

Roma in Romania

-Slavery

-Rejection

-Persecution

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Biography

1. The Roma - a nation without a country?

In most countries the Roma people have been subject to prejudice, discrimination and even persecution at times of crisis. Pursuing marginalized and pariah trades, they were subject to slavery in Eastern Europe and were amongst the first victims of West Europe racism from the foundation of nation-states in the sixteenth century to the death camps of Hitler's Europe in which at least a quarter of a million Roma died.

It's true that we can find the Roma everywhere in Europe but have they got their own country? We know that they speak Romani language, but we don't really know a place named "Roma country" or "Roma Island". In fact, Gypsies are people who call themselves Kalo, Manouche, Romanichal and especially Roma and Sinti. Even though the word "Gypsy" is derived from the word "Egyptian", neither the Romani language nor its speakers come from Egypt.

So, where do we have to look out to find their origins? Romani is the language of Gypsies and originates from India. So, may India be their country? Yes, it was India, but now, the whole Europe is their "home" because they are nomadic people. The first Romani speakers arrived in Europe in the late Middle Ages. Today the language is spoken all over Europe, the Americas and Australia. And the most interesting thing is that it is probably the only language spoken in all countries of Europe even if it is rarely recognized as a distinct language by governments.

Originally Romani was only an oral language, but is increasingly being used as a written language as well, both in print (fiction, poetry, essays and journalism) and in communication on the Internet. The written language shows that Romani is a language in its own right, with its own, unique grammatical system, dialects and particular norms of language use. Pressure from the outside world has diminished the use of language in some areas, but generally it is a thriving language spoken by million of the people.

In the Romanian literature the name Gypsy was used for the first time in "Razvan si Vidra", an historical drama written by Bogdan Petriceicu Hasdeu in which Razvan, the master of Moldavians in the 16th century is a slave who was set free and who was son of a Gypsy and a Romanian. Even in that time people were discriminating Gypsies and they refused to accept Gypsies can be as good as them. They couldn't forget the Origin of Razvan even if he helped them:

"Dumnezeu sa mi-te-ajute, precum tu m-ajuti pe mine ;
Zilele tale sa curga tot zile lungi si senine ;

Iar nevoia sa doboare pe orisicine-ti va fi dusman !...
Ramai sanatos,baiete!...Ce pacat ca esti tigan !... »

2. Legal Standards

The definition of racial discrimination in the International Convention on the Elimination of the All Forms of Racial Discrimination (ICERD) serves as the starting point for analysis by many international bodies and observers. The Convention states that “the term <racial discrimination> shall mean any distinction, exclusion, restriction or preference based on race, color, descent, national or ethnic origin which has the purpose or effect of nullifying the recognition, enjoyment or exercise on an equal footing of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life”.

International instruments also distinguish between prohibit direct and indirect racial discrimination. For example, ordinances those openly deny social benefits, access to state-sponsored medical clinics or the opportunity to live in particular housing units to a person because he or she is a member of an ethnic group would constitute direct discrimination and are prohibited under international law. Indirect discrimination occurs when governments adopt policies that adversely affect a protected group without mentioning that group by name, regardless of intent. For example, a government might choose to close state-owned health clinics that are not “profitable”. But if facilities in minority neighborhoods are the only ones that are not profitable and the effect of the government policy is that minorities will have significantly less access to health care than the majority, and then the government may have engaged in impermissible race-based discrimination. So, we can say that indirect discrimination violates international human rights standards as much as direct discrimination, if not more.

In August 2000, the Romanian government adopted an Ordinance on Preventing and Punishing all Forms of Discrimination. The Antidiscrimination Ordinance states that certain acts constitute offenses : any threats, constraints, use of force or any other means of assimilation, colonization or forced movement of persons with a view to modify the ethnic, racial or social composition of a region or of a locality; any behavior forcing a person belonging to a race, nationality, ethnic group or religion or a community, respectively, to unwillingly leave their residence, to be deported or to lower their living standards with a view to make them leave their traditional residence; any behavior aimed at forcing a person or a group of persons to move away from a

building or neighborhood or aimed at chasing them away an account of their belonging to a race, nationality, ethnic group, religion, social category or on account of their beliefs, sex or sexual orientation.

The ordinance which is now in force provides that the exercise of the right to housing is based on the principle of equality among citizens without privilege or discrimination.

Members of the National Council for the Prevention of Discrimination determine when sanctions should be applied. The council is a specialized, public administration body, subordinated to the government, which should have been established at the beginning of November 2000, that is, within sixty days from the publication of the antidiscrimination law. Successfully applied, the Romanian law will set an important precedent for how other countries can punish and prevent discriminatory behavior and protect the Romany minority population.

