

FRANET

**Migrants and their Descendants:
Social Inclusion and
Participation in Society**

Romania, 2015

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Executive summary

Official statistics¹ indicate that there were 98,586 aliens registered in Romania in 2014, of whom 57,471 were third-country nationals. The largest group of third-country nationals are migrants from Republic of Moldova (9,838 persons). Other large groups are from Turkey (8,816 persons), and China (7,359 persons). The number of third-country nationals has remained relatively unchanged in the last four years, at around 58,000 persons. According to the 2011 census, the population of Romania is 20,121,641 persons. Third-country nationals represent 0.29 % of the total population.

The first largest migrant groups, Moldovans, are in a specific situation. They are Romanian ethnics and either former citizens or descendents of former citizens, who lost their citizenship at the end of Second World War, when Romania lost the current territory of Republic of Moldova to the Soviet Union. Being Romanian ethnics, all barriers related to language are easily surpassed. They have access to a fast-track procedure of re-acquiring the Romanian citizenship. Because of the historical circumstances, they are often perceived as the "lost brothers"², obtaining rather the sympathy of the public and not being marginalized.

Romania also recognizes 18 historical national minorities: Albanian, Armenian, Bulgarian, Croatian, Greek, Jewish, German, Italian, Hungarian, Polish, Roma, Russian, Serbian, Czech and Slovakian, Tatar, Turk, Ukrainian, and Ruthenian. The Article 6 of the Constitution recognizes the rights of the citizens of these ethnicities to the preservation of their cultural identity. The organisations of recognized minorities benefit from their status in various ways, including: reserved seats in the Parliament, free education in maternal language in the public schools, subsidies for cultural activities, and a special consultative body, called the National Minorities Council (*Consiliul Minorităților Naționale*), advising the Prime-Minister³. According to the official data⁴, at the end of 2014, in Romania there were 14,502 third-country nationals from the countries where the majority ethnic group is one of the ones recognised as historical minorities. They can not benefit from the special status, because they are not citizens, but they may benefit indirectly. For example, they may participate to cultural activities or they may use available educational resources in their language. The authors haven't identified any research on the relationship between the organisations of recognised minorities and the migrants' associations.

Romania remains primarily an emigration country. The number of Romanians living abroad is estimated by official from Ministry of Labor at over 2 millions⁵. During the documentation, the authors have noticed that, when discussing migration, the focus of most researchers is on emigration aspects. Sources of information on immigration are

¹ Romania, General Inspectorate for Immigration (*Inspectoratul General pentru Imigrări*) (2013), 'Evaluarea activității Inspectoratului General pentru Imigrări în anul 2014', Press release, 27 January 2015, available at: <http://igi.mai.gov.ro/comunicate/citeste/ro/1140/Evaluarea-activitatii-Inspectoratului-General-pentru-Imigrari-n-anul-2014>. All hyperlinks were accessed on 29 March 2015 unless otherwise stated.

² Ghinea, C., Horváth, I., Popescu, L., Stoiciu, V. (2013) *Republica Moldova în conștiința publică românească*, Bucharest, Soros Foundation Romania, available at: www.fundatia.ro/sites/default/files/Studiu%20Moldova.pdf, p. 63. Accessed on 5 May 2015.

³ Information extracted by the authors from the website of the Department for Interethnic Relations (*Departamentul pentru Relații Interetnice*): www.dri.gov.ro/, accessed on 5 May 2015.

⁴ Romania, General Inspectorate for Immigration (*Inspectoratul General pentru Imigrări*) (2013), 'Evaluarea activității Inspectoratului General pentru Imigrări în anul 2014', Press release, 27 January 2015, available at: <http://igi.mai.gov.ro/comunicate/citeste/ro/1140/Evaluarea-activitatii-Inspectoratului-General-pentru-Imigrari-n-anul-2014>.

⁵ Economica.net (2013), 'Cati romani muncesc in strainatate si unde sunt cei mai multi', 30 November 2013, available at: http://www.economica.net/cati-romani-muncesc-in-strainatate-si-unde-sunt-cei-mai-multi_67822.html

mostly non-governmental organisations concerned about the rights of immigrants or providers of services. For the purpose of this report, the authors have focused on the situation of third-country nationals, and the terms migrant or immigrant were used with regard to this group. When other groups were included, such as EU nationals, this was explicitly stated. When the special situation of Moldovans was relevant, they were explicitly mentioned. When referring to descendents of migrants, authors considered persons that have at least one parent born in a third country.

Research on migrants with regard to integration is difficult, because no diversity audits are conducted for public institutions, including the government, and no private organisations in the business and civil society sectors conduct their own diversity audits as a positive practice. Public institutions do not, as a rule, collect data disaggregated by ethnicity, because of the interpretation of the provisions of the Private Data Act (*Legea nr. 677/2001 pentru protecția persoanelor cu privire la prelucrarea datelor cu caracter personal și libera circulație a acestor date*). Researchers and activists argue that collecting segregated data is allowed, subject to certain guarantees, and they recommend that this be done systematically in order to adopt effective policies for vulnerable groups.⁶ However, public institutions prefer not to collect data of this kind.

1. Legal and policy instruments for migrant integration

Romania does not have a strategy on migrant integration, but it does have an immigration strategy,⁷ although integration is only one of its five strategic objectives. An independent assessment of the policy framework⁸ states that “in theory, Romania introduced a whole programme of migrant integration, including inter-institutional working groups, the multi-annual strategy and annual action plans. In practice, the strategy remains something of an exercise and the focus remains on security, with little concern for social integration.”

The integration of immigrants was defined in legislation in 2004,⁹ but no relevant indicators were introduced. Integration measures are designed for third-country nationals who are legally residing in Romania, meaning that their entry was legal and that they either study, work, came to reunite with their family members, or seek international protection because their lives are in danger in their countries of origin.

The Law on the Status of Aliens in Romania, adopted in 2002,¹⁰ specifies the right to information, the right to receive legal counselling and the right to access education, medical care, work and social services. The National Strategy on Immigration extends the scope, mentioning respect for all fundamental rights as a core principle.

⁶ Moisa, F., Rostas, I. A., Tarnovschi, D., Stoian, I., Rădulescu, D., Andersen, T-Ș. (2013) Raportul societății civile asupra implementării Strategiei Naționale de Integrare a Romilor și a Planului de Acțiune al Deceniului în România în 2012, Budapest, Decade of Roma Inclusion Secretariat Foundation, available at: www.romadecade.org/cms/upload/file/9270_file25_ro_civil-society-monitoring-report_ro.pdf, pp. 15–17.

⁷ Romania, National Strategy on Immigration, 2011–2014 (Strategia Națională din 18 mai 2011 privind imigrația pentru perioada 2011-2014), 3 June 2011, available at www.monitoruljuridic.ro/act/strategia-nationala-din-18-mai-2011-privind-imigratia-pentru-perioada-2011-2014-emitent-guvernul-publicat-n-129083.html.

⁸ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), Barometrul integrării imigranților, Bucharest, Fundația pentru o societate deschisă, (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health) available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 40.

⁹ Romania, Ordinance no. 44/2004 on the social integration of aliens who were granted a form of protection or residence status in Romania, and of EU citizens and citizens of the European Economic Area (Ordonanța nr. 44/2004 privind integrarea socială a străinilor care au dobândit o formă de protecție sau un permis de ședere în România, precum și a cetățenilor UE și a Spațiului Economic European), 2004.

¹⁰ Romania, Emergency Ordinance no. 194/2002 on the status of aliens in Romania (OUG nr. 194/2002, ordonanța de urgență privind regimul străinilor în România), 5 June 2008.

Romania remains a country of emigration, but massive emigration makes immigrant integration a necessity. The National Immigration Strategy, drafted in 2010–2011, considers immigrant integration a response to the outward surge of qualified workers¹¹. However, the strategy was not updated to take into consideration the change of environment following the global economic crises.

The low percentage of immigrants out of the general population becomes in itself a barrier to better integration policies, as there is little public pressure on the authorities to improve their practices. Some policies, such as anti-discrimination policies, address vulnerable groups in general and while immigrants are considered a vulnerable group, there are no specific actions targeting them. Due to the small number of immigrants, public institutions with competence in the fields of labour and education do not feel responsible for designing integration programmes for immigrants, leaving immigration mainly as the responsibility of the immigration authorities.

The lack of proper assessment procedures is one of the main limitations of the current policy framework. There are no clear indicators for monitoring and evaluation of integration policies and no explicit procedures for monitoring national legislation. Currently, there are no indications related to the adoption of the Zaragoza indicators.

Integration activities and programmes are funded mainly through European funding, amounting to 75 % of the total funding for these activities. The remaining amount is covered by the national authorities (20 %) and by the private beneficiaries of the funding (5 %). This results from the fact that the national authorities have devolved integration services to NGOs by making available to them funding from the European Integration Fund, financed according to the percentages mentioned earlier, as agreed with the European Union.

2. Promoting equal treatment and non-discrimination

Fundamental rights and the right to equal treatment for all persons are recognised in national legislation, by the Constitution and by anti-discrimination legislation, with the exception of political rights, which are granted only to Romanian citizens.

Reported discrimination cases are isolated. Between 2012 and 2014, only two complaints were filed with the anti-discrimination body by immigrants. In the same period, the number of cases involving ethnic discrimination increased. Apart from the two cases mentioned, no complaints from immigrants were registered, there were no requests for legal counselling on the subject, there were no mediation cases, and no sanctions were applied. On the other hand, research suggests that if such a situation did occur, immigrants would not know what legal steps they could undertake.

There is no case law or relevant practice concerning discrimination against third-country nationals on grounds of nationality in 2013 and 2014.

Each of the various categories of residence permit comes with its own specific conditions, in accordance with its purpose, but the rights provided are comparable. In recent years, no developments in the area of equal treatment of immigrants were identified. This is mostly due to the lack of information available for immigrants on the issue, because of the lack of coordination between the immigration authorities, the equality body and education and labour institutions. Moreover, there are few services provided by NGOs supporting migrants in this area. Because the number of immigrants

¹¹ Romania, National Strategy on Immigration, 2011–2014 (*Strategia Națională din 18 mai 2011 privind imigrația pentru perioada 2011-2014*), 3 June 2011, available at www.monitoruljuridic.ro/act/strategia-nationala-din-18-mai-2011-privind-imigratia-pentru-perioada-2011-2014-emitent-guvernul-publicat-n-129083.html, p. 5.

is not very large, they were not a focus for awareness-raising campaigns. In addition, Romanian citizens are open to immigration and tolerant towards immigrants.¹² Equal treatment policies are currently concerned with people of Roma ethnicity and the Hungarian minority.

3. Participation of migrants and their descendants in society

The current legislation is the main obstacle to political participation. The Constitution strictly limits the right to vote to citizens, with the exception of EU nationals in local elections. Other forms of political participation by migrants, such as the right to assembly and the right to political association, are limited by the current legislation. According to a 2011 MIPEx III report, Romania scores the lowest of all 31 countries under scrutiny on the issue of political participation by immigrants.¹³ The only way for migrants to gain access to political life is through naturalisation.

The procedure for obtaining Romanian citizenship is generally considered reasonable by the applicants¹⁴, although some controversy is raised by the relatively long period of domicile in Romania required, which is at least eight years, or if an applicant is married to and living with a Romanian citizen, at least five years from the date of the marriage. A simplified procedure for re-acquiring citizenship is available for persons who have lost their Romanian citizenship, as well as for their descendants to the second degree inclusively. The majority of beneficiaries are ethnic Romanians originating from the Republic of Moldova, because its territory was part of Romania until 1940.

Existing data do not permit quantitative measurement of the participation of citizens with a migrant background in elections. Qualitative observations show that such persons participate occasionally in political life, but without notable success. Unofficially, based on their own statements and media reports, at least two of the 588 MPs elected in December 2012 originate from the Republic of Moldova and have re-acquired Romanian citizenship. There are no MPs originating from any other third country. Among the 79 ministers and vice-ministers (secretaries of state) in office at the end of 2014, only one has a migrant background. No relevant data are available for representation at local level.

There are approximately 60 associations of migrants registered in Romania. Research by civil society organisations shows that "migrants' organisations are relatively poorly organised, compared to Romanian civil society organisations. [Migrants' associations] usually have few members and staff, and their capacity and public presence are limited."¹⁵ Other research underlines that there are very few active migrants' associations, "mostly student, cultural and religious organisations", which are insufficient "to create a bridge between migrants and the majority", and they rarely cooperate among themselves.¹⁶

¹² Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society), and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 31.

¹³ Huddleston, Th., Niessen, J., White E., (2011) *Migrant Integration Policy Index III*, Migration Policy Group and British Council, available at: www.cidob.org/en/content/download/26370/320276/file/MIPExIII_2011.pdf.

¹⁴ Nedelciuc, V., Tarnovschi, D., Ionescu, D. (2013), *România văzută de imigranți. Povești de viață*, Bucharest, Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health) and Fundația pentru o societate deschisă (Foundation for an Open Society), available at www.cdcdi.ro/files/publications/44_5_Rap%20calit%20imigranti_final.pdf, p. 32

¹⁵ Database maintained by the Intercultural Institute at: www.migrant.ro/results.php?offset=400&expr=&localitate=&tip=&domeniu=&grup=.

¹⁶ Intercultural Institute Association (2014), *Implicarea civică a imigranților în diferite asociații*, Timișoara, available at: www.migrant.ro/file/pagesleft/Policypaper-Implicareacivicaaimigranțilorindiferiteasociații.pdf, p. 2.

There are no migrants' consultative bodies operating at national or local levels. The creation of a national body was included in the Strategy on Immigration but never implemented. There is no evaluation or assessment of the strategy to explain why the consultative body was not set up.

Migrant workers with legal status and a valid work permit, with the exception of seconded employees, have the same rights as Romanian workers, including the right to participate in trade unions. However, only one of the five national confederations of unions – the National Trade Union Bloc (*Blocul Național Sindical, BNS*) – has shown interest in representing migrant workers, and has developed services for them. According to the respective confederations, migrant workers account for less than 0.1 % of the active population, and they do not have the strength of numbers to be better represented.

Migrants with legal status have the right to participate freely in social, cultural and public life. Current policies do not hinder the exercise of these rights, but there is no affirmative action either. The distinction between traditional, recognised ethnic minorities and new minorities creates differences between categories of migrants. Complicated procedures and language barriers may trigger practical limitations, for example when migrants are trying to get recognition of diplomas obtained outside the EU. Local public authorities are not aware of their role and they are not interested in providing services for migrants.

There are no legal limitations to participation by migrants in professional associations, but there is an important practical limitation regarding the right to practice, according to the requirements of each profession. Although the requirements are the same as for Romanian citizens, the Immigrant Inclusion Barometer (*Barometrul integrării imigranților*)¹⁷ underlines that, in practice, it is difficult in most cases to obtain recognition of the equivalence of studies completed in another country, due to the complicated procedure involved. Similarly, there are no legal barriers to membership for migrants in professional associations related to media and sports. However, in practice, some associations restrict membership to Romanian citizens through their bylaws.

By law,¹⁸ only Romanian citizens can be employed as public servants. Employees in law enforcement agencies and the judiciary are also public servants. Third-country nationals may be employed as temporary contractors, for example as translators. In health and education, the two domains which account for 80 % of employees in the public sector, there are no similar legislative barriers. However, the initial training and/or accreditation required implies between three and eight years of work and education in Romania or, partially, in another EU Member State, which creates practical limitations to recruitment of third-country nationals in the public sector. There are no positive measures associated with recruitment of third-country nationals in the public sector, although positive measures are allowed, by the Anti-discrimination Law¹⁹ and these have been used for other vulnerable groups, for example Roma and young people.

¹⁷ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 54.

¹⁸ Romania, Statute of Public Servants (*Legea 188/1999 privind Statutul funcționarilor publici*, 8 Decembrie 1999), Art. 54.

¹⁹ Romania, Ordinance 137/2000 on the prevention and sanctioning of all forms of discrimination (*OG 137/2000 privind prevenirea și sancționarea tuturor formelor de discriminare*, Ordonanța nr. 137/2000, 31 August 2000).

4. Social cohesion and community relations

The reference documents²⁰ for general social inclusion policies refer to 'social inclusion', but focus on persons, rather than on social/community cohesion. Subsequently, the specific policies for migrant integration refer to social inclusion or integration with the focus on persons. Social cohesion is not defined in any other similar strategic document.

The National Strategy on Social Inclusion and Poverty Alleviation 2014–2020 includes a section on 'zonal policies', which refers to measures aimed at improving community relations. But the specific strategy on migrant inclusion does not include such measures. Research undertaken by civil society actors mentions that all municipalities of the six cities which account for 90 % of migrants consider that migrant integration is not their responsibility, referring the researchers to the central government.²¹

Starting from 2010, the General Inspectorate for Immigration (GII) (*Inspectoratul General pentru Imigrări*, IGI), using European funding instruments (EIF, ERF), financed projects proposed by civil society organisations. These projects have components addressing both improving relationships between migrants and communities, and targeting migrants with the aim of facilitating their integration. No evaluation or assessment of the impact of these projects has been made public.

