[22] JS4, p. 3.
[23] JS2, p. 4.
[24] JS2, p. 4.
[25] JS1, para. 27.
[26] SIRDO, p. 3.
[27] CoE-CPT, para. 16.
[28] CoE-CPT, paras. 11 and 46.
[29] JS3, pp. 2, 7, 8 and 9.
[30] ERRC, pp. 4-5.
[31] GIEACP, p. 1.
[32] SC-R, para. 11.
[33] GIEACP, p. 1.
[34] SC-R, p. 5.
[35] SC-R, p. 5.
[36] CoE-ECSR, p. 13.
[37] CoE, p. 8 and CoE-ECSR, p. 5.
[38] CoE, p. 9 and CoE-GRETA, p. 7.
[39] CoE-GRETA, para. 63.
[40] ERRC, pp. 2-3.
[41] CoE-GRETA, p. 7.
[42] JS1, paras. 15, 16, 17 and 18.
[43] CoE-GRETA, p. 7.
[44] CoE-GRETA, p. 7.
[45] SC-R, para. 13.
[46] CoE-ECSR, p. 13.
[47] CoE-GRETA, para. 107.
[48] SC-R, p. 5.

[49] CoE-CPT, paras. 23, 30, 32 and 38.
[50] CoE, p. 9 and CoE-GRETA, paras. 195-196.
[51] CoE-GRETA, p. 7.
[52] CoE, p. 9.
[53] CoE-GRETA, p. 7.
[54] ERRC, pp. 3-5.
[55] CoE-GRETA, p. 7.
[56] CoE, p. 9 and CoE-GRETA, para. 166.
[57] CoE-CPT, para. 40.
[58] SC-R, para.8.
[59] ERRC, p. 3.
[60] ERRC, pp. 4-5.
[61] SC-R, p. 5.
[62] JS4, p. 2-3.
[63] CoE, p. 6 and CoE-ECSR, Conclusions 2008, p. 6.
[64] CoE, p. 3 and CoE-Commissioner, p. 4.
[65] JS1, p. 3.
[66] CoE, p. 8 and CoE-ECSR, p. 8.
[67] JS1, paras. 7, 9 and 10.
[68] SC-R, para.7 and p. 5.
[69] JS1, paras. 7-8.
[70] CoE-ESCR, p. 20.
[71] JS3, p. 3.
[72] AI, p. 2, see also ERRC, p. 1.
[73] AI, p. 2.
[74] ERRC, pp. 1-2.
[75] AI, p. 2.
[76] AI, p. 3.
[77] CoE-Commissioner, p. 3.
[78] AI, p. 2.
[79] ERRC, p.2, see also JS3, p. 10.
[80] SPT, para. 3.
[81] ERRC, p. 5.
[82] CoE-Commissioner, p. 3.
[83] JS1, paras 20 and 21.
[84] JS1, paras. 23 – 24.
[85] CoE, p. 7, CoE-ECSR, p. 13.
[86] SC-R, para.9.
[87] SC-R, p. 5.
[88] JS2, p. 3.
[89] JS1, para. 19.
[90] SIRDO, p. 3.
[91] JS2, p. 5.
[92] JS2, pp. 3 and 7.
[93] JS1, paras 25 and 27.
[94] JS2, p. 4.
[95] JS1, para. 36.
[96] SC-R, para. 14; see also CoE, p. 8.
[97] JS1, para. 37.
[98] SC-R, p. 5.
[99] JS1, para. 35.

[100] CoE-Commissioner, p. 4.
[101] STP, para.2.
[102] JS1, para. 38.
[103] CoE, p. 5 and CoE-CoM, paras. 2, 3, 4 and 5.
[104] JS1, para. 38.
[105] JS1, para. 41.
[106] CoE-Commissioner, p. 4.
[107] JS1, para. 28.
[108] SC-R, para. 16.
[109] JS1, paras. 28- 33.
[110] CoE, p. 6 ; CoE-ECSR, Conclusion 2008, p.11.
[111] JS1, para. 41.
[112] JS1, paras. 29- 30.
[113] CoE, p. 3 and CoE-Commissioner, p.1.
[114] CLR, paras. 16-23.
[115] JS3, p. 6.
[116] STP, paras. 4-5.
[117] CoE-Commissioner, p. 1.
[118] CoE-Commissioner, p. 2.
[119] SC-R, para. 17 and p.5.
[120] STP, para. 9.
[121] STP, para.10.
[122] AI, p.1.
[123] AI, p.3.