

Answers

Regarding the Consultation with the Committee on the Elimination of Racial Discrimination titled “Joining hands to end racial discrimination”

1. What are the key challenges and issues of racial discrimination in your country/region today and how do you work to address them?

The People’s Advocate institution is an autonomous public authority, independent from any other public authority and aims to protect the rights and freedoms of individuals in their relations with public authorities.

In terms of racial discrimination, the People's Advocate institution was involved in the protection of rights and freedoms of minorities, especially the Roma minority. Roma individuals who have addressed the People's Advocate institution, with complaints alleging violations of Art. 4 and Art. 16 of the Constitution on discriminations on grounds of nationality, were essentially related to: alleged indifference, silence or hostility of the authorities towards their problems, alleged violations of the right to life and physical and mental integrity, cases of not granting or suspending social aid, abusive interpretation of the eligibility criteria for social aid. Most complaints were clarified, and for the rest were indicated the procedures to be followed or the competent institutions, and guidance and explanations were provided to the complainants.

By way of example, we mention that in 2015, Amnesty International asked the People's Advocate and several other public institutions and authorities (Ministry of Regional Development and Public Administration and the Prefect Institution Constanta), clarifications on the possible evictions, that were to be made by Eforie City Hall, concerning about 30 Romanian citizens of Roma origin (8 families), residing in Mihai Viteazu Street. No. 80, Eforie City. In this regard, an investigation was carried out at Eforie City Hall, by the Territorial Office of the People's Advocate institution.

With regard to the reasons for eviction, the representatives of Eforie City Hall claim that a technical expertise of the building was made, approved by Eforie City Council, and after the technical expertise was found the building had visible degradation of its supporting structure.

Having regard to the technical expertise, the City Hall considers this building presents high risk to the lives and safety of those who live there. City Hall representatives claim that all these shortages and damages were caused by the people living in the building. In the report drawn up by the Local Police Eforie was stated that, after summoning all persons regarding the eviction, the behaviour of the Roma citizens worsened in the sense of destruction of goods, storage of garbage in the building, including in the access hallways, and they also started stealing any ferrous material from the structure of the building, for selling it to recycling centres. As a result, the Local Police proposed to Eforie City Hall to refer the situation to the “Romani Criss” Foundation - Roma Centre for Social Intervention and Studies, for informing them of these aspects of behaviour in society and community. For the families living in the social housing facility (40 adults and 25 children), the utilities and maintenance were provided by the Eforie City Hall. The residents were past due utility payments. City Hall representatives claim that they have made sustained interventions for the payment of utility bills, but the debts could not be recovered. Eforie City Hall established a commission for the allocation of social housing, which proposed the purchase of new modular container housing for some families with children and for some elderly homeless persons.

In Eforie South, there are two blocks of social housing under construction (Ground floor + 8 storeys), which will be finalized in the near future. All residents of the social housing facility, residing in Eforie City have the opportunity to submit a file for the allocation of social housing in one of the new buildings.

Thus, the families who submit the complete documentation requested by the City Hall shall be allocated social housing, after analysing the files for compliance with the legal requirements. When establishing the criteria under which social housing will be allocated, the provisions of Art. 42 and Art. 43 of the Housing Law No.114 / 1996 will be considered.

During the investigation, it was found that Eforie City Hall did not respect these legal provisions and has not provided in the local budget funds for the construction of new social housing or for purchasing necessity housing, therefore, the People's Advocate institution issued a new recommendation which was only formally accepted, which is why the efforts were continued locally and the authority was notified again.

The case continues to be monitored by the People's Advocate institution.

2. What has been your experience, as civil society, of engaging with CERD to date?

It's not the case.

3. How can the CERD improve and enhance its engagement with civil society, and its work on racial discrimination for greater impact on the ground?

CERD can identify the barriers that hinder the advisory role of civil society and find modalities to address them.

Achieving these objectives are to be made by providing advice and support to civil society, but also has the potential to propose ways to strengthen the institutional infrastructure by promoting equality and combating discrimination.

CERD should also endeavour to strengthen the work of civil society and engage with it in its advisory role, which is important in the relationship with the Executive and / or Legislative, to influence concretely their decisions on effectively eliminating racial discrimination at national.