There are no legal limitations on mixed marriages between spouses with different national citizenships, but if one of the spouses does not have a residence permit, a permit will not be awarded automatically on marriage. A verification procedure is employed, including interviews and home visits. Sometimes this procedure may be intrusive and aggressive. In 2013, of the total number of 107,507 marriages in Romania, 1,327 (1.23 %) were mixed marriages between a Romanian citizen and a third-country national. Data on the age, and country of origin or birth of the spouses are not available.

²⁰ Romania, National Strategy on Social Inclusion and Poverty Alleviation 2014–2020 (*Strategia națională pentru incluziune socială și combaterea sărăciei 2014-2020*) and the Social Assistance Act (*Legea nr. 292/2011 privind asistența socială*), 20 December 2011.

²¹ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society), and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, pp. 42–43.

1. Legal and policy instruments for migrant integration

1.1. Description of existing instruments and target groups

<p>This section should present the overall state of play concerning national and, where applicable, regional legal and policy instruments focusing on how they address fundamental rights, core EU values and principles, as well as international legal standards and related EU law and policies, such as the Common Basic Principles and the Common Agenda on integration of migrants. Please complete the template in Annex 2.²²</p> <p>Please make sure the brief information you provide in the table includes the following aspects:</p>	
<p>Does the national strategy on migrant integration contain a definition of integration? If so, please include it in the original language and full English translation.</p>	<p>Romania does not have a strategy on migrant integration. It has an immigration strategy,²³ and only one of its five strategic objectives is integration. Social integration is defined by Ordinance no. 44 of 2004 on the social integration of aliens who were granted a form of protection or residence status in Romania, and of EU citizens and citizens of the European Economic Area (<i>Ordonanța nr 44 din 29 ianuarie 2004 privind integrarea străinilor care au dobândit o formă de protecție sau un drept de ședere în România, precum și a cetățenilor statelor membre ale Uniunii Europene și Spațiului Economic European</i>). According to this legal norm, social integration is the process of active participation of foreigners who have received a form of protection or a residence permit in Romania, and of citizens of the European Union and of the European Economic Area, in the social, cultural and economic life of Romanian society, in order to prevent social exclusion and to adapt to the conditions of Romanian society (<i>Integrarea socială reprezintă procesul de participare activa a străinilor care au dobândit o forma de protective sau un drept de ședere în România și a cetățenilor statelor membre ale Uniunii Europene și Spațiului Economic European la viața economică, socială și culturală a societății românești, în vederea prevenirii și combaterii marginalizării sociale, respectiv în vederea adaptării la condițiile societății românești.</i>). The same definition is used by the National Strategy on Immigration for 2011–2014 (<i>Strategia Națională din 18 mai 2011 privind imigrația pentru perioada 2011-2014</i>).</p>
<p>Are there specific references in the national strategy or relevant legal or policy</p>	<p>The National Strategy on Immigration for 2011–2014 (<i>Strategia Națională din 18 mai 2011 privind imigrația pentru perioada 2011-2014</i>) mentions respect for</p>

²² You can use and update the information as in the Table 1.7 of the FRA Annual Report 2012 (pp. 62–63). You should add more detail, for example, instead of identifying ‘education’ under the category ‘focus area’ be more specific, e.g. review of curriculum in secondary education to address integration issues, etc, provided this level of detail is specifically mentioned in the relevant policy instruments

²³ Romania, National Strategy on Immigration, 2011–2014 (*Strategia Națională din 18 mai 2011 privind imigrația pentru perioada 2011-2014*), 3 June 2011, available at www.monitoruljuridic.ro/act/strategia-nationala-din-18-mai-2011-privind-imigratia-pentru-perioada-2011-2014-emitent-guvernul-publicat-n-129083.html.

	instruments to fundamental rights in relation to migrants?	fundamental rights as a core principle, stating that all of the activities developed by public authorities and institutions in the field of migration should respect the international treaties and conventions on fundamental rights, to which Romania is a state party. The Law on the Status of Aliens in Romania, Emergency Ordinance no. 192/2002 (<i>Ordonanța de urgență nr. 192/2002 privind regimul străinilor în România</i>) ²⁴ specifies the right to information, the right to receive legal counselling and the right to access education, medical care, work and social services.
	Which are the target groups of the national integration strategy? Please provide any definitions relevant or the determination of the persons that are entitled to or beneficiaries of the relevant action plans and policy measures (e.g. 'integration agreements': who signs them and what do they contain). Please specify any residence requirements (e.g. which migrant and/or residence status counts or not for "legally residing third-country nationals" that eventually would be covered by these policies) for persons to be considered members of the targeted groups.	The target groups of the Romanian immigration strategy are immigrants with a residence permit and asylum seekers. The target groups of the social integration programmes specified by Ordinance no. 44 of 2004 (<i>Ordonanța nr. 44 din 29 ianuarie 2004 privind integrarea străinilor care au dobândit o formă de protecție sau un drept de ședere în România, precum și a cetățenilor statelor membre ale Uniunii Europene și Spațiului Economic European</i>), are: beneficiaries of international protection; refugees and beneficiaries of subsidiary protection in Romania; stateless persons or persons who have a residence permit in Romania, whether it is a short-term or a long-term permit, as long as they meet the conditions imposed by law; and European Union citizens and citizens of the European Economic Area. Basically, integration measures are designed for EU nationals and for third-country nationals who are legally resident in Romania, meaning that their entry was legal and that they either study, work, came to reunite with their family members or seek international protection because their lives are in danger in their countries of origin. The National Action Plan for 2014 for the implementation of the National Immigration Strategy (<i>Planul de acțiune pe anul 2014 pentru implementarea Strategiei naționale privind imigrația</i>) ²⁵ refers to potential migrants who could cover deficits in the labour market in Romania. Therefore, Romania should inform third-country nationals on how to immigrate legally to Romania, through its embassies and through cooperation with their countries of origin. It is worth mentioning that it is unclear if persons with a tolerated status, those who cannot be sent back to their countries of origin because of objective reasons (for example, if they do not have travel documents and there is no embassy of their country of origin in Romania), can benefit from integration measures. They

²⁴ Romania, Ordinance no. 44/2004 on the social integration of aliens who were granted a form of protection or residence status in Romania, and of EU citizens and citizens of the European Economic Area (*Ordonanța nr. 44/2004 privind integrarea socială a străinilor care au dobândit o formă de protecție sau un permis de ședere în România, precum și a cetățenilor UE și a Spațiului Economic European*), 2004, available on the website of the national authority for immigration at: <http://igi.mai.gov.ro/detalii/pagina/ro/Legislatie-nationala/121>.

²⁵ Romania, National Action Plan for 2014 for the implementation of the National Immigration Strategy (*Planul de acțiune pe anul 2014 pentru implementarea Strategiei naționale privind imigrația*), available at: <http://lege5.ro/en/Gratuit/gqydanjzga/hotararea-nr-557-2014-privind-aprobarea-planului-de-actiune-pe-anul-2014-pentru-implementarea-strategiei-naționale-privind-imigratia-pentru-perioada-2011-2014>.

		<p>receive a type of permit and they are allowed to work, but are deprived of other rights due to their uncertain situation. The Romanian government, mainly through its ministries, has signed agreements with several states outside the European Union. For example, the Ministry of Education has agreements on cooperation in the field of education with around 90 countries²⁶ outside the European Union. However, there are no specific agreements on integration.</p>
	<p>In reference to the CBP 1²⁷ 'Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States': please specify if and how the majority population is explicitly targeted; distinguish, if possible, between policies or measures targeting the general population and specific target groups, such as public authorities, e.g. teachers, police, judiciary, etc.; outline the objectives of such policies and measures, and their duration.</p>	<p>The National Council for Combating Discrimination (NCCD) (<i>Consiliul Național pentru Combaterea Discriminării</i>, CNCD) has initiated campaigns among the general population in order to raise awareness and to increase tolerance of vulnerable groups. However, the CNCD has not conducted any campaigns targeting immigrants in particular. NGOs which implemented projects financed through the European Integration Fund and the European Refugee Fund have conducted awareness-raising and cultural sensitivity trainings for interpreters, judges, lawyers, legal advisers, and the border police. The Romanian National Council for Refugees (<i>Consiliul Național pentru Refugiați</i>, CNRR)²⁸ is one of these organisations. Generally, the European Integration Fund is used to provide assistance and counselling to immigrants, language courses and other practical information, but does not target the general population or focus directly on creating a more tolerant society. The Ministry of Foreign Affairs (MoFA) (<i>Ministerul Afacerilor Externe</i>, MAE) has courses on migration for its staff, in order that they can disseminate information about legal migration in Romania in the countries with which Romania has diplomatic relations. The training of its staff is part of the National Action Plan for the Implementation of the Immigration Strategy for 2014 (<i>Planul de acțiune pe anul 2014 pentru implementarea Strategiei Naționale privind imigrația</i>).</p>
<h2>1.2. Drivers & barriers in developing, implementing and assessing legal and policy instruments</h2>		
	<p>On the basis of material collected, including past research, studies, assessments, evaluation and contacts with the authorities, public officials and key actors for social inclusion and participation of migrants, outline the main drivers and</p>	<p>An important driver for integration policies is the massive emigration of Romanians, mainly highly qualified persons, working in fields of activity that have an impact on the social development of the country, such as doctors and medical staff or other highly qualified people. In 2012, approximately 18,000 Romanians moved their permanent residence abroad, according to the National Institute for Statistics (<i>Institutul Național de Statistică</i>, INS).²⁹ A press release</p>

²⁶ Full list of agreements can be retrieved at: www.edu.ro/index.php/resurse/18451.

²⁷ Common Basic Principles for Migrant Integration Policy in the EU (2004) available at www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/jha/82745.pdf.

²⁸ www.cnrr.ro

²⁹ <http://statistici.insse.ro/shop/>.

	<p>barriers for social inclusion and integration policies in general. Please mention also any important differences at regional level. A more detailed outline of specific drivers and barriers for specific policy areas will be required in the following sections.</p>	<p>of the Romanian Board of Doctors (<i>Colegiul Medicilor din România</i>) of January 2015³⁰ states that 2,450 doctors have asked for certificates which allow them to work abroad, while the number of doctors working in hospitals is 13,521 and the total number of doctors necessary to staff the hospitals is almost double that number, at 26,000. The National Immigration Strategy mentioned above specifies the need to evaluate and identify deficits in the labour market, in order to increase the number of work permits for immigrants. The report on the implementation of the strategy for 2014, which contained this information, was supposed to be published in January 2015, but it is not yet available and there is no indication related to its date of publication. On 23 of April, in a written response to civil society organisations' request, GII promised to organise a public consultation with regard to the new immigration strategy, and the evaluation may be made public on this occasion. The consultation was organized on 11 of May but no information about evaluation was provided³¹. . Immigration policies are designed at central level and most of the immigrants in Romania live in Bucharest and a few other large cities, which is why the local authorities have not been involved in the design and implementation of integration policies. The most important barrier for integration policies is the lack of collaboration and exchange of data between public authorities. Due to the small number of immigrants, public institutions with competences in the fields of labour and education do not feel responsible for designing integration programmes for immigrants, leaving immigration mainly as the responsibility of immigration authorities.</p>
<h3>1.2.1. Drivers</h3>		
	<p>The key drivers for successful integration policies, therefore factors that are considered to contribute positively in the design, development, implementation, assessment and accomplishment of policy goals and in strengthening social inclusion and participation of migrants and their descendants. For</p>	<p>Participation to international treaties and conventions, and in particular EU membership, is the most important driver that prompted Romanian authorities to add an integration component to their migration policies, that are mainly focused on border control³². Following European examples and positive practices is the main reason mentioned when new legislation for migrant integration was proposed³³. Adding the integration component to the immigration strategies does not automatically lead to concrete results but constant</p>

³⁰ Colegiul Medicilor din România (2015), 'Migrația medicilor', Press release, 7 January 2015, available at www.cmr.ro/comunicat-de-presa-34/.

³¹ The summary of the discussion is available at:

<http://www.mai.gov.ro/documente/transparenta/Minuta%20HG%20strategie%20imigratie%2029052015.pdf>

³² Alexe I., Păunescu B. (coord.), (2011), *Studiu asupra fenomenului imigrației în România. Integrarea străinilor în societatea românească*, Bucharest, Soros Foundation Romania, available at:

www.fundatia.ro/sites/default/files/ro_115_IMIGRATIE_2011_RO.pdf, p. 72.

³³ Alexe, I., Ulrich, L., Stănciugelu, Șt., Mihăiță, V., Bojincă, M. (2010), *Gestionarea benefică a imigrației în România*, Soros Foundation Romania, available at:

http://www.fundatia.ro/sites/default/files/ro_106_Gestionarea%20benefica%20a%20imigratiei.pdf, p. 22.

	<p>example, are these policies mainstreamed in other public policies, for example in employment, education, housing, etc. and how is this achieved?</p>	<p>pressure from international organizations and NGOs is helpful³⁴.</p> <p>Focusing as an example on the deficit of doctors, which should be a driver for integration policies, although the need to allow third-country nationals who studied medicine to practice in Romania is obvious, the legislation is restrictive and allows only third-country nationals with a long-term residence permit to practice medicine. However, the conditions for obtaining a long-term residence permit are almost impossible for university graduates to fulfil. After speaking with the authorities, both the Ministry of Health (MoH) (<i>Ministerul Sănătății</i>, MS) and the immigration authorities, the conclusion was that these institutions do not exchange information on this issue, and that each was waiting for the other to tackle this issue. The qualifications are recognised by the public institutions with competencies in diploma recognition but the problems occur when the person wants to actually practice medicine in Romania. This is also applicable if the person has studied medicine in Romania. Therefore, if an immigrant wants to practice medicine, one of the requirements is to have a long stay permit which is very difficult to obtain because the person must have a 5 year continuous stay in Romania, but only half of the period of studies is taken into consideration. This is a specific example and other professions are regulated by a different legislation, but this profession is one of the professions in which emigration has increased. Diplomas are generally recognized apart from the qualifications of refugees who don't have any proof of their studies or professional background, where there is no methodology in place. Data and practice reveal that there should be strong drivers for social inclusion and integration, but that it is unclear who has the responsibility to design and implement these policies. Integration policies are generally subsumed in the public policies and legislation on immigration, instead of being mainstreamed in other public policies. More general drivers for successful integration policies would be the desire of the state to attract foreign investments and the tolerance of the Romanian people towards immigrants.</p>
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1.2.2.Barriers

	<p>Barriers, limitations, constraints or resistance faced in designing, developing and implementing such policies and measures, therefore factors that may hinder their effectiveness and influence negatively their outcomes. For</p>	<p>The constraints and limitations of integration policies are various. First, there are budgetary limitations, for example in the case of language courses for children, where each school must use its own budget to cover the costs. As a result, these services are generally provided by NGOs, which can implement projects funded through the European Integration Fund. The second barrier is due to deficiencies in data management, including the</p>
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³⁴ Alexe, I., Ulrich, L., Stănciugelu, Șt., Mihăiță, V., Bojincă, M. (2010), *Gestionarea benefică a imigrației în România*, Soros Foundation Romania, available at: http://www.fundatia.ro/sites/default/files/ro_106_Gestionarea%20benefica%20a%20imigratiei.pdf, p. 24

<p>example, budgetary limitations, or problems of coordination of governance levels, priority of interventions, lack of training or lack of mainstreaming of relevant policies, lack of action by competent actors or limited data about the interested population, could be factors that may function as obstacles or affect negatively the implementation of selected migrant integration measures.</p>	<p>lack of correlation and centralisation of data. For example, there are no separate statistics on discrimination against immigrants and no official cooperation between the immigration authorities and the National Council on Combating Discrimination. Another problem is poor implementation of existing policies. For example, although the law ³⁵specifies that a methodology for recognition of diplomas and qualifications is to be adopted by the Ministry of Education, 10 years after the law was passed this methodology still does not exist. Moreover, a further limitation on the success of integration policies is the lack of information available for migrants in a language that they can understand. Usually information is available only in Romanian and sometimes also in English. Regarding the poor implementation and evaluation of integration policies, it is worth mentioning again that the report on the implementation of the National Action Plan for 2014 and its integration measures is still not available, although national policies established its publication date as January 2015. Moreover, the National Strategy on Immigration expired at the end of 2014 and the new strategy is not yet finalized and it has been presented for public consultation only on the 20th of March 2015.³⁶ On 23 April, in a written response to civil society organisations' request, GII promised to organise a public consultation with regard to the new immigration strategy, and the evaluation may be made public on this occasion; The consultation was organized on 11 May. The authorities took note of the recommendations of the civil society³⁷ but the updated version of the Strategy was not yet published by the end of May. . The draft Strategy for 2015-2018, focuses more on asylum seekers, legal immigration and refugees, but it also has three specific objectives focusing on integration. Therefore, the proposed Strategy encourages the cooperation between institutions and the introduction of integration measures in other relevant public policies. Moreover, the draft Strategy involves local public authorities in the implementation of integration measures, which is a novelty and a necessary action if we take into consideration that local authorities are responsible for housing and social services. It was time to engage public institutions which are likely to interact with third country nationals and which provide essential community services in the integration process and to inform them about immigration. Another objective of the proposed Strategy is to create an open and</p>
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³⁵ Romania, Ordinance no. 44/2004 on the social integration of aliens who were granted a form of protection or residence status in Romania, and of EU citizens and citizens of the European Economic Area (*Ordonanța nr. 44/2004 privind integrarea socială a străinilor care au dobândit o formă de protecție sau un permis de ședere în România, precum și a cetățenilor UE și a Spațiului Economic European*), 2004.