In the latest census in Romania, conducted in January 1992, 409111 people out of total population of approximately 23 million identified themselves as Roma. Nowadays, unofficially speaking, we estimate 1,8-2,5 million Roma in our country. If these are accurate, Roma constitute the largest minority in Romania and Romania has the most Roma of any country in Europe.

3. Barriers to Social Protection

“We eat from the garbage. We pick up empty bottles and sell them. Nobody in this neighborhood receives social support. They say they have no funds.”

Romani woman in Alba Iulia, Romania

a) The State’s Obligations

Romania’s Constitution established the state’s obligation to ensure a decent standard of living for its citizens. It also established the rights to food, clothing, adequate housing, reasonable living conditions and their continuous improvements. Children and young people enjoy special protection and assistance in the exercise of their rights. The state provides allowances for children and benefits for the care of sick or disabled children; other rules and regulations provide additional forms of social protection for children and young people.

b) Poverty in Romania

The total population of Romania is approximately 23 million persons. Based on voluntary self-identification ethnic Romanians comprise 89,4% if the population, Hungarians, 71% , Roma, 1,8%, Germans, 0,5% and others 1,2%. The Romanian

government estimates that the country contains one and a half million Roma, while experts on the Roma believe that two million is more accurate approximation.

The World Bank says that 30% of the population of Romania lived in poverty in 1998 and that nearly 12% lived in extreme poverty. 45% of the population lives in rural areas, 12% of the families have three or more children. Of this 12% two-thirds of the families with three children are poor as are five-sixths of the families with four or more children.

Poverty disproportionately strikes Romania's Roma. According to the Romania Integrated Household Survey (RHIS) in the 1997 the Romani poverty rate was 79% compared to the national poverty of 31%.

c) National Strategies for Romani Integration and Social Support

In 1998, the government established an Inter-Ministerial Commission for National Minorities and a subcommittee for Romani issues.

In the second part of 1999, the 'Improvement of the Roma Situation' program was launched with confounding by the PHARE National Program and the Romanian Government. The program allocates 1,1 million euro for the elaboration of a national strategy for protecting the Romani population and 900 000 euro for the implementation of several pilot projects. The national strategy was completed in 2001; Romani organizations are participating in the development of the national strategy.

d) Additional benefits for the families with children

Additional benefits for families with children encouraged Roma's families to have a lot of children. The average number of children per family within the Romani population is much higher than within the majority. In 1992, for example, Romani women between the ages of 35-38 were responsible for 5 children on average, while a woman of the same age in the population at large had responsibility for only 2 children. Limiting additional benefits to a fixed amount for families that have more than 4 children, disproportionately affects Romani families as compared with non-Romani families. This kind of measure is an indirect discrimination.

e) Work requirements

Local councils may require food pantry beneficiaries to participate in public work assignments (activitati gospodaresti). While such requirements do not discriminate directly against the Roma, the law is vague and open to abuse in practice.

The law does not specify what kind of activities officials may require of claimants, thus permitting the imposition of all types of work, from peeling potatoes to digging ditches. Romani women state that administrators require them to perform exhausting,

unsanitary or humiliating work, such as cleaning toilets, or even, collecting garbage or even, as in Buhusi, performing agricultural work on private property. In Dej, adults who qualify for food pantry benefits must work in municipal extermination services without receiving any training or information about the harmful substances they handle.

Local Romani leaders allege that the administrators assign work along ethnic lines. They state that officials give Roma the so-called “dirty-work” while non-Roma receives less onerous tasks- or no assignments at all. Several Romani women reported at least two incidents in which, seeing them working on the streets, a senior municipal official yelled from his car: “Clean well, crows, or I’ll cut off your bread”.

f) Difficulties in accessing governmental facilities

To access governmental facilities, in most cases, you must apply for benefits at a municipal building. Many Roma report that officials deny them physical access to city halls. In Orastie, Romani women linger in the street while the non-Roma wait inside. “They do not let us in, because they say that Gypsies are dirty and smell. The Romanians are all inside, where it is warm and we are waiting out here in the cold”.

Officials sometimes claim that Roma are disruptive in public. However problems caused by a few do not justify discriminatory treatment of an entire race.

4. Denial of Health Care

“Yesterday my wife had an accident and broke her ribs. The local hospital refused to admit her because she was not sent by a family doctor. They told us to go to Focsani [26 km. away]. We had no money for the bus and we started walking. After 2 km she fainted because of the pain. I carried her in my arms the rest of the way.”

Romani man in Marasesti, Romania

a) General Status of Romani Health in Romania

The health status of an individual Romani person depends, among other things, on his or her living conditions, lifestyle, socio-economic status and level of education. Romani life expectancy is significantly lower than that majority population and infant mortality is higher than in the population at large.