³⁶ The draft Strategy for 2015-2018 (available at: <http://www.mai.gov.ro/documente/transparenta/Anexa%20strategie%20imigratie.pdf> , accessed on the 27th of March).

³⁷ The summary of the discussion is available at: <http://www.mai.gov.ro/documente/transparenta/Minuta%20HG%20strategie%20imigratie%2029052015.pdf>

		<p>multicultural society by informing the public about the benefits of immigration. These objectives represent a step forward, but the difficulty will consist in the implementation and the change of the integration legislation, which is also part of the proposed Strategy. The small number of immigrants residing in Romania may be another factor limiting the number of programmes and campaigns designed specifically for them. This is why some policies, such as anti-discrimination policies, are addressed to vulnerable groups in general and immigrants are considered as a vulnerable group, as it was stated in the interview with the president of the national equality body. In the Romanian legislation, Law no. 292/2011 (<i>Legea 292/2011 a asistenței sociale</i>) states that persons who don't have an income, a place to stay or who are in emergency situations and who cannot care for themselves are considered vulnerable.</p>
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1.2.3. Language learning and integration tests

Please provide information about:		
	<p>Main language learning support programmes and courses. Provide details about organisation of such programmes and actors implementing them, funding support, location, duration, frequency, numbers of beneficiaries, entitlements and limitations for accessing courses.</p>	<p>Language courses for adults are provided by the non-governmental sector and are funded through European funding for integration and for refugees. Therefore, the language courses are designed by teachers and social workers employed by these organisations. Ordinance no. 44 of 2004 on the social integration of aliens (<i>Ordonanța nr. 44 din 29 ianuarie 2004 privind integrarea străinilor care au dobândit o formă de protecție sau un drept de ședere în România, precum și a cetățenilor statelor membre ale Uniunii Europene și Spațiului Economic European</i>) specifies in Article 15 that legally residing immigrants can benefit from free language courses on request, because the language courses are part of the integration programmes. The Romanian Law on Asylum, Law no. 122/2006 (<i>Legea 122/2006 privind azilul în România</i>), provides in Articles 17 and 20, that only minors who are asylum seekers and refugees have the right to benefit from language courses. Language courses for adults are delivered in the accommodation centres for asylum seekers and refugees, and in the premises of NGOs. However, the language support programmes are provided entirely in Romanian or in English as well and not directly in the language of the immigrants. The frequency of these classes differs, with an average of 2–3 classes per week. In regard to children, the Asylum Law states, in Article 18, that they have to pass through a preparatory school year, before their level is assessed and they can join regular classes. However, in practice, Romanian language courses in schools depend on the availability of teachers and on the resources of each school. There are no teaching materials designed at national level. Children are frequently enrolled in school without knowing the language, so it is difficult for them to stay in school and to integrate. There is no</p>

		monitoring of the integration process, and no data on children who drop out of school are collected. ³⁸
	Knowledge level of the language achieved through such programmes (please use the <u>Common European Framework Reference levels - CEFR</u>).	The language courses do not focus on monitoring and assessment of the improvement in knowledge levels of the immigrants, which is why it is almost impossible to evaluate their knowledge of the language after benefitting from these programmes. The structure of the language courses differs from one institution or organisation to another, depending on the teacher, and there is no final test. Moreover, participation is voluntary, so class numbers vary and participants sometimes change from one teacher or course to another. There is no information whether the curricula follows the CEF classification.
	Language tests required for migrants to access residence or other legal status affecting equal treatment and access to rights. Please provide information about their content and character, level of knowledge required, numbers of participants, and rates of success/failure.	In Romania, language tests are not required in order to access residence. Language tests are required only in order to obtain citizenship, and immigrants may only apply for citizenship after eight years of legal residence in the country, or after five years if they are married to a Romanian citizen. The level of proficiency is not clearly mentioned, therefore it depends on the evaluators. However, in 2014, a survey was conducted on immigrant integration and Romanians considered that citizenship is not an indicator of integration, but knowing the language, the laws and having a job are. ³⁹ In order to obtain a long-term residence permit, the immigrant must know Romanian at a satisfactory level, which is not defined, as provided in Article 71 of the Law on the Status of Aliens, mentioned above, but this legal provision is not explicit and there is no methodology for how it is to be evaluated, nor is there any public information available on these tests.
	Integration tests for access to residence or other status affecting equal treatment and access to rights. Please provide information about their content and character, range of knowledge required, numbers of participants, and rates of success/failure.	There are no integration tests for accessing legal residence in Romania.
	Mother tongue learning programmes for children of migrants.	There are no mother-tongue learning programmes for children of migrants. There were no NGOs identified which were offering this type of learning programmes.
	Please provide insights about key issues, debates, challenges or problems related to the implementation of the above measures and	The most important challenges related to the implementation of integration policies are: weak inter-institutional cooperation; lack of formal and lasting partnerships between non-governmental organisations and the public sector; the fact that data is not collected

³⁸ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 67.

³⁹ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 114.

	policies. The findings should be substantiated through existing assessments, research or studies and case law (use template in Annex 9) .	or centralised; and the lack of efficient monitoring of implementation of existing policies. ⁴⁰ No case law related to the implementation of integration policies was identified.
1.2.4. Monitoring and assessment – Use of indicators		
	In this section please outline monitoring and evaluation procedures applied by public authorities at national and regional level, as applicable, for migrant integration. In particular, please present any indicators used for the monitoring, assessment and review of integration policies in the areas of political and social participation, social cohesion, and intolerance, inclusive and welcoming society. Please make sure to report here the link of such indicators with fundamental rights and the way their use reflects to the review of such policies.	There are no clear indicators for monitoring and evaluation of integration policies and no explicit procedures for monitoring national law.
Provide full wording and translation in English of each indicator used per area and dimension covered as well as its full definition, legal basis, rationale, and link with fundamental rights or EU law (use table in the Annex 4) .		
	Please provide data and evidence about the adoption of related Zaragoza indicators, especially in the dimensions of active citizenship and welcoming society. Please consult the publication Using EU Indicators of Immigrant Integration (ESN, MPG) and report more detailed and updated specific descriptions and mapping of indicators used in the Member States.	Currently, there is no indication of data or evidence related to the adoption of the Zaragoza indicators.

⁴⁰Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 34

1.2.5. Funding integration policies (EIF, ERF, EMIF)

	<p>Please provide information about the distribution of funds for integration of migrants, as well as their social inclusion and participation. In particular, provide specific breakdown of funding per general area of integration policies – with particular focus on active citizenship, participation, welcoming society, social cohesion - in the last year and for the period 2010-2014 if available. (Use the table in the Annex 5).</p>	<p>Integration activities and programmes are funded mostly through European Union funding, amounting to 75 % of the total funding of these activities. The remaining amount is covered by the national authorities (20 %) and by the private beneficiaries of the funding (5 %). In 2013, five actions were financed through the EIF: social integration of third-country nationals supported by information and counselling offices; social programmes for third-country nationals legally resident in Romania; further research in the field of social integration of immigrants; continuation of the consultation process with communities of third-country nationals; and social and cultural activities.⁴¹</p> <p>The annual programme for 2013 financed through the ERF supported the following actions: legal assistance for asylum seekers in Romania; social assistance for asylum seekers in Romania; social integration of the beneficiaries of a form of protection in Romania; capacity building in the field of asylum; enhanced management of country of origin information; strengthening the capacity of the authorities to manage asylum issues; and resettlement of third-country nationals in need of international protection.⁴²</p> <p>In 2010 only, the EIF was rather focused on actions such as raising awareness among the general population and on developing information tools for immigrants. The ERF also encouraged actions on relocation and on harmonising asylum practices at national and regional levels. Having maintained the same actions from 2010 until 2013, the activities thus developed were sustainable, NGOs gathered expertise in providing specific services which had continuity, and people were able to benefit from those services for a longer period of time.</p>
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2. Promoting equal treatment and non-discrimination

2.1. The implementation of anti-discrimination legislation and equal treatment

Briefly provide information on the following:	
Outreach and awareness raising campaigns, training schemes, etc. undertaken by national or regional public authorities	Fundamental rights and the right to equal treatment for all persons are recognised in national legislation, by the Constitution and by the anti-discrimination legislation, with the exception of political rights, which are granted

⁴¹ GII website, available at: http://igi.mai.gov.ro/api/media/userfilesfile/Proiecte-Strategii/PA_IF_2013.pdf

⁴² GII website, available at: http://igi.mai.gov.ro/api/media/userfilesfile/Proiecte-Strategii/PA_%20ERF_2013.pdf

<p>(including national equality bodies) targeting migrants and their descendants on the national anti-discrimination legal framework.</p>	<p>only to Romanian citizens.⁴³ Ordinance 137/2000 on the prevention and sanctioning of all forms of discrimination (<i>Ordonanța 137/2000 privind prevenirea și sancționarea tuturor formelor de discriminare</i>)⁴⁴ recognises the right to equality on the labour market, although Romanian and European Union citizens applying for the same jobs and having the same qualifications must be hired first by the employer, in accordance with the Law on the Status of Aliens, Emergency Ordinance no. 194/2002 (<i>Ordonanța de Urgență nr. 194/2002 privind regimul străinilor în România</i>). National legislation and public policies do not refer to specific measures and actions against discrimination against immigrants. The National Council for Combating Discrimination (NCCD) (<i>Consiliul Național pentru Combaterea Discriminării, CNCD</i>) only conducted awareness-raising campaigns against discrimination in general, and not directed specifically at migration.⁴⁵</p>
<p>Evidence through polls, surveys, academic research, etc. on the awareness of migrants and/or their descendants concerning the right to equal treatment. Please indicate differences between ethnic/ migrant groups, living in different geographic areas, gender and age, as well as trends in time.</p>	<p>Interviews conducted in 2014, as part of the research carried out by the Foundation for an Open Society (<i>Fundația pentru o Societate Deschisă</i>), show that immigrants do not feel discriminated against.⁴⁶ On the contrary, they sometimes feel that they are better treated because of their immigrant status. This is a personal perception of the immigrants which had as a reference the treatment of Roma communities and of minorities. Discrimination cases are isolated, but if such a situation did occur, immigrants would not know what legal steps they can undertake. According to the activity report for 2013 of the Romanian equality body (<i>Consiliul Național pentru Combaterea Discriminării, CNCD</i>), there was an increase in discrimination cases related to Hungarian or Romanian nationality in the geographic areas where there is a predominant Hungarian minority (61 cases), and in cases of discrimination related to Roma ethnicity (62 cases). On the other hand, in 2013, there was only one case of discrimination against a Moldovan immigrant, and the national equality body issued a warning.</p>
<p>Evidence of complaints lodged by migrants and/or their descendants - % of total complaints to equality bodies, % of admissible complaints,</p>	<p>In 2013 there was only one case of discrimination against third-country nationals, involving a Moldovan citizen who was discriminated against because of his citizenship, and a warning (not carrying financial penalties) was issued by the national equality body</p>

⁴³Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 46.

⁴⁴ Romania, Ordinance 137/2000 on the prevention and sanctioning of all forms of discrimination (*OG 137/2000 privind prevenirea și sancționarea tuturor formelor de discriminare*, *Ordonanța nr. 137/2000, 31 august 2000*).

⁴⁵ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 46.

⁴⁶Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 47.

<p>statistics about outcomes of investigation, % of cases establishing discrimination. Please indicate differences between ethnic/ migrant groups, geographic areas, gender and age, as well as trends in time.</p>	<p>(<i>Consiliul Național pentru Combaterea Discriminării, CNCD</i>). Other than that, in 2013 no complaints from immigrants were registered, there were no requests for legal counselling on the subject, there were no mediation cases, and no sanctions were applied. The data for 2014 are not yet available. In 2012, one petition was sent to the Ombudsman (<i>Avocatul Poporului</i>) by 50 Moldovan citizens who signalled discrimination on the basis of their citizenship. Following this petition, the National Authority for Citizenship (<i>Autoritatea Națională pentru Cetățenie, ANC</i>) issued Recommendation no. 19/2012 (<i>Recomandarea nr. 9/2012</i>) on respect of the right to access information.⁴⁷</p>
<p>Tools, measures and positive initiatives aiming at facilitating reporting incidents of discrimination – e.g. translation facilities to report and submit complaints in multiple languages – and tackling under-reporting and low rights-awareness.</p>	<p>In regard to tools enabling persons to report incidents of discrimination and to have access to legal counselling, there is a private initiative, an online tool financed through EEA Grants, www.antidiscriminare.ro. However, the platform supported by the Anti-discrimination Coalition is only in Romanian. The website of the national equality body has the option to switch to English, but the information is still delivered in Romanian. There is no mechanism to submit complaints in languages other than Romanian.</p>
<p>In particular, provide information about any legal protection on grounds of nationality, which is not covered by the EU anti-discrimination Directives,⁴⁸ but is a prohibited ground in several Member States. Please explain how unequal treatment on the basis of nationality is treated and provide exemplary cases, if any. Please provide information on the relevant practice and case law (use template in Annex 9).</p>	<p>According to Ordinance 137/2000 on the prevention and sanctioning of all forms of discrimination (<i>Ordonanța 137/2000 privind prevenirea și sancționarea tuturor formelor de discriminare</i>), persons are protected against discrimination on grounds of nationality. In practice the CNCD defines as cases on grounds of nationality all cases relevant for national minorities and third country nationals. The activity report for 2013 of the National Council Against Discrimination (<i>Consiliul Național pentru Combaterea Discriminării, CNCD</i>) shows that discrimination on grounds of nationality is connected with the right to dignity. An example in this respect is the CNCD Decision no. 281/12.06.2013 (<i>Hotărârea nr 281/12.06.2013</i>) of June 2013, which found as discriminatory on grounds of nationality messages concerning the Hungarian minority in Romania which were posted on the Facebook wall of the mayor of Satu Mare. There is no identified case law or relevant practice concerning discrimination against third-country nationals on grounds of nationality in 2013 and 2014. However, in regard to data collection on discrimination on grounds of nationality, complaints from Hungarians and from Romanians were registered, although the complainants are all Romanian citizens.</p>
<p>Please provide information about the application of the legislation concerning discrimination against migrants – on any ground – in accessing</p>	<p>There were no cases identified, and no data are available about these issues.</p>

⁴⁷ Romania, Autoritatea Națională pentru Cetățenie, *Recomandarea nr. 9/2012*.

⁴⁸ As of Art. 3.2 of the Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.

<p>law enforcement and judiciary services. In particular please clarify whether and when the latter are considered and treated, or not, as services available to the public, therefore falling within the scope of the directives and the jurisdiction of Equality Bodies.⁴⁹</p>	
<p>Please provide statistical data about numbers of discrimination cases/complaints submitted to competent bodies (Equality Bodies, Administrative Courts), as well as about their outcomes (use the tables in the Annex 8)</p>	

2.2.Implementation of equal treatment of various permit holders

<p>Please summarize <u>briefly</u> in this section any key issues affecting the implementation of equal treatment of permit holders, as defined by the following EU legislation; these could be, for example, practical issues and bottlenecks, administrative delays, coordination and cooperation of public authorities, etc.</p> <p>Please substantiate findings, as far as possible, through formal evaluations, as well as research or studies and case law (use template in Annex 9). Please bear in mind that no assessment of the legal transposition process is required. In regard to the five categories below, please provide <u>statistical data</u> issued in 2014 or valid on 31.12.14. (use annex 3)</p>	
<p>2.2.1.<u>Long Term Residence</u> (LTR) status holders (Art.11 of the Directive 2003/109/EC)</p>	<p>Each category of residence comes with its own conditions, according to the purpose, but the rights provided are comparable. Access to long-term residence is conditioned by continuous legal residence for a period of at least five years. If a person has studied during these five years, only half of the period of study is taken into account. These conditions are hard to accomplish and, as in the case of immigrants who want to practice medicine, are an obstacle for other integration policies. Apart from the continuous stay, the person needs to prove an income, a place to stay and medical care.</p>
<p>2.2.2.<u>Single-permit procedure</u> permit holders (Art.12 and 13 of the Directive 2011/98/EU)</p>	<p>Ordinance no. 25/2014 on employment and transfer of foreigners on Romanian territory (<i>Ordonanța nr. 25/2014 privind încadrarea în muncă și detașarea străinilor pe teritoriul României și pentru modificarea și completarea unor acte normative privind regimul străinilor în România</i>) of August 2014 transposes the Single Permit Directive, by reducing the bureaucratic burden of obtaining a work permit for the categories of legally residing immigrants specified by law.</p>
<p>2.2.3.<u>Blue card</u> holders (Art.14 and 12 of the Directive 2009/50/EC)</p>	<p>In regard to the Blue Card Directive, at the end of 2014 there were 324 highly qualified workers with a Blue Card. Article 15 of Ordinance no. 25/2014 on employment and transfer of foreigners on Romanian territory (<i>Ordonanța nr. 25/2014 privind încadrarea în</i></p>

⁴⁹ Please note that these are considered non-economic services by the EU Commission (Services of general interest, including social services of general interest: a new European commitment, COMM 725 (2007) of 20 November 2007, yet not always they are considered by Equality Bodies to fall in the areas of application of the anti-discrimination directives.

	<p><i>muncă și detașarea străinilor pe teritoriul României și pentru completarea și modificarea unor acte normative privind regimul străinilor în România</i>) specifies the procedure for hiring a highly qualified employee. A work contract for at least one year and a salary of at least four times the average salary in Romania are conditions for hiring highly qualified employees. Blue Card holders have certain privileges, such as re-entry without any procedures with their whole family if a second Member State does not want to receive them, according to Article 128 of the Law on the Status of Aliens in Romania.⁵⁰ Moreover, according to Article 77 of the same law, unemployment is not a sufficient reason to revoke the Blue Card. Article 46 also states that the Blue Card holder may ask for family reunification immediately, although for other permit holders it is necessary for one year to pass before doing so. It is worth mentioning that Romania doesn't have any strategy or public policy designed to attract highly qualified workers.</p>
<p>2.2.4. <u>Family reunification permit holders</u> (specifically in terms of access to labour market - Art. 14 of Directive 2003/86/EC)</p>	<p>Family reunification permit holders did not encounter any barriers in practice, according to interviews conducted with those permit holders in 2014, as part of a study.⁵¹ There are no age conditions or language tests for family members, and once they obtain a permit they have equal rights and access to work, education, medical care and social assistance. However, the sponsor must first prove sufficient income and adequately spacious housing conditions, and must pay for medical care of family members. Blue Card holders are privileged because they can submit a request for family reunion even if their residence permit is valid for less than one year. Another distinction is that family members of Romanian citizens do not have to pay consular taxes.</p>
<p>2.2.5. Beneficiaries of international protection long term residence status holders⁵²</p>	<p>Beneficiaries of international protection and long-term residence enjoy the same rights as Romanian citizens, except for political rights. Moreover, beneficiaries of international protection sometimes benefit from housing, in practice in the accommodation centres for refugees and asylum seekers, and they receive an income for a period of six months in order to start their lives in the Romanian society. Language courses and integration programmes are also more accessible to beneficiaries of international protection, because these programmes are most often implemented in refugee centres. Article 6 of the Ordinance on Social Integration, cited previously, mentions the right of beneficiaries of international protection to housing under the same</p>

⁵⁰ Romania, Emergency Ordinance no. 194/2002 on the Status of Aliens in Romania (*OUG nr. 194/2002, Ordonanța de urgență privind regimul străinilor în România*).

⁵¹ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 56

⁵² As per recitals 6 and 7 of Directive [2011/51/EU](#) of the European Parliament and of the Council of 11 May 2011 amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection Text with EEA relevance

	conditions as Romanian citizens. However, there are no publicly available data on access to social housing for the beneficiaries of international protection.
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2.3. Key developments and trends

<p>Please include in this section key developments in the area of equal treatment and anti-discrimination that concern only migrants and/or their descendants. Key developments may be new legislation or policies, abolition, update, improvement or reform of existing ones, as well as important case law, court, equality body or administrative cases, that have had or may have an impact on the implementation of the anti-discrimination legislation and equal treatment policies that related to the rights of migrants and/or their descendants (for presentation of case law, use template in Annex 9). Such developments may also affect the actual situation on the ground, including public debates and perceptions among the native population and migrants.</p>	<p>In recent years, no developments in the area of equal treatment of immigrants were identified. This is mainly due to the lack of information available for immigrants on this issue, because of the lack of coordination between immigration authorities, the equality body and education and labour institutions. Moreover, there are few services provided by NGOs supporting migrants in this area. Because the number of immigrants is not very large, they were not a focus for awareness-raising campaigns. In addition, Romanian citizens are open to immigration and tolerant towards immigrants. Equal treatment policies are currently concerned with people of Roma ethnicity and the Hungarian minority.</p>
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3. Participation of migrants and their descendants in society

3.1. Political rights at national level

3.1.1. Citizenship acquisition

	In this section please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. -Path to citizenship for foreign born third-country nationals (the so-called '1st generation')
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	<p>Please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. - Path to citizenship for country-born (so-called '2nd generation') and country-grown migrant children (so-called '1,5 generation')</p>	<p>Act No. 21/1991 on Romanian Citizenship (<i>Legea cetățeniei române nr. 21/1991</i>)⁵³ stipulates, among other criteria for citizenship acquisition in Article 8, a minimum period of domicile in Romania, and proven knowledge of Romanian language, culture and civilization "to an extent that is sufficient for them to be integrated in social life". The latter criteria are tested during an interview with the representative of the National Authority for Citizenship Authority (<i>Autoritatea Națională pentru Cetățenie, ANC</i>). The domicile requirement is a period of at least eight years or, if applicants are married to and living with a Romanian citizen, a period of at least five years from the date of the marriage. This can be halved for citizens of other EU Member States, internationally famous personalities, persons who have acquired refugee status, and persons who have invested more than €1 million in Romania. Children acquire citizenship together with their parents, following the same rules. Children born in Romania may apply for citizenship on reaching legal age (18 years), and, if they are domiciled in Romania on the date of application, are no longer subject to minimum domicile requirements.</p> <p>A simplified procedure for re-acquiring Romanian citizenship is available for persons who have lost such citizenship, as well as for their descendants to the second degree inclusively. They are not required to demonstrate domicile and knowledge of Romanian language and culture. Most of the beneficiaries are citizens of the Republic of Moldova, and some others from Ukraine and Serbia.</p>
	<p>Debates, issues and challenges concerning the implementation of citizenship policies</p>	<p>According to the 2014 edition of the Immigrant Integration Barometer,⁵⁴ the procedure for citizenship acquisition is considered reasonable by most beneficiaries interviewed by the researchers. The research use semi-structured interviews applied to 14 persons that completed the procedures with success. The most controversial issue is the duration of the procedure. On average, it takes two years from the time of application to obtain an answer from the National Citizenship Authority (<i>Autoritatea Națională pentru Cetățenie, ANC</i>). The ANC justifies this situation by the increase in the number of files after the 2009 reform (see milestones below).</p> <p>Specifically on the procedure for re-acquiring citizenship, the 2013 report <i>Romanian citizenship: a</i></p>

⁵³ Romania, Act No. 21/1991 on Romanian Citizenship (*Legea cetățeniei române, legea nr 21/1991*), 13 August 2010, also available in English: http://cetatenie.just.ro/media/legislatie/ACT_21_1991_Romanian_citizenship.odt.

⁵⁴ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 114.

		<i>policy that requires vision?</i> ⁵⁵ underlines that the costs for retrieving and submitting all required documents could amount to €750 per person, which in some cases would be prohibitive.
	Key developments and trends – case law (please use the template in the Annex 9 to provide information about the cases – here only a simple reference to the case name is required) or new provisions and reforms.	Between 2010 and 2014, 2,621 appeals were made against decisions of the ANC, representing less than 6 % of the total number of decisions made by the authority. Over 90 % of appeals were rejected in court, the judges rejecting the petents’ interpretation of documents. Of these, most winning cases were brought by persons applying to re-acquire citizenship and were based on wrong interpretation by the ANC of old documents. According to ANC, none of the cases generated changes of procedure or legislation. (Information supplied by phone. ⁵⁶)
	Please indicate key and/or milestone dates – e.g. of major reforms - regarding citizenship acquisition for migrants and/or their descendants.	The general provisions of the Citizenship Law have remained mainly unchanged since its first adoption in 1991. The only exception is the minimum domicile period, which increased from seven years to eight years in 2003. The conditions for re-acquiring citizenship have fluctuated over the years. The initial conditions were very simple, but few persons were interested in re-acquiring citizenship. The conditions were gradually increased by legislative measures in 1999 and 2003, making them similar to the general conditions on acquisition of citizenship. The trend was reversed in 2009, when the current simplified procedure was introduced. In 2010, the ANC was established by reorganising the department for citizenship of the Ministry of Justice (<i>Ministerul Justiției</i> , MJ). Further clarifications of procedure were made in 2013.

3.1.2. National elections voting rights – turnout

	Third county nationals are allowed in exceptional cases to vote in national elections. In this section please provide the specific requirements and criteria for participation of citizens of migrant background (and third-country nationals in the very few cases where this is foreseen) in national elections, as well as any available data on their voting turnout. Please specify any differences in different geographic areas or by type of	The Romanian Constitution ⁵⁷ stipulates that only citizens have the right to vote (Article 36) and the right to be elected (Article 37), with the exception of nationals of EU Member States, who can vote and be elected in local and European elections, in accordance with Article 16 and Article 148 of the Constitution, Article 4 [^] 1 of the Local Elections Law (<i>Legea nr 67 din 25 martie 2004 Republicată pentru alegerea autorităților administrației publice locale</i>) and Article 5 of the European Parliament Elections Law (<i>Legea nr. 33 din 16 ianuarie 2007 privind organizarea și desfășurarea alegerilor pentru Parlamentul European</i>). EEA citizens and third-country nationals who are not naturalised have no voting rights at national level.
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⁵⁵ Panainte, S. (coord.), Cojocariu, V., Voicu, O. (2013) *Redobândirea cetățeniei române: o politică ce capătă viziune?*, Bucharest, Soros Foundation Romania (Fundăția Soros), available at: www.fundatia.ro/sites/default/files/ro_125_Raport%20Cetatenie.pdf, p. 8.

⁵⁶ Phone conversation with Mrs Ramona Băraru, Communication Expert, on 9 March 2015.

⁵⁷ Official English translation can be found here: http://www.cdep.ro/pls/dic/site.page?den=act2_2&par1=1.

	<p>national level voting circumstances (e.g. parliament, referendum, president of the republic etc.). In addition to official data and also if such data are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the right to vote and related drivers and barriers.</p>	<p>According to a 2011 MIPEx report,⁵⁸ Romania scores the lowest of all 31 countries under scrutiny on the issue of political participation of immigrants.</p>
	<p>Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote.</p>	<p>No information campaigns specifically targeting citizens with a migrant background, during the electoral years 2012 (local and parliamentary elections) and 2014 (European and presidential elections) were identified when the authors checked the official websites of the Permanent Electoral Authority (<i>Autoritatea Electorală Permanentă</i>, AEP) and National Audio-visual Council (<i>Consiliul Național al Audio-vizualului</i>, CNA), the two institutions that would have approved such campaigns. In 2014, during the electoral campaigns for European Parliament and President, all major parties had messages targeting Moldovans that re-acquired Romanian citizenship but are living in the Republic of Moldova. Information campaigns targeting all citizens are run on each round of elections by the Permanent Electoral Authority, public television and commercial television channels.</p>

3.1.3. National level election – representation

	<p>The number of candidates with migrant background (where available, specify own or parent's country of birth) at the latest national level elections (specify date).</p>	<p>The latest national elections were the presidential elections in November 2014. None of the 14 candidates had a migrant background. There were, however, three candidates with a minority ethnic background, two Hungarians and one German. The latter candidate won the election. In the past, two persons with a migrant background (one Moldovan and one Israeli) ran for president, without remarkable results.</p> <p>At the European elections in June 2014, 15 political parties, fielding 591 candidates, and eight independent candidates participated. The AEP does not collect data on the ethnic or citizenship background of the candidates. Unofficially, based on their own statements and media reports⁵⁹, at least 12 candidates originated from Republic of Moldova and had re-acquired Romanian citizenship. None of them was placed in an 'eligible' position (a position on the party list that gives</p>
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⁵⁸ Huddlestone, T., Niessen, J., White E. (2011) *Migrant Integration Policy Index III*, Brussels, Migration Policy Group and British Council, available at: www.cidob.org/en/content/download/26370/320276/file/MIPExIII_2011.pdf.

⁵⁹ Publika (2014), 'Alegeri europarlamentare 2014: Ce succese au obținut candidații din Republica Moldova', 26 May 2014, available at: http://www.publika.md/alegeri-europarlamentare-2014--ce-succese-au-obtinut-candidatii-din-republica-moldova_1943811.html

		some chance of being elected, according to surveys). No candidates originated from any other third country.
	The number of elected representatives with migrant background at national level (e.g. parliament, senate).	Neither of the two Chambers of the Parliament collect data on the ethnic or citizenship background of their members. Unofficially, based on their own statements and media reports, at least two of the 588 MPs elected in December 2012 originated from Republic of Moldova and had re-acquired Romanian citizenship. There are no MPs originating from any other third country.
	Those appointed to public office (e.g. ministers, secretaries of state, etc.) by end of 2014.	No diversity audits are conducted for public institutions, including the government ⁶⁰ . All relevant data in this regard is based on media reporting or statements by officials. Among the 79 ministers and vice-ministers (secretaries of state) in office at the end of 2014, only one has migrant background. He is a Palestinian who was naturalised as a Romanian citizen over 30 years ago.

3.2. Political rights at regional/local level

3.2.1. Regional/Local elections voting rights – turnout

	Specify what regional/local voting rights are given to third-country nationals and any different entitlements according to residence status, permit type or length of stay etc	The Romanian Constitution ⁶¹ stipulates that only citizens have the right to vote (Article 36) and the right to be elected (Article 37), with the exception of nationals of EU Member States, who can vote and be elected in local and European elections, in accordance with Article 16 and Article 148 of the Constitution, Article 4 [^] 1 of the Local Elections Law (<i>Legea nr 67 din 25 martie 2004 Republicată pentru alegerea autorităților administrației publice locale</i>) and Article 5 of the European Parliament Elections Law (<i>Legea nr. 33 din 16 ianuarie 2007 privind organizarea și desfășurarea alegerilor pentru Parlamentul European</i>). EEA citizens and third-country nationals who are not naturalised have no voting rights at local and regional level. Naturalised migrants enjoy full voting rights, in similar conditions to all other Romanian citizens, in accordance with Article 16 of the Constitution.
	Key and/or milestone dates regarding the voting and/or election rights for migrants and/or their descendants at regional/local level	In 2003, the Constitution was amended to allow nationals of EU Member States to vote and participate in local and European elections. On 13 February 2013, the parliament set up a special committee to prepare a law amending the Constitution (<i>Comisia comună a Camerei Deputaților și Senatului pentru elaborarea propunerii legislative de revizuire a Constituției României</i>). ⁶² The committee proposed a bill in June 2013, but the reform was dropped after the

⁶⁰ Moisa, F., Rostas, I. A., Tarnovschi, D., Stoian, I., Rădulescu, D., Andersen, T-Ș. (2013) *Raportul societății civile asupra implementării Strategiei Naționale de Integrare a Romilor și a Planului de Acțiune al Deceniului în România în 2012*, Budapest, Decade of Roma Inclusion Secretariat Foundation, available at: www.romadecade.org/cms/upload/file/9270_file25_ro_civil-society-monitoring-report_ro.pdf, pp. 15–17

⁶¹ Official English translation can be found here: http://www.cdep.ro/pls/dic/site.page?den=act2_2&par1=1.

⁶² Membership of the committee: www.cdep.ro/pls/parlam/structura.co?cam=0&leg=2012&idc=114&idl=2.

		Constitutional Court (<i>Curtea Constituțională</i>) heavily amended the proposed bill for overriding the limits of the revision, and the coalition in power collapsed. The right to vote was not among the issues on the agenda of the committee, no proposals were received from civil society, and no amendments were proposed in this regard. Technically, the committee is still working, but has not convened in the last 15 months, and its president resigned in February 2015.
	Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote.	No information campaigns specifically targeted citizens with migrant backgrounds. Information campaigns targeting all persons that have the right to vote are run for each round of elections by the AEP, public television and commercial television channels.
	In addition to official data and also if such data are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the right to vote and related drivers and barriers.	The barriers to political participation at local level are similar to those at national level, rooted in the provisions of the Constitution and existing legislation. The Romanian Constitution ⁶³ stipulates that only citizens have the right to vote (Article 36) and the right to be elected (Article 37), with the exception of nationals of EU Member States, who can vote and be elected in local and European elections, in accordance with Article 16 and Article 148 of the Constitution, Article 4 ¹ of the Local Elections Law (<i>Legea nr. 67 din 25 martie 2004 Republicată pentru alegerea autorităților administrației publice locale</i>) and Article 5 of the European Parliament Elections Law (<i>Legea nr. 33 din 16 ianuarie 2007 privind organizarea și desfășurarea alegerilor pentru Parlamentul European</i>). EEA citizens and third-country nationals who are not naturalised have no voting rights at local and regional level.
3.2.2. Regional/local level election – representation		
	The number of candidates that were third-country nationals and/or with migrant background at the latest regional/local level elections (specify date)	Third-country nationals do not have the right to participate in elections at local level, but the legislation allows dual citizenship. Thus, naturalised third-country nationals may run for office. According to official data provided by ANC, between 1991 and 2014, 456,307 persons obtained Romanian citizenship, out of which 450,955 re-acquired it based on the simplified procedure described in section 3.1.1. The statistics do not include minors, which obtain the right to citizenship together with their parents but are not counted, and do not track deaths. There are no official statistics about the exact number of persons with dual citizenship. Naturalised migrants enjoy full rights. The AEP does not collect data about candidates segregated by ethnic or citizenship background. Thus, it is not possible to

⁶³ Official English translation can be found here: http://www.cdep.ro/pls/dic/site.page?den=act2_2&par1=1.