Romani children and adults suffer from a wide range of health problems. Romani children have a higher rate of vitamin deficiencies, malnutrition, anemia, dystrophy and rickets than their non-Romani peers. Lack of safe drinking water,

hygiene and substandard living conditions often result in a parasitoses and other infectious digestive diseases.

b) Racial Prejudices toward Roma Who Receive Health Care

Romani patients are depicted in the media as dirty individuals who make noise, smoke and spit in hospital halls and do not have patience to wait. They bring the entire family to the hospital, disturbing the peace of doctors. They do not pay health insurance and take advantage of the “generosity” of the system at the expense of other Romanians. Occasionally they insult, threaten or even physically attack doctors, demand the right to enter operating room, steal old ladies’ handbags and vandalize clinics. They are the carriers’ contagious diseases that threaten the health of the nation.

The image that the press created may influence doctors and their attitude toward Romani patient. Roma generally suffer from a socially degraded image and racial prejudice, particularly among the country’s elite. This racial prejudice is “often insidiously manifested in the health care services and is not recognized as such” and health care institutions and medical staff practice a “discriminatory sociology” in the sense that they “do not welcome Romani”.

Racial prejudice also affects children’s health.

c) Direct Discrimination

The family doctor is at the center of the health care system. Theoretically, doctors have only limited rights to refuse to enroll a patient. Although the law does not explicitly address this issue, the professional code of ethics obliges doctors to attend to all patients equally, regardless of nationality, religion or the doctor’s personal feelings about a patient.

Roma have significant difficulty securing position on doctors’ rosters. The overwhelming majority of Roma stated that they want to register but doctors have rejected them. With no money to pay for private consultations and with no family doctor to refer them for treatment, the system is closed to them.

5. Lack of Adequate Housing

a) National Strategies of Housing for Roma

Romania does not yet have only specific housing policy for the Roma.

In the housing field, local Romani organizations have emphasized the elimination of ghettos and the construction and repair of infrastructure within Romani communities. In a document submitted to the Inter-Ministerial Sub-commission in September 2000 highlighted to need for nondiscriminatory access to public services,

clarification of the legal status of Romani houses and land, the construction of social housing and the rehabilitation of existing housing.

In general, the government denies claims that racial discrimination interferes with the enjoyment of the right on housing.

b) Romani Settlements in Romania

Many Roma live among the majority population, sharing with them the comforts or difficulties of city and village housing. However, most Roma live in segregated areas, in slums and ghettos, in abandoned buildings or near garbage dumps. Occasionally a couple of Romanian or Hungarian families share with the Roma the unimaginable desolation of these places, but this does not change the overwhelmingly ethnic character of the exclusion and “ghettoization”.

Roma live in several different types of settlements, the first of which is called “mahala”, a naturally developed area with a compact Romani population. As a rule, mahalas, or at least parts of them, are included in urban plans.

The quality of building is acceptable but the infrastructure has been neglected for years or simply does not exist.

Roma also dwell in small urban ghettos in apartment buildings abandoned by state enterprises and municipalities. These living arrangements exist in virtually all Romanian cities and have begun to appear with much greater frequency in recent years. Homeless families seeking temporary shelter quickly take over these buildings.

Roma also reside in slums, comprised of shacks and hovels, often built without authorization on municipal or private land on the outskirts of the city. Many families ended up living in slums after the communist authorities demolished their houses to build industrial parks. These slums, with populations ranging from a few hundred to more than a thousand, exist in cities and towns throughout Romania. Everyone living in a slum is poor. Water sources are scarce. In communities without electricity residents have improvised connections from nearby lines. The unpaved roads are full of holes. All the slums are located in the immediate vicinity of non-Romani apartment buildings and neighborhoods which have water, electricity, street lights and paved roads. The differences between the two communities are visible and shocking. Many residents of slums said that they are tired of protesting against the inhuman conditions.

Poverty, overcrowding, and lack of infrastructure dominate Romani neighborhoods. Cases in which more than 10 persons share the same room are not unusual.

6. Roma in the Education System of Romania

In Romania, although by law the right to education is guaranteed, education can in practice be inaccessible for Romani children in Romania are often excluded from school. Where Romani children are in school they frequently attend racially segregated classes or schools. In some cases they are segregated in schools for mentally disabled children. Where Romani attend regular schools, incidents of physical abuse and humiliating treatment by both the school staff and the non-Romani children are common.

The Romanian Law on Education recognizes “equal rights of access to all forms of education for all Romanian citizens”. But this right is frequently violated. Racist prejudice, bureaucratic obstacles and poverty effectively hamper access to school for many Romani children.

Not having schooling life affected the Romany’s past-schooling live. Because no one will offer a non-educated person a job especially if it is a Roma.

7. Conclusion: Roma Rights in Romania

Although Romania has undertaken a number of steps to comply with its international commitments- most notably by adopting