		<p>estimate the number of persons with a migrant background among the 285,416 candidates for various offices in the latest elections, in June 2012. Media reports⁶⁴ mention only EU nationals running for office, which suggest that the number of persons with a migrant background involved in politics is rather low.</p>
	<p>The number and % of elected representatives with migrant background at regional/local level (e.g. municipalities, regions, prefectures etc.)</p>	<p>The available data do not allow estimation of the number of persons with migrant background among the 44,877 elected officials. Rapid verification, done by the authors, shows that among the six cities that account for 90 % of the legal migrants in Romania (Bucharest, Constanța, Iași, Cluj-Napoca, Timișoara and Galați), no persons with migrant backgrounds were elected at the most recent elections, in June 2012.</p>
	<p>Those who were elected or appointed to a high public office (e.g. mayor, vice mayor etc.) by end of 2014.</p>	<p>The available data do not allow estimation of the number of persons with migrant background among the almost 3,000 persons in high public office, as no diversity audits are conducted and the authorities refrain from collecting segregated data⁶⁵. Public authorities invoke Article 7(1) of Law 677/2001 on private data prohibiting 'the use of personal data regarding the racial or ethnic origin, political, religious, philosophical or similar opinion, membership of unions, as well as private data regarding health status or sexual life'⁶⁶ when they are requested to provide information needed for drafting effective legislation and public policies responding to the needs of vulnerable groups: Roma, women, sexual minorities etc. Though Art. 7(2) allows for specific exemptions in processing such special categories of data but fails to provide an adequate translation of Art. 8(4) of Directive 95/46/EC which provides that 'subject to the provision of suitable safeguards, Member States for reasons of substantial public interest, may lay down exemptions in addition to those laid down in para. 2 either by national law or by decision of the supervisory authority.' Lack of equality data was identified as a deterrent to effective data-gathering and policy-making in the numerous studies and reports regarding</p>

⁶⁴ Mediafax News Agency (2012), 'Candidați străini la alegerile locale', 7 June 2014, available at: www.mediafax.ro/politic/candidati-straini-la-alegerile-locale-un-italian-vrea-sa-schimbe-ciucurova-iar-un-german-sa-aduca-investitii-in-timis-foto-9717813.

⁶⁵ Moisa, F., Rostas, I. A., Tarnovschi, D., Stoian, I., Rădulescu, D., Andersen, T-Ș. (2013) Raportul societății civile asupra implementării Strategiei Naționale de Integrare a Romilor și a Planului de Acțiune al Deceniului în România în 2012, Budapest, Decade of Roma Inclusion Secretariat Foundation, available at: www.romadecade.org/cms/upload/file/9270_file25_ro_civil-society-monitoring-report_ro.pdf, pp. 15–17

⁶⁶ Lege 677 on the Protection of Persons in relation with Use of Personal Data (21.11.2001). Legea nr. 677/2001 pentru protecția persoanelor cu privire la prelucrarea datelor cu caracter personal și libera circulație a acestor date), available at http://www.dataprotection.ro/?page=legislatie_primara&lang=ro Official translation done by the NSAPDP available at: http://www.dataprotection.ro/index.jsp?page=legislatie_primara&lang=en. Unofficial translation available at: http://ec.europa.eu/justice/policies/privacy/docs/implementation/ro_law_677_2001_en_unofficial.pdf.

		anti-discrimination in general, ⁶⁷ women, ⁶⁸ Roma ⁶⁹ or sexual minorities. ⁷⁰ Internally, this gap was underlined by the Presidential Commission for the Analysis of Social and Demographic Risks in its report, <i>Risks and Social Inequities in Romania</i> , which noted the need of clear statistical data in order to design public policies and initiate positive action measures. ⁷¹
	Please identify related limitations and challenges or public debates, as well as relevant research, studies and assessments.	The current legislation is the main obstacle to political participation. The Constitution strictly limits the right to vote to citizens. Other forms of political participation by migrants are limited by the current legislation. Government Emergency Ordinance no. 194/2002 (<i>Ordonanța de Urgență nr. 194/2002 privind regimul străinilor în România</i>) on the legal status of aliens in Romania stipulates in Article 4 that "aliens may not organise, on the territory of Romania, political parties or any associations similar to those and may not be members of those, they may not hold public functions and positions or initiate, organise or participate in rallies or meetings which endanger public order or national security." Any migrant involved in such activities may be subject to expulsion.

3.3.Consultation

3.3.1.Consultative bodies at national/regional/local level

	Are there any migrants' consultative bodies in place at national / regional/ local level foreseen and/or operational in practice? Since when and on which legal basis (please provide reference). Please specify whether migrants' consultative/advisory/representative bodies are established by law or other type of normative regulation, policy or practice.	<p>No migrants' consultative bodies exist . The Immigrant Integration Barometer, 2014 edition, underlines this fact and notes that NGOs are attempting to create informal consultative mechanisms.⁷² One example is the annual 'Migrant in Romania' conference, organised by the non-governmental organisation Intercultural Institute (<i>Institutul Intercultural din România</i>).</p> <p>In recent years, the key policy document on immigration has been the National Strategy on Immigration for 2011–2014. The strategy is overseen by a coordination group comprised exclusively of representatives of public institutions. The 2014 Strategy Action Plan mentions, among other activities,</p>
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⁶⁷ Iordache, R, Report on Measures to Combat Discrimination, Directives 2000/43/EC and 2000/78/EC - COUNTRY REPORT 2013, Network of independent experts on anti-discrimination law (in English). Available at: <http://www.non-discrimination.net/countries/romania>.

⁶⁸ CEDAW/C/ROM/CO/6, Concluding comments of the Committee on the Elimination of Discrimination against Women, Romania, June 2006.

⁶⁹ DecadeWatch : *Roma activists assess the progress of the Decade of Roma Inclusion 2005-2006*, available at: <http://www.romadecade.org/index.php?content=6>.

⁷⁰ FRALEX. *Legal Study on Homophobia and Discrimination on Grounds of Sexual Orientation – Romania*, available at: http://fra.europa.eu/fra/material/pub/comparativestudy/FRA-hdgso-NR_RO.pdf (2009).

⁷¹ Presidential Commission for the Analysis of Social and Demographic Risks, *Riscuri și inechități sociale în România – Risks and social inequities in Romania*, available at: http://www.presidency.ro/?_RID=det&tb=date&id=11426&_PRID=

⁷² Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 74

		<p>“creating an intercultural environment adequate for facilitating the integration of foreigners in Romania by maintaining consultation mechanisms between central and local authorities and communities of foreigners”. The Action Plan, adopted in July 2014, did not include details on the structure and functioning of the consultation mechanism. The General Inspectorate for Immigration (<i>Inspectoratul General pentru Imigrări</i>, IGI) was the responsible body, and the European Fund for Integration of non-EU immigrants was the financial instrument. This activity was not implemented.</p> <p>A new strategy, for the period 2015–2019, was published⁷³ for public debate on 20 March 2015, without the Action Plan for 2015. The new strategy does not include any reference to the consultation mechanism.</p>
	<p>What is the mandate of the body – duration and procedures? In particular specify if and by which modalities these bodies are competent to participate in consultations only on migration or integration issues or if they participate also in consultations on other issues? How do these bodies work in practice?</p>	<p>No such body exists.</p>
	<p>Frequency of convening of the body/-ies/ meetings with competent public authorities. What is foreseen and how is it implemented in practice?</p>	<p>No such body exists.</p>
	<p>Role in relation to other public or private bodies. Is there a statutory role of coordination and cooperation with other public or private stakeholders foreseen? How is this implemented in practice?</p>	<p>No such body exists.</p>
	<p>Participation in decision-making (consultative, observer status, voting right etc.). Are such bodies competent to participate in decision-making at national/regional/local level in regard to the design, implementation, assessment and/or review of integration-specific, migration or other policies of general interest? Are such bodies and/or their representatives participating in</p>	<p>No such body exists.</p>

⁷³ <http://www.mai.gov.ro/documente/transparenta/Anexa%20strategie%20imigratie.pdf>.

	any way to allocation, distribution, monitoring, evaluation or management of funding social inclusion and integration policies, measures and programmes at national level?	
	What are the modalities for representation and participation of migrants, e.g. elections, designation etc.? What is foreseen and how is it implemented in practice?	No mechanism in place.
	On which criterion are migrant groups represented (migrant status, foreign-born, foreign nationality etc.)? What is foreseen and how is it implemented in practice?	No mechanism in place.
	Is there any evidence through formal evaluations or academic research on awareness about such national level consultative bodies among migrants and their descendants, and among the general public?	No such body exists.

3.4. Participation in trade-unions and professional association

	In this section based on available data, research, surveys, studies, etc. please provide information about:	
	Membership and participation of migrant workers in <u>workers' unions and craft associations</u> :	
	Are there any legal or practical limitations or barriers for the membership of migrant workers in trade unions and craft associations?	<p>Migrant workers with legal status and a valid work permit, with the exception of seconded employees, have the same rights as Romanian workers under the Social Dialogue Act (<i>Legea dialogului social nr. 62/2011</i>). A 2011 study on the phenomenon of immigration in Romania and the integration of aliens into Romanian society (<i>Studiu asupra fenomenului imigrației în România. Integrarea străinilor în societatea românească</i>)⁷⁴ mentions that language remains the most important barrier, as the documents and proceedings of most trade unions are only available in Romanian. The study underlines that this has a greater effect on less skilled workers.</p> <p>The same study adds the insufficient regulation of the labor brokerage market as another potential barrier. The recruiters are often representing the migrant</p>

⁷⁴ Alexe I., Păunescu B. (coord.), (2011), *Studiu asupra fenomenului imigrației în România. Integrarea străinilor în societatea românească*, Bucharest, Soros Foundation Romania, available at: www.fundatia.ro/sites/default/files/ro_115_IMIGRATIE_2011_RO.pdf, p. 43.

		workers, for a fee, and pressure them not to join trade unions.
	Do workers' associations encourage and support membership and participation of migrant workers? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.	<p>The National Trade Union Bloc (BNS – <i>Blocul Național Sindical</i>) is the second-largest trade union confederation in Romania, representing 375,000 employees. Since 2011, BNS has offered services for migrants.⁷⁵ BNS published research reports and guidelines for employers, and it offers advice for both employees and migrant workers. Materials are available in several languages.</p> <p>The other four national representative trade union confederations did not answer requests for information. Their websites do not show any interest in this issue.</p>
	What is the rate of participation (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant workers in the most representative workers' unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of workers represented and degree of association).	<p>None of the major trade unions and associations publishes details of membership structure. According to verbal information given by BNS representatives,⁷⁶ "a few hundred" migrant workers are represented by BNS.</p> <p>Eurofound is currently conducting research on migration and trade unions. Data for Romania were not available at the date of this report. The first draft of the findings will be available around May 2015, and the final publication around September 2015.</p>
	Are migrant workers elected as representatives of trade unions and workers' or craft associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced by migrant workers.	<p>No migrant workers were elected to the boards of the five major trade unions. The Ministry of Labour has no knowledge of migrant workers representing unions or associations, and there were no media or other reports of such cases.</p> <p>According to BNS research, migrant workers account for less than 0.1 % of the active population, and they do not have the strength of numbers to be better represented. A 2010 study on the work of third-country nationals in Romania (<i>Munca lucrătorilor extracomunitari în România</i>)⁷⁷ shows that many companies prefer to hire seconded migrant workers, who have fewer rights.</p> <p>According to official data from the Ministry of Labour (<i>Ministerul Muncii, Familiei și Solidarității Sociale</i>), on 24 March 2015, there were 21.857 work contracts with third-country nationals legally registered by the Romanian employers.</p>

⁷⁵ Website of the project: <http://imigrantinromania.ro>.

⁷⁶ Phone conversation with Mircea Burlacu, member of the BNS Executive Board, on 27 February 2015.

⁷⁷ Novac, R., Constantin C. (2010), *Munca lucrătorilor extracomunitari în România*, Bucharest, Association for Organisation Development SAH ROM, available at: www.solidar.org/IMG/pdf/ado_sah_rom_ro.pdf, p. 32.

<p>Are there differences between associations for high and low skill workers, different industries and trades, and/or different geographic area of country of origin, citizenship or birth or gender?</p>	<p>There is no evidence to suggest any such differences.</p>
<p>Membership and participation of migrant entrepreneurs and expert professionals to professional and scientific associations:</p>	
<p>Are there any legal or practical limitations or barriers for the membership of migrant workers in professional, employer and scientific associations (such as medical, engineer, bar associations)?</p>	<p>There are no legal limitations. The most important practical limitation is the right to practice, in accordance with the requirements of each profession. Although the requirements are the same as for Romanian citizens, the Immigrant Inclusion Barometer underlines that in most cases it is difficult, in practice, to obtain recognition of the equivalence of studies completed in other countries, due to the complicated procedure involved.⁷⁸</p> <p>Professional qualifications obtained outside the EU are not covered by the special law on the recognition of diplomas and professional qualifications for professions recognised in Romania (<i>Legea nr. 200/2004 privind recunoaşterea diplomelor și calificărilor profesionale pentru profesiile reglementate din România</i>). There are 43 specific laws regulating the recognition procedures for third-country nationals in the case of specific professions (architecture, medicine, and law are included). There are also mutual recognition agreements signed between Romania and the Republic of Moldova (1998), the Russian Federation (1999), and Ukraine (1999).</p> <p>As soon as migrant workers obtain the right to practice, they also obtain the right to join the appropriate associations. There are no reports of migrant workers not being accepted into such organisations. For some professions (medical, bar associations, architects) it is compulsory to join the respective associations, which are organised under special laws.</p> <p>The draft Strategy for Immigration, published for public debate on 20 March 2015⁷⁹, mentions, among the directions for actions, the review of the special laws regulating the liberal trades, in order to facilitate the integration of immigrants. No other details are given.</p>
<p>Do professional associations encourage and support membership and participation of migrant professionals? E.g.</p>	<p>There is no evidence suggesting that professional associations are making efforts to support the participation of migrants. They do offer information in English, as the authors have found by checking their</p>

⁷⁸ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health) available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf.

⁷⁹ <http://www.mai.gov.ro/documente/transparenta/Anexa%20strategie%20imigratie.pdf>.

	through information and raising awareness initiatives in more languages, translation and language support services etc.	websites, but there are no information campaigns targeting migrants, or any resources in languages other than Romanian.
	What is the rate of participation and membership (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant professionals in the most representative professional, employers' and scientific unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of professional represented and degree of association).	<p>In the professions for which registration is compulsory, all migrant professionals are members of the respective associations. There are no data for other associations, but the 2013 edition of the Immigrant Integration Barometer notes that migrants tend to enrol in such associations to gain professional recognition.⁸⁰ However, migrant professionals represent less than 1 % of the total members in all professions, because of the low number of migrants in Romania.</p> <p>Research on participation of migrants is difficult, because no diversity audits are conducted for public institutions, including the government, and no private organisations in the business and civil society sectors conduct their own diversity audits as a positive practice. As a rule, public institutions do not collect segregated data, because of the provisions of the Private Data Act (<i>Legea nr. 677/2001 pentru protecția persoanelor cu privire la prelucrarea datelor cu caracter personal și libera circulație a acestor date</i>). Researchers and activists argue that collecting segregated data is allowed, subject to certain guarantees, and they recommend that this be done systematically for vulnerable groups, in particular Roma,⁸¹ but public institutions prefer not to collect such data.</p>
	Are migrants elected as representatives of professional, employers' and/or scientific associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.	In the absence of formal responses, the authors of the report verified the current competence of the boards of the most representative professional associations, including those with compulsory enrolment. If they have elected migrant professionals to their current boards, this is rather the exception. One person with migrant background, originating from Moldova but of Romanian citizenship, sits on the board of the Order of Architects.
	Are there differences between associations for different professions, different skill levels and/or types of enterprise, different industries and trades, and/or different geographic area of country of	There is no evidence to suggest any such differences.

⁸⁰ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 132.

⁸¹ Moisa, F., Rostas, I. A., Tarnovschi, D., Stoian, I., Rădulescu, D., Andersen, T.-Ș. (2013) Raportul societății civile asupra implementării Strategiei Naționale de Integrare a Romilor și a Planului de Acțiune al Deceniului în România în 2012, Budapest, Decade of Roma Inclusion Secretariat Foundation, available at: www.romadecade.org/cms/upload/file/9270_file25_ro_civil-society-monitoring-report_ro.pdf, pp. 15–17.

	origin, citizenship or birth or gender?	
3.5. Participation in social, cultural and public life		
In this section based on available data, research, studies, etc. provide information about the membership and participation of migrants and their descendants in media, cultural organisations and public life:		
	Are there any legal or practical limitations or barriers for the membership of migrants in professional associations related to the media, sports and culture?	<p>There are no legal barriers to the membership of migrants in professional associations related to media and sports. However, in practice, some associations restrict the membership to Romanian citizens through their bylaws.</p> <p>Most notably in the cultural sector, four out of the six national representative creative unions, namely the Romanian Filmmakers' Union (<i>Uniunea Cineaștilor din România</i>), the Romanian Association of Theatre Artists – UNITER (<i>Uniunea Teatrală din România</i>), the Composers' and Musicians' Union (<i>Uniunea Compozitorilor și Muzicologilor</i>), and the Plastic Artists' Union (<i>Uniunea Artiștilor Plastici</i>), restrict their membership to Romanian citizens. The authors couldn't find any explanation of this practice. Similarly, one of the two larger registered associations active in sports, the Association of Romanian Footballers (<i>Asociația Fotbaliștilor Români</i>), does not accept migrant members.</p> <p>All these associations are registered as non-governmental organisations, thus they are not subject to the provisions of the Freedom of Access to Information Act (<i>Legea 544/2001 privind liberul acces la informații de interes public</i>), meaning that they are not obliged to disclose this information. The authors of the report contacted them by email and, when these were not answered, by phone. However, not all of them provided answers, as explained in the following sections.</p>
	Do media, sports, culture professional associations encourage and support membership and participation of third-country nationals as members? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.	We have analysed the largest media (3), sports (2), and culture (6) professional associations. None offer services specifically targeting migrant professionals.
	What is the rate of participation in the most representative professional associations? (figures and % of association members, figures	Culture: of the two remaining national representative creative unions, the Romanian Writers' Union (<i>Uniunea Scriitorilor din România</i>) has only Romanian members. The representative of this union said by phone ⁸² that they had received no requests from migrant writers to

⁸² Phone conversation with the Communication Manager of the Union, on 4 March 2015.

	<p>and % of migrant professionals as members, or descriptive data if statistical data is not available).</p>	<p>join. The Union of Architects (<i>Uniunea Arhitecților</i>) did not answer the question about migrant members. Media: none of the three media associations, the Romanian Press Club (<i>Clubul Român de Presă</i>), the Association of Media Professionals (<i>Asociația Profesioniștilor din Presă</i>), and the Society of Journalists (<i>Societatea Jurnaliștilor</i>) has migrant members, according to the information provided on their websites. Sport: the representative of the Association of Amateur and Non-Amateur Footballers (<i>Asociația Fotbaliștilor Amatori și Non-amatori</i>) explained by phone⁸³ that only 2 of the 1,509 members of the association are not Romanian, although 29 % of the players in the first division are foreigners. He explained that professional players prefer to be represented by their agents, and most members of his association are amateurs.</p>
	<p>Are migrants elected as representatives of professional associations related to the media, sports and culture? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.</p>	<p>None of the major professional associations has migrants as representatives. This is likely to be a consequence of the low number of migrants who are members of the respective associations.</p>
	<p>Is there a visible or notable presence (or absence) of migrants and their descendants as media professionals?</p>	<p>There are several persons who are migrants, or with migrant background, who are visible in the media, notably in the entertainment industry, television and music. Sometimes they have visible roles in successful shows. For example, at the date of the report, a person with a migrant background (male, born in Romania, with a Congolese father and Romanian mother) is the host of the most-watched show running on commercial television.</p>
	<p>Are migrants and/or their descendants present, visible and actively participating in public? (E.g. in public events, TV and electronic media, cultural events). Please substantiate on the basis of existing data or contacts with relevant authorities, actors and stakeholders, making sure to cover a wide spectrum and obtain as much as possible objective information.</p>	<p>The visibility of migrants in the media is moderate, according to opinion polls conducted in 2014 and 2015 and cited below.</p> <p>Survey data from January 2015 (Immigrant Inclusion Barometer, 2015 edition, in publication) shows that, when asked how often they see or hear immigrants in the media, 14 % of Romanians answered 'Often', 25 % 'Sometimes', 33 % 'Rarely', and 28 % 'Never' or declined to answer. Only 15 % of respondents were able to name any such person.</p> <p>On the same question, how often they see or hear immigrants in the media, in 2014, 18% of the respondents answered 'Often', 24 % 'Sometimes',</p>

⁸³ Phone conversation with Emilian Hulubei, representative of the Association, on 4 March 2015.

		<p>34 % 'Rarely', and 24 % 'Never' or declined to answer⁸⁴.</p> <p>These data do not refer to Moldovans, the largest group of immigrants, because they are not perceived by Romanians as aliens, as they are of Romanian ethnicity.</p>
	<p>Are there legal or practical limitations for the media, culture or other type of public events by migrants and/or their descendants? (E.g. are there national language requirements for TV or radio stations, bureaucratic and representation requirements, etc.).</p>	<p>The current legislation (see discussion in Section 3.2.2.) stipulates that "Aliens may not [...] initiate, organise or participate in rallies or meetings which endanger the public order or national security". According to the Immigrant Integration Barometer,⁸⁵ migrants avoid events which may be interpreted by authorities as endangering public order, including rallies and demonstrations supporting certain rights. Most public events held by or for migrant communities are cultural.</p> <p>Programmes broadcast by public television and public radio in Romania must be in the Romanian language or translated into Romanian (subtitled or dubbed). This limitation does not apply to commercial television channels.</p>
	<p>Are there positive measures for promoting or restrictions/barriers to the operation of migrant and ethnic minority (owned, directed or audience specific) media?</p>	<p>Neither positive measures nor restrictions apply. All commercial media follow the same procedures.</p>
	<p>Are there practical measures encouraging and promoting the visibility, voice and public presence of migrants and/or their descendants in the media, culture or other type of public events? (E.g. are there programmes and information provided by the media in other than the country official language, and migrants' languages, quotas for journalists and public programmes reflecting the diversity in society etc.?)</p>	<p>Romanian legislation includes a number of measures directed at the promotion of ethnic diversity, including programmes in national languages on public television and radio (subtitled in Romanian). However, these measures apply only to the 'recognised national minorities', which, by law, are historical minorities on Romanian territory. Some third-country nationals who come from neighbouring countries may be of these ethnicities. For example, there are historical Ukrainian and Serbian ethnic groups in Romania. However, many of them are not, and in their case no positive measures are taken.</p>

3.5.1. Diversity in the public sector

	<p>In this section based on available data, research, studies, etc. please provide information about recruitment of migrants and their descendants in the public sector:</p>
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⁸⁴ Dragan, E., Lazarescu, L. (2013), *Studiu despre opiniile și percepțiile populației privind integrarea imigranților*, Bucharest, Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at http://www.cdcdi.ro/files/services/18_3_Raport%20cercetare%20cantitativa%20CDCDI.pdf, p. 69

⁸⁵ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf

	<p>Please describe how legal provisions allow or prevent the recruitment of third-country nationals in the public sector. Please indicate specific areas, requirements, quotas if any, upward mobility and promotion limitations if any, as well as if and how these provisions are applied in practice.</p>	<p>By law, only Romanian citizens can be employed as public servants, according to Article 54 of the Statute of Public Servants (<i>Legea 188/1999 privind Statutul funcționarilor publici</i>). Employees in law enforcement agencies and the judiciary are also public servants. According to the Framework Regulation regarding contractual positions (<i>Regulament-cadru din 23 martie 2011 privind stabilirea principiilor generale de ocupare a unui post vacant sau temporar vacant corespunzător funcțiilor contractuale și a criteriilor de promovare în grade sau trepte profesionale imediat superioare a personalului contractual din sectorul bugetar plătit din fonduri publice</i>), art. 3, Romania citizens, second-country citizens and EEA citizens are eligible for employment in these positions. Third-country nationals may be employed as temporary contractors, for example as translators.</p> <p>In health and education, the two domains which account for 80 % of employees in the public sector, there are no similar legislative barriers. However, the initial training and/or accreditation required implies between three and eight years of work and education in Romania or, partially, in another EU Member State, which creates practical limitations to recruitment of third-country nationals in the public sector.</p> <p>There are no positive measures associated with recruitment of third-country nationals in the public sector.</p>
	<p>Please indicate if citizens of migrant descent can also be affected by limitation – e.g on the basis of their ethnic origin or migrant background or naturalisation - in public sector recruitment, for example in education, law enforcement, judiciary, etc.</p>	<p>All the above limitations, legal or practical, do not apply to Romanian citizens of migrant background, who enjoy full rights, according to Article 16 of the Constitution. No discriminatory practices were reported.</p>
	<p>Please indicate proportion of recruitment (% on the total of posts for this category or service) for the interested categories of third-country nationals, if any.</p>	<p>None of the public agencies with responsibility in this sector maintain statistics based on the ethnic origin of their employees. Browsing the 24 issues of the journal <i>Migrant in Romania</i>,⁸⁶ edited by the Intercultural Institute, an NGO, we can see that citizens with a migrant background are indeed employed in the public sector. Representatives of the Ministry of Education (<i>Ministerul Educației</i>, ME) and Ministry of Interior (<i>Ministerul Administrației și Internelor</i>, MAI) confirmed by phone that there are teachers and policemen with migrant backgrounds but could not offer concrete data. The representative of the ME underlined that there definitely are “some teachers originating from the Republic of Moldova”, who are of Romanian ethnicity, who studied in Romania, and have re-acquired</p>

⁸⁶ <http://www.migrant.ro/revista>

		Romanian citizenship. However, the ME does not compile statistics of this kind.
	Please indicate any affirmative action and positive action either for third-country nationals or citizens with a migrant background, if any, e.g. quotas, reserved posts for people of migrant background etc. as well as promising practices in this area. Please provide information specifically for law enforcement, judiciary, and education.	No such affirmative or positive actions were reported.

3.6. Political activity – active citizenship

	Membership and participation of migrants in migrant and/or diaspora organisations and associations:	
	Are there any legal or practical limitations or barriers for the self-organisation membership of migrants in migrant and or diaspora associations and organisations?	Migrants may legally associate freely, under the same conditions as Romanian citizens, with the notable exception of political association, as discussed in section 3.2.2. In practice, exercising this right may be limited by the requirement to have a stable domicile.
	Are there notable cases of active migrant and/or diaspora associations and organisations? Please indicate the most known, active or representative ones on the basis of existing data about membership – please include size/numbers of members - and through contacts with competent actors and stakeholders. Please specify their character and eventual differences, including aspects concerning their religious, culture or geographic scope.	<p>According to the database⁸⁷ maintained by the Intercultural Institute (non-governmental organisation), there are approximately 60 associations of migrants registered in Romania. However, a policy paper⁸⁸ published in 2014 by the same organisation notes that “migrants’ organisations are relatively poorly organised, compared to Romanian civil society organisations. [Migrants’ associations] usually have few members and staff, and their capacity and public presence are limited.”</p> <p>The 2014 edition of the Immigrant Integration Barometer⁸⁹ notes that there are very few active migrants’ associations, “mostly student, cultural and religious organisations”, which are insufficient “to create a bridge between migrants and the majority”, and they rarely cooperate among themselves.</p> <p>The most active organisation of migrants is the League of Bessarabian Students in Romania (<i>Liga Studenților Basarabeni din România</i>, LSBR), a federation of 12 associations of Moldovan students at Romanian universities. Other visible organisations are the Turkish</p>

⁸⁷ www.migrant.ro/results.php?offset=400&expr=&localitate=&tip=&domeniu=&grup.

⁸⁸ Intercultural Institute Association, (2014), ‘Implicarea civică a imigranților în diferite asociații’, Timișoara, available at: www.migrant.ro/file/pagesleft/Policypaper-Implicareacivicaaimigranțilorindiferiteasociații.pdf, p. 2.

⁸⁹ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 96.

		<p>Businessmen Association in Romania (<i>Asociația Oamenilor de Afaceri Turci, AOAT</i>) and the Romanian-Syrian Cultural Club (<i>Asociația Clubul Cultural Siriano-Român, ACCSR</i>). None of these organisations published information about their membership.</p> <p>LSRB is representing the interest of Moldovan students in Romania, and it is mainly interested in social, cultural and educational issues. AOAT is an association of Turkish entrepreneurs doing business in Romania. Their main focus is business related but the association also develops cultural projects. ACCSR started as a cultural association following historical ties between the two countries. Since the humanitarian crises in Syria began, the association moved to representing the rights of Syrian refugees and started to build a political agenda, advocating for European action to end the war in Syria. All this information was extracted by the authors from the websites of these associations. Contacts are included in the Annexes.</p>
	<p>Please provide any data on the participation of migrants and their descendants in the most representative migrant and/or diaspora organisations and associations? (figures and % of migrants and/or persons with the specific ethnic or other background as members, or descriptive data if statistical data is not available).</p>	<p>None of the migrant organisations published information about membership, and we could not identify research on this issue.</p>
	<p>Are such associations and organisations encouraged and/or supported financially or in other means (e.g. offices) by the national, regional or local authorities? Is there in place a mechanism linking such associations at national level? (e.g. network of migrant associations).</p>	<p>Legally registered migrants' associations do not receive subsidies from the state, but may participate in grants competitions, including those financed from public money – national and/or European. They are also eligible to receive offices from local public authorities under the same conditions as any other association. According to the data of the NGO Registry, available on the governmental open data portal⁹⁰, no migrant association has been granted the status of „public utility”.</p> <p>There are no affirmative measures directed at migrants' associations. They compete with all other associations on equal terms, including for the funds targeting migrants. Based on researchers analysis of past and ongoing projects, none of the beneficiaries of the European Integration Fund⁹¹ is a migrant association.</p>
	<p>Membership and participation of migrants in civil society organisations and voluntary work:</p>	
	<p>Are there any legal or practical limitations or barriers for the</p>	<p>There are no legal limitations, according to the Government Ordinance regarding association and foundations (<i>Ordonanța nr. 26/2000 cu privire la</i></p>

⁹⁰ Information available at: data.gov.ro.

⁹¹ The complete list of projects is available at: <http://igi.mai.gov.ro/detalii/pagina/ro/Fondul-European-pentru-Integrare/182>.

membership of migrants in civil society organisations?	<i>asociații și fundații</i> , art. 1) and there is no evidence of practical limitations.
Do civil society organisations encourage and support membership and participation of migrants and/or their descendants? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.	There are civil society organisations which have among their priorities integration of migrants, and which provide information and services to them. The list of the most active of these is included in Annex 10.
Please provide any data on the participation and membership of migrants and their descendants in the most representative civil society organisations? (figures or % of organisation members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available).	In general, no data on membership of civil society organisations are available. Research on perceptions of NGO activity (<i>Percepții privind activitatea ONG în România</i>), ⁹² published in 2013, shows that only 6 % of Romanian citizens participate in civil society organisations. The number of migrants is too low to be captured by surveys. According to information on their websites, none of the six best-known civil society organisations, as identified by the same research, has migrants in their ruling bodies.
Membership and participation of migrants in political parties:	
Are there any legal or practical limitations or barriers for the membership of migrants in political parties, initiatives (e.g. petitions, signature collections) and movements?	Aliens are legally forbidden to participate in political parties or movements (see discussion in Section 3.2.2.). Romanian citizens with a migrant background enjoy full rights, without legal or practical limitations.
Do political parties encourage and support membership and participation of migrants and/or their descendants in their activities? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.	None of the eight political parties represented in the Romanian Parliament provide such services. The authors couldn't identify any program of a political party targeting participation of migrants and their descendants in their activities, with the exception of Moldovans that re-acquired Romanian citizenship, which is discussed in the following sections.
Please provide any data on the participation and membership of migrants and their descendants in the political parties, initiatives and movements? (figures or % of party members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available).	Third-country nationals are not allowed to participate in political parties. All political parties represented in the Parliament, with the exception of Democratic Union of Hungarians from Romania (<i>Uniunea Democratică a Maghiarilor din România</i>), have structures for citizens originating from the Republic of Moldova who have re-acquired Romanian citizenship, but their focus is clearly oriented towards Romanian citizens and does not include other categories of migrants. Their preferred mechanism is opening a branch of the party in Chișinău, thus focusing on people living abroad, and not on Moldovan migrants present in Romania.

⁹² Romanian Institute for Evaluation and Strategy – IRES (2013), *Percepții privind activitatea ONG în România*, available at: www.forum-ong.ro/wp-content/uploads/2013/12/IRES_CENTRAS_Raport-de-cercetare.pdf, p. 15.

		None of the eight political parties represented in the Parliament have programmes for other categories of migrants. In an informal discussion, one representative of the largest political party explained that the number of citizens with a migrant background, around a few thousand, is too low to be of interest to politicians.
	Are migrants elected as representatives of political parties, initiatives and movements? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.	Third-country nationals are not allowed to participate in political parties. Not taking into consideration people of Romanian ethnicity who have re-acquired Romanian citizenship, none of the major political parties has in its governing structures other citizens of migrant background.

3.7.Civic and citizenship education

	The participation of migrants and their descendants (with a distinct linguistic, cultural background) in education:	
	Have teachers of migrant background equal access to employment in education, as teachers? If yes, what is the rate of participation (% of teachers with migrant background at national level)? Are they represented in professional teacher associations? Please identify limitations, challenges and promising practice.	Third-country nationals and citizens with migrant background have the right to be employed in education as teachers, according to the National Education Law (<i>Legea educatiei nationale nr. 1/2011</i>), assuming they have the necessary skills and, in the case of non-citizens, a valid work permit. Data from the 2015 edition of the Immigrant Integration Barometer, in publication, show that the most important practical limitation is the requirement to graduate from initial training. For most teachers, initial training is represented by the pedagogical module in their faculty curriculum. Migrants who did not graduate from a Romanian university must follow the same courses, which takes two years, and may cost up to several thousand euro. Representatives of the Ministry of Education (<i>Ministerul Educației, ME</i>) confirmed, over the phone ⁹³ that there are teachers with a migrant background, but could not offer concrete data. The representative of the ME underlined that there definitely are “many teachers from the Republic of Moldova”, who are of Romanian ethnicity, who studied in Romania, and have re-acquired Romanian citizenship. However, the ME does not compile statistics of this kind.
	Are there any particular gender issues?	There are no particular gender issues identified in reports of public institutions or non-governmental organisations consulted by the authors.
	Are parents of migrant background actively participating in the school life?	The 2014 edition of the Immigrant Integration Barometer ⁹⁵ found out that the Ministry of Education does not centralise at national level the number of

⁹³ Phone conversation with public relations specialist of the Ministry of Education, on 5 March 2015.

⁹⁵ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 64.

	<p>Please provide evidence concerning their participation in parents associations, school and community events and extracurricular activities, consultations etc.⁹⁴</p>	<p>children of migrant background enrolled in compulsory education. By enquiring at county level, the same study identified a total number of 290 such children enrolled for the school year 2013–2014. The research did not discover any evidence of active participation by parents of migrant background in school life.</p> <p>This figure does not include ethnic Romanians from Moldova, Serbia and Ukraine who receive scholarships to study at high school level in Romania. Approximately 550 scholarships are awarded yearly.</p>
	<p>Are there extracurricular activities involving and engaging with children and parents of migrant background and/or focussing on civic and citizenship education? Please identify limitations, challenges and promising practice.</p>	<p>There is no evidence of such activities and practices, probably due to the low number of children with a migrant background enrolled in education. The authors checked the extra-curricular educational offer made by the Ministry of Education in cooperation with civil society organisations under the name <i>Scoala altfel</i>⁹⁶ (A different school) but haven't identified any project involving persons of migrant background or proposed by a migrants' association.</p>
	<p>Are there provisions for bilingual education? If yes, is it supported by trained teachers and training programmes, curriculum provisions and dedicated school manuals and books?</p>	<p>Bilingual education is available for children of 'recognised national minorities', which, by law, are historical minorities on Romanian territory. Some third-country nationals who come from neighbouring countries may be of these ethnicities. For example, there are historical Ukrainian and Serbian ethnic groups in Romania. However, many of them are not, and in their case no positive measures are taken.</p>
	<p>Is there evidence of school segregation and/or policies of separate/distinct schooling of migrants?</p>	<p>There is no evidence of such practices identified in NGO or public institutions reports or in media reports available through keywords searches on the Internet.</p>
	<p>Is there evidence of modifying school curricula and teaching materials can be modified to reflect the diversity of the school population? Is the teacher regular curricula/training dealing with specific reference to immigrants or ethnic minorities and respect/promotion of diversity?</p>	<p>There is no evidence of such practices. The 2014 edition of the Immigrant Integration Barometer⁹⁷ underlines that the research found no evidence of support materials designed for working with migrant children. Each school and its teachers finds ad hoc methods to integrate these children.</p>
	<p>Are all students – not only of migrant background – targeted and/involved by civic education and activities related to migrant integration at schools?</p>	<p>There are civic education and education for tolerance activities and lessons included in the school curriculum, targeting all students, but the materials reflect only the original ethnic diversity of the country and do not refer to migrants, as explained by the director of the Institute for Education Science (<i>Institutul pentru Științele Educației</i>), the institution</p>

⁹⁴ For more information about involving the community in the school life and vice versa please refer also to the findings of the SIRIUS Network <http://www.sirius-migrationeducation.org>.

⁹⁶ Available at: sae.edu.ro/2014/index2.php

⁹⁷ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 65.

		responsible with the curriculum ⁹⁸ . There are mandatory courses for grades three, four, seven and eight, and elements of education for tolerance are added to the curriculum of various courses (for example, literature and history) in all grades of compulsory education.
	The implementation of specific measures and initiatives aiming at (the following is an indicative and non-exhaustive list):	
	Improving the way formal curriculum subjects, e.g. literature, history, etc. promote mutual understanding, respect for ethnic and religious diversity and the common democratic and pluralist values?	<p>Although there are no programmes targeting migrants and persons with a migrant background, they may benefit indirectly from previous efforts to include in the formal curriculum education for tolerance and diversity. Romania is a multicultural society, and in the last two decades efforts have been made to make the education system more inclusive. The article 46 of the National Education Law (<i>Legea Educației Naționale nr. 1/2011</i>) stipulates the right of free education for historical national minorities and the mechanisms to implement it. The Governments' Strategy for Roma Inclusion 2015-2020 (<i>Strategia Guvernului României de incluziune a cetățenilor români aparținând minorității rome pentru perioada 2015-2020</i>) acknowledges the need for better inclusion of Roma children and to prioritise measures to improve the situation. These efforts are ongoing and they may pave the way for a focus on migrants.</p> <p>Representatives of the Institute for Education Science (<i>Institutul pentru Științele Educației</i>), the institution responsible for drafting the national curriculum, confirmed over the phone that a new curriculum framework is being prepared, and education for tolerance will play a central role. However, they did not confirm any reference in the curriculum to the 'new minorities' represented by migrants.</p>
	Providing language learning support to students of migrant background?	<p>The General Inspectorate for Immigration, with the participation of the Ministry of Education, has used the funding opportunities offered by the European financial instruments to launch a call for proposals from NGOs offering Romanian language courses for migrants. These specific activities were eligible in all calls launched between 2010 and 2013. As a result, such courses are available in all cities where larger communities of migrants exist.</p> <p>The website www.vorbitiromaneste.ro, developed in partnership with the Intercultural Institute and the Ministry of Education is the result of one of these projects. The website offers various electronic educational resources, both text and multimedia, for migrants.</p>
	In particular, please specify if there are promising practices, including affirmative action / positive action practices	In the case of insufficient adaptation of a pupil to learning activities, demonstrated by non-attainment of educational standards or poor knowledge of the Romanian language, the school head, with the parents'

⁹⁸ Phone conversation with Ciprian Fartușnic, Director of the Institute for Education Science, on 9 March 2015.

	<p>designed to tackle structural inequalities</p>	<p>consent, may decide either to transfer the pupil into a lower class or to retrain the pupil in the Romanian language (remedial courses). In order to facilitate the integration of immigrant children within the Romanian educational environment, the teaching staff must include supplementary communication activities in the Romanian language. These extra-curricular activities are usually offered to pupils on an optional basis. These provisions are included in the methodology for the organisation and development of training courses in Romanian and schooling of children of foreigners who have acquired a form of protection or a right to stay in Romania, and of citizens of EU Member States and the European Economic Area (<i>Metodologia privind organizarea și desfășurarea cursului de inițiere în limba română și școlarizarea copiilor străinilor care au dobândit o formă de protecție sau un drept de ședere în România, precum și ai cetățenilor statelor membre ale Uniunii Europene și ale Spațiului Economic European din 12.11.2009</i>).</p>
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3.8. Drivers, barriers for the implementation, monitoring and assessment of legislation & policy measures

	<p>Previous paragraphs indicated in detail aspects about the actual implementation of participation policies, normative framework and measures. In this section briefly summarize the most important drivers, positive factors and the barriers, resistance or negative factors that have been identified regarding the design, implementation, monitoring and assessment of policy measures and normative framework for the political and social participation of migrants and their descendants. Please base the analysis on governmental and non-governmental reports, as well as research and studies.</p>	<p>The current legislative framework raises the most important barriers to the political participation of migrants. The Constitution denies voting rights to non-citizens (except EU citizens in local elections) and the legislation limits other political rights of immigrants, such as the right to assembly. Other legal restrictions apply to non-citizens who want to work in the public sector, specifically as public servants, including in law enforcement and the judiciary.</p> <p>Naturalised immigrants enjoy full rights, with no restrictions, as soon as they obtain citizenship. The path to citizenship is fairly clear, but it may be difficult in practice, due to the long period of eight or five years of continuous residence in Romania required to acquire citizenship. A fast-track procedure is available for persons who want to re-acquire Romanian citizenship, and for their descendants.</p> <p>Migrants with legal status have the right to freely participate in social, cultural and public life. Current policies do not hinder these rights, but there is no affirmative measure either. The distinction between traditional, recognised ethnic minorities and new minorities creates differences between categories of migrants. Complicated procedures and language barriers may trigger practical limitations, for example when migrants try to get recognition of diplomas obtained outside the EU. Based on prior research done by the authors it can be said that local public</p>
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		<p>authorities are not aware of their role and they are not interested in providing services for migrants.</p> <p>The migrants' consultative body has not yet been established, despite being stipulated in the existing policy documents.</p>
<h3>3.9. Use of funding instruments (EIF, ERF, EMIF)</h3>		
	<p>Please provide briefly information and documented insights about the allocation and distribution of funds aimed at supporting political and social participation, and active citizenship measures for migrants and/or their descendants.</p>	<p>Romania used the available funding opportunities between 2010 and 2013, but did not use EMIF in 2014. According to official data provided by GII in response to a request for information, the total amount spent from ERF, between 2010 and 2013, was €5,148,591. The total amount spent from EIF, between 2010 and 2014, was €3,012,312.</p> <p>Calls for proposals were launched yearly, and activities aiming at fostering social participation of immigrants were deemed eligible each year. However, the responsible institution, GII, did not publish any evaluation reports, and when asked for official data, responded that it does not collect statistical data on thematic areas.</p> <p>Based on the information published on the GII website⁹⁹ about the projects funded between 2010–2013, the authors estimate that roughly €200,000 per year were allocated for activities related to social and civic participation of migrants. Political participation was touched on only marginally, for example as an issue for more extensive research, or as a subject of a policy brief.</p>
<p>In particular provide a breakdown of funding for the relevant actions and measures by area (political participation, social participation and membership, indicating the source of funding (EIF, ERF, national, regional, other funding source) by using the Annex 5</p>		

⁹⁹ The complete list of projects is available at: <http://igi.mai.gov.ro/detalii/pagina/ro/Fondul-European-pentru-Integrare/182>

3.10.Key legal and policy developments, and relevant case law

	<p>In this section, please provide information about developments regarding the above legal and policy instruments concerning participation (political, consultation, membership and association, active citizenship and civic education), including any new legislative or policy initiatives in the framework of migrant integration in the country. Key developments may be new legislation or policies, abolition, update, improvement or reform of existing ones, as well as important case law, court, equality body or administrative cases, that have had or may have an impact on the implementation of legal and policy instruments and on the actual situation on the ground, including public debates and perceptions among the native population and migrants. (Use template in Annex 9).</p>	<p>The legislative framework is relatively stable, with few changes in the last decade, all geared towards increasing harmonisation with EU law.¹⁰⁰ Current policies are focused on managing immigration and border control and not on integration of immigrants.¹⁰¹ Tolerance towards migrants among the general population is high, and Romanians generally support integration measures.¹⁰² The trend is also positive,¹⁰³ and migrants' perceptions confirm the high level of tolerance.¹⁰⁴ The CNCD annual survey on perceptions of discrimination has similar findings, showing that the majority of Romanians consider that immigrants are not discriminated against,¹⁰⁵ and when using the social distance scale, research places immigrants among the minorities least discriminated against.¹⁰⁶</p> <p>On 27 January 2015, during the public event presenting the annual report of the organisation, the head of IGI mentioned that evaluation of the previous strategy is ongoing, but he could not offer any additional details. No evaluation was published at the end of March 2015.</p> <p>A draft Strategy for Immigration 2015-2018 was published for public debate on 20 March 2015. The document is not accompanied by an evaluation of the previous Strategy, nor by an Action Plan. The Strategy follows the path of the previous document, focusing on control and combating the illegal migration. According to the document, the state authorities identified 2,469 illegal immigrants in 2014, an 8% increase compared</p>
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¹⁰⁰ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, pp. 103–105.

¹⁰¹ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 43.

¹⁰² Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 31.

¹⁰³ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 39.

¹⁰⁴ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 36.

¹⁰⁵ National Council for Combating Discrimination, (2014), *Percepții și atitudini privind discriminarea 2013*, available at: www.cncd.org.ro/files/file/Sondaj%20de%20opinie%20CNCD%202013.pdf, p. 11.

¹⁰⁶ National Council for Combating Discrimination, (2014), *Percepții și atitudini privind discriminarea 2013*, available at: www.cncd.org.ro/files/file/Sondaj%20de%20opinie%20CNCD%202013.pdf, pp. 33–42.

		<p>to 2013. The Inspectorate expects a further increase in 2015, and plans to improve its capacity of responding to this perceived threat.</p> <p>The novelty in the area of integration is the preoccupation to improve the access of third-country nationals to the labour market, in particular in the sectors where there is a shortage of workers. The document mentions reviewing existing legislation, signing bilateral agreements with third countries and improving services for migrants. There are no concrete details about the implementation of these measures. There are no references to the migrants' consultative body, nor to any reforms concerning political participation.</p> <p>After analysis of the reports of the relevant authorities (IGI and CNCD) and the database of bills proposed to the Parliament, and scrutiny of the database of trials on the Bucharest Appeal Court website, no relevant case law was identified.</p>
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4. Social cohesion and community relations

4.1. Social cohesion policies

	<p>Does the national integration legal and policy framework refer to social/community cohesion? Is there a clear definition of social/community cohesion? Please report it here – in original language and in full English translation.</p>	<p>The reference documents for social inclusion policies are the National Strategy on Social Inclusion and Poverty Alleviation 2014–2020 (<i>Strategia națională pentru incluziune socială și combaterea sărăciei 2014-2020</i>) and the Social Assistance Act (<i>Legea nr. 292/2011 privind asistența socială</i>). Both documents refer to "social inclusion", focusing on individuals, and not social/community cohesion. Subsequently, the Government Ordinance on Social Integration of Aliens (<i>Ordonanța nr. 44/2004 privind integrarea socială a străinilor care au dobândit o formă de protecție sau un permis de ședere în România, precum și a cetățenilor UE și a Spațiului Economic European</i>) and the National Strategy on Immigration 2011–2014 (<i>Strategia Națională privind Imigrația 2011-2014</i>), both referred to in previous sections, refer to social inclusion or integration with the focus on persons. Social cohesion is not defined in any other similar strategic documents.</p> <p>The National Strategy on Social Inclusion and Poverty Alleviation 2014–2020 includes a section on 'zonal policies', which refers to measures aimed at improving community relations. However, the specific strategy on migrant inclusion does not include such measures.</p>
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		A draft Strategy for Immigration 2015-2018 was published for public debate on 20 March 2015. The document maintains the same wording on integration as the previous Strategy.
Are there any specific measures in place to strengthen social cohesion? Please refer to promising practices and examples of challenges. Use the template for promising practices in Annex 7 highlighting the most important and/or successful.		The National Strategy on Social Inclusion and Poverty Alleviation 2014–2020 includes a section on 'zonal policies', which refer to measures aimed at improving community relations. However, the specific strategy on migrant inclusion does not include such measures. The 2014 edition of the Immigrant Inclusion Barometer ¹⁰⁷ mentions that all municipalities of the six cities which account for 90 % of migrants consider that migrant integration is not their responsibility, referring the researchers to the central government.
Are there indicators used by authorities to assess, monitor and support social cohesion policies? E.g. social distance, social interaction, intergroup relations, etc. Please provide available relevant data, figures and findings, if any, and present them briefly in the relevant table of the Annex (4).		
Please outline available research, studies, and surveys about the sense of belonging and identification of migrants and/or their descendants with diverse types of local, regional and national identities. Please summarise briefly key findings and any differentiations by nationality or ethnic origin, gender, age and geographic area.		There is no quantitative research (surveys) on the population of migrants carried out the last five years and available to the public. Qualitative research (interviews, life stories), carried out by civil society organisations and already quoted in this report ^{108 109} , concur that migrants generally have a feeling of belonging and have long-term plans for living in Romania. Even if the results of this research are not representative of all migrants, the convergence of their conclusions is a strong indicator of the mind-set of migrants.
Please indicate legal measures and case law affecting social cohesion and community relations, for example the banning of specific religious or ethnic dress, such as the 'burqa' ¹¹⁰ .		No such events were reported.

¹⁰⁷ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, pp. 42–43.

¹⁰⁸ Alexe I., Păunescu B. (coord.), (2011), *Studiu asupra fenomenului imigrației în românia. Integrarea străinilor în societatea românească*, Bucharest, Soros Foundation Romania, available at:

www.fundatia.ro/sites/default/files/ro_115_IMIGRATIE_2011_RO.pdf, p. 43. Nedelciuc, V., Tarnovschi, D., Ionescu, D. (2013), *România văzută de imigranți. Povești de viață*, Bucharest, Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health) and Fundația pentru o societate deschisă (Foundation for an Open Society), available at www.cdcdi.ro/files/publications/44_5_Rap%20calit%20imigranti_final.pdf, p. 108

¹⁰⁹ Nedelciuc, V., Tarnovschi, D., Ionescu, D. (2013), *România văzută de imigranți. Povești de viață*, Bucharest, Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health) and Fundația pentru o societate deschisă (Foundation for an Open Society), available at www.cdcdi.ro/files/publications/44_5_Rap%20calit%20imigranti_final.pdf, p. 32

¹¹⁰ Cfr. The notable ECHR case European Court of Human Rights (ECtHR), *S.A.S. v. France*, No. 43835/11, 1 July 2014, available at [http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145466#{"itemid":\["001-145466"\]}](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145466#{)

<p>Does the action plan or strategy on integration and inclusion of migrants and their descendants address combating racism, xenophobia and intolerance?</p> <p>Are there specific integration/inclusion actions related to racism and intolerance for education and/or for young people? If yes, how are such actions linked to general integration and/or social inclusion and/or cohesion policy? Please provide information on implementation and impact of such plans and refer to any assessment of their impact?</p>	<p>The National Strategy on Immigration 2011–2014 (<i>Strategia Națională privind Imigrația 2011-2014</i>¹¹¹) and subsequent action plans do not explicitly address combating racism, xenophobia and intolerance. Nevertheless, they include actions related to “promoting multicultural dialogue” and “creating a positive image of immigration and immigrants’ integration through information and awareness-raising campaigns”.</p> <p>Under these two types of action, the following activities were included: publishing and disseminating brochures about immigration and immigrants; communication campaigns on radio and television, informing citizens of the benefits of migration; and research on perceptions of immigration and immigrants. All activities were funded through the EIF and ERF, and implemented by civil society organisations selected on the basis of open calls for proposals.</p> <p>No evaluation of the action plans is available. According to the National Strategy, the evaluation should have been published in January 2015.</p> <p>A draft Strategy for Immigration 2015-2018¹¹² was published for public debate on 20 March 2015. The document is not accompanied by an evaluation of the previous Strategy, nor by an Action Plan. The new document does not explicitly address combating racism, xenophobia and intolerance but it continues to include similar actions as the previous Strategy in the area of promoting multicultural dialogue and creating a positive image of immigrants.</p>
<p>Please provide information about state and non-state responses via positive measures, campaigns, partnerships involving migrants and communities. Please provide information only about those actions that focus on migrants and on <u>prevention</u> and promotion of peaceful living together and integration as mutual accommodation combatting racism and intolerance. Please outline any assessment about their impact and identify any relevant promising practice. (Use the template for promising practices in Annex 7).</p>	<p>Starting with 2010, the General Inspectorate for Immigration, using European funding instruments (EIF, ERF) financed eight projects proposed by civil society organisations, all having at least one component dedicated to improving the relationships between migrants and communities.¹¹³ The total budget for the eight projects is €1.3 million, but it is not possible, using publicly available data, to identify the specific budgets for the community related components. The activities included: information centres, campaigns, debates, and training sessions for public servants and community members.</p> <p>No evaluation or assessment of impact was made public for these projects.</p> <p>The most promising project, in the evaluation of the authors, entitled ‘Migrant in intercultural Romania’¹¹⁴ (<i>‘Migrant în România interculturală’</i>), is implemented by</p>

¹¹¹ Romania, National Strategy on Immigration, 2011–2014 (*Strategia Națională din 18 mai 2011 privind imigrația pentru perioada 2011-2014*), 3 June 2011, available at www.monitoruljuridic.ro/act/strategia-nationala-din-18-mai-2011-privind-imigratia-pentru-perioada-2011-2014-emitent-guvernul-publicat-n-129083.html

¹¹² National Strategy on Immigration 2015-2018 (*Strategia Națională privind Imigrația 2015-2018*) Available at: <http://www.mai.gov.ro/documente/transparenta/Anexa%20strategie%20imigratie.pdf>

¹¹³ The complete list of projects is available at: <http://igi.mai.gov.ro/detalii/pagina/ro/Fondul-European-pentru-Integrare/182>.

¹¹⁴ Project website: www.migrant.ro.

		the Intercultural Institute (<i>Institutul Intercultural</i>). The project aims to create online and offline tools for promoting mutual accommodation. It has a total budget of €95,000. It is listed in Annex 7.
4.2. Combatting racism and intolerance		
Are there any policy measures, initiatives and practices to accommodate for ethnic or religious differences, for example in regard to sharing public space, such as swimming pools at local level? Identify any promising practices encouraging social interaction and contacts of people of different backgrounds at local level (use the template for promising practices in annex 7).		The 2014 edition of the Immigrant Inclusion Barometer mentions that all municipalities of the six cities that account for 90% of the migrants consider that migrant integration is not their responsibility, referring the researchers to the central government. The research specifies that no examples of promising practices were found at local level. ¹¹⁵
Please indicate concrete measures, initiatives or programmes targeting migrants and/or descendants aiming at building trust in public institutions, especially at local level. E.g. campaigns, opening doors and reaching out to citizens, social centres, informal collective bodies, cultural events etc. Please provide notable examples of promising practice (use the template for promising practices in annex 7).		Starting with 2010, the General Inspectorate for Immigration, using European funding instruments (EIF, ERF), financed 12 projects proposed by civil society organisations, each of which has at least one component targeting migrants and aimed at facilitating their integration. ¹¹⁶ The total budget of the twelve projects is €2.2 million but it is not possible, using publicly available data, to identify the budget for the specific components. The relevant activities were service and information provision. None of the projects included the participation of local public authorities. No evaluation or assessment of impact was made public for these projects. The most promising project was 'My Place – Multi-functional Cultural Centre – a bridge for TCN integration in Romania' (<i>'My place – Centrul Cultural Multifunctional – o punte pentru integrarea RTT in Romania'</i>), implemented by the Jesuit Refugee Service in Romania. The project aimed at creating a community centre run by and offering services to both migrants and the majority population. It had a total budget of € 90,000. It is listed in Annex 7.
Are there any specific ethical or other guidelines or rules concerning the language used by media or journalists, when		There are no such rules or guidelines.

¹¹⁵ Voicu, O., Bucur, A., Cojocariu, V., Lăzărescu, L., Matei, M., Tarnovschi, D. (2014), *Barometrul integrării imigranților*, Bucharest, Fundația pentru o societate deschisă (Foundation for an Open Society) and Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health), available at www.fundatia.ro/sites/default/files/BII%202014_final.pdf, p. 42.

¹¹⁶ The complete list of projects is available at: <http://igi.mai.gov.ro/detalii/pagina/ro/Fondul-Europeen-pentru-Integrare/182>.

	writing about migrants and/or their descendants? In this case please provide briefly information about actual application of such rules and challenges.	
4.3.Mixed marriages		
	Mixed marriages is often used as an index for social distance and integration or, even, assimilation. Mixed (citizenship) marriages are defined as those where one of the spouses has foreign citizenship and the other has national citizenship (including registered partnerships, common-law marriages). Please indicate legal limitations, if any, for marriages between nationals and foreigners, e.g. for asylum seekers, third-country nationals, etc. Do these limitations result in practical barriers?	<p>There are no legal limitations for mixed marriages between spouses with different national citizenships. If one of the spouses does not have residence permit, a permit will not be awarded automatically on marriage. The national Law on the Status of Aliens in Romania, Emergency Ordinance no. 192/2002 (<i>Ordonanța de urgență nr. 192/2002 privind regimul străinilor în România</i>), stipulates that the authorities must verify that the marriage is not a marriage of convenience, arranged in order to obtain illegal entry to Romania. The procedure includes interviews and home visits. If the decision is that the marriage is sham, the marriage itself is not annulled but the spouse concerned is forced to leave Romania within 30 days.</p> <p>The 2013 research report, 'Romania seen by immigrants – life stories',¹¹⁷ shows that in some cases both the interviews and the home visits could be aggressive and intrusive. Both interviews and visits are conducted by police officers, not by social workers or other specialist personnel.</p>
	Are there any official or non-official data and information on mixed marriages (between nationals and people with another citizenship)? Please provide % proportions on the total number of marriages in a given period, as well as data – where available - about ages, country of origin/birth of migrant spouses.	The most recent figures provided by the National Statistics Institute (<i>Institutul Național de Statistică</i>) are for 2013 ¹¹⁸ . Of the total number of 107,507 marriages in Romania, 1,327 (1.23 %) were mixed marriages between a Romanian citizen and a third-country national. Data on ages, and country of origin or birth of the spouses were not provided.

¹¹⁷ Nedelciuc, V., Tarnovschi, D., Ionescu, D. (2013), *România văzută de imigranți. Povești de viață*, Bucharest, Asociația Română pentru Promovarea Sănătății (Association for the Promotion of Health) and Fundația pentru o societate deschisă (Foundation for an Open Society), available at www.cdcdi.ro/files/publications/44_5_Rap%20calit%20imigranti_final.pdf, p. 23.

¹¹⁸ The data can be accessed using the API available at: <http://statistici.insse.ro/shop/>. It requires authentication. Registration is free.

Annex 2: National and regional level action plans on integration

National / regional level <i>(specify region)</i>	Year of the first edition and Year of latest update <i>(e.g.</i> <i>First edition: 2004, Most recent update: 2011)</i>	Responsible ministry – public authority – reference details <i>(URL – links)</i>	Target groups <i>identify migrant and refugee groups as beneficiaries (e.g. on the basis of their residence status)</i>	Main aims, actions and activities <i>foreseen in the focus areas – link to fundamental rights [provide both key dimensions and specific actions and aims of the policy instruments in each focus area (use a different row for each focus area if needed)]</i>	Targeting general population? Yes/No – explanatory comments where needed	Insert here definition of integration (in EN) if any. Alternative: Indicate the core aim/objective of the NAP related to social inclusion and/or integration of migrants
National level - Romania	First edition: 2004. Most recent update: 2006	Ministry of Internal Affairs (<i>Ministerul Afacerilor Interne</i>) (www.mai.gov.ro/) – The General Immigration Inspectorate (<i>Inspectoratul General pentru Imigrări</i>) (http://igi.mai.gov.ro/)	Legally residing immigrants, refugees and European Union citizens and citizens of the European Economic Area	The aim of this piece of legislation is to enable social, cultural and economic integration in society. The normative act links social integration to access to labour and housing, access to medical care, access to education and to cultural sensitivity courses. Access to integration programmes, which are language and cultural orientation courses, are provided on request, and access to healthcare, social security, education and work for beneficiaries of international protection are granted under the same conditions as for Romanian nationals. Legislation available at:	No.	Social integration represents the process of active participation of the beneficiaries of international protection, of immigrants with legal residence in Romania and of citizens of the European Union and of the European Economic Area, to the social, cultural and economic life of Romanian society in order to prevent and combat social exclusion.

				http://igi.mai.gov.ro/api/media/userfilesfile/Legislatie/Legislatie%20nationala/OG%2044%20din%202004%20integrarea%20sociala%20a%20strainilor%20care%20au%20dobandit%20o%20forma%20de%20protectie%20sau%20un%20drept%20de%20sedere%20in%20Romania.pdf		
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Annex 4: Indicators monitoring migrant integration - social inclusion/cohesion

There are no clear indicators for monitoring and evaluation of integration policies and no explicit procedures for monitoring the national law.

Annex 5: Use of funding instruments

Table 1 - European Integration Fund (EIF)

This table combines official and unofficial data.

Official data: **in bold**. provided by the General Inspectorate for Immigration (*Inspectoratul General pentru Imigrări*, IGI), in writing, in answer to official request.

Unofficial data: regular font. Compiled by the authors from open sources (activity reports, project descriptions). Not enough data was available for 2014.

Asylum, Migration and Integration Fund was not used for 2014 – official information.

	European Integration Fund (EIF) – TOTAL – projects implemented by NGOs EURO	Own funds EURO	Funds distribution / Thematic areas (EURO)							
			Participation	Social Cohesion / social inclusion	Active citizenship	Welcoming society	Employment	Education	Healthcare	Other / Can not be determined
2010	1,037,966.56	251,370.18	194,478	752,816		422,656		99,648	97,887	
2011	1,173,127.63	278,891.76	194,478	752,816		422,719				
2012	1,567,485	313,496	194,478	519,054		199,498		44,095		80,841
2013	1,370,013	164,316	194,478	652,816		285,949				39,885
2014										

Table 2 - European Refugee Fund (ERF) aiming at integration of beneficiaries of international protection

This table combines official and unofficial data.

Official data: **in bold**. provided by the IGI, in writing, in answer to official request.

Unofficial data: regular font. Compiled by the authors from open sources (activity reports, project descriptions).

Asylum, Migration and Integration Fund was not used for 2014 – official information.

	European Refugee Fund (ERF) – TOTAL EURO	Own funds EURO/region al)	Funds distribution / Thematic areas (EURO)							
			Participatio n	Social Cohesion / social inclusion	Active citizens hip	Welcoming society (host targeted)	Employment	Education	Healthcare	Other / Can not be determine d
2010	658,163.43	158,367.26								658,163.43
2011	726,446.99	171,685.93								726,446.99
2012	15,836.66	4,566.66								15,836.66
2013	769,811	153,962		519,200						250,611
2014	842,056	168,411		398,411				193,034		250,611

Annex 7: Promising practices

Thematic area	Promotion of peaceful living together
Title (original language)	Migrant în România interculturală
Title (EN)	Migrant in intercultural Romania
Organisation (original language)	Asociația Română pentru Promovarea Sănătății – ARPS
Organisation (EN)	Romanian Association for Health Promotion
Government / Civil society	Civil Society
Funding body	General Inspectorate for Immigration
Reference (incl. url, where available)	www.migrant.ro
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	21 August 2012–30 June 2015
Type of initiative	NGO project financed through EIF
Main target group	Immigrants in Romania
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The project aims to create online and offline tools for promoting mutual accommodation. It undertakes the following activities: local consultations with third-country nationals; training sessions for journalists and intercultural mediators; development of the website www.migrant.ro and the journal <i>Migrant in Romania</i> .
Highlight any element of the actions that is transferable (max. 500 chars)	Training session for journalists and intercultural mediators. Editing a journal dedicated to migrants' life.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	Both journalist and intercultural mediators continue their activity independently of the project, leading to long-term impact. The journal <i>Migrant in Romania</i> is available under

	open licence, becoming one of the most important sources of information about migrants' life in Romania.
Give reasons why you consider the practice as having concrete measurable impact	There is evidence that mediators are an efficient tool in the case of other minorities – for example Roma. Similarly, there is evidence that training courses for journalists may improve the way they report on sensitive issues.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	Both practices could be easily adapted to other settings.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	The intercultural mediators are selected from the migrants' communities, and they participate in the training sessions with journalists. Migrants decide on the content of the local consultations and they are contributors to the website and journal.
Explain, if applicable, how the practice provides for review and assessment.	No evaluation or impact assessment is available. The project is ongoing.

Thematic area	Building trust at local level
Title (original language)	My place – Centrul Cultural Multifunctional – o punte pentru integrarea RTT in Romania
Title (EN)	My Place – Multifunctional Cultural Centre – a bridge for TCN integration in Romania
Organisation (original language)	Jesuit Refugee Service Romania
Organisation (EN)	Jesuit Refugee Service Romania
Government / Civil society	Civil society
Funding body	General Inspectorate for Immigration
Reference (incl. url, where available)	http://jrsromania.org/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	7 October 2013–30 June 2014
Type of initiative	NGO project financed through EIF

Main target group	Community with migrants
Indicate level of implementation: Local/Regional/National	Local – Bucharest
Brief description (max. 1000 chars)	The project aimed at creating a community centre run by and offering services to both migrants and the majority population. The main activities of the project in Stage I include: establishing, refurbishing and equipping the Multifunctional Cultural Centre in accordance with the project's objectives; developing an information campaign and promoting the activities of the Multifunctional Cultural Centre and setting up an Information Point; identifying and informing the beneficiaries, consulting with migrant communities in order to match the Centre's cultural and multicultural activities to their needs; organising socio-cultural activities addressed to the target group, such as multicultural events, culinary evenings, exhibitions, tea-house and library; organising socio-recreational activities, such as sports activities, internet cafe, cultural cinema, activities for children and a children's room; organising socio-educational activities, such as thematic meetings, workshops on social issues regarding integration into Romanian society, workshops on creativity, art and socio-therapy and events requested by the third-country nationals.
Highlight any element of the actions that is transferable (max. 500 chars)	The Centre's model can be replicated in any other community with migrants.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	As long as the Centre offers services relevant for the community, it could continue to operate with volunteers, at a very low cost.
Give reasons why you consider the practice as having concrete measurable impact	The practice changes the tradition of information centres for immigrants, setting up a place which both migrants and members of the majority are interested in visiting and where they can participate in joint activities. Direct contact is the best method to alleviate differences and promote mutual understanding.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	The model is adaptable to any other community with migrants.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review	The migrants participate in running the Centre and in all activities.

assessment and implementation of the practice.	
Explain, if applicable, how the practice provides for review and assessment.	No evaluation or impact assessment is available.

Annex 8: Discrimination complaints submitted to Equality Bodies

Table 3 – Numbers of discrimination cases on any ground submitted by third-country nationals (TCNs) in 2014*

No complaints submitted by third-country nationals in 2014, according to the response of the CNCD.

Table 4 - Outcome of discrimination cases on grounds of ethnic origin submitted by third-country nationals*

No complaints were submitted by third-country nationals in 2014. Data are not segregated for immigrants. Data on discrimination grounds are collected. However, in previous years, cases on discrimination against immigrants have been recorded in the statistics as discrimination on grounds of nationality, together with petitions of persons belonging to national minorities, as they infringed the right to dignity of the person.

Annex 9: Case law – max 5 leading cases

No relevant case law to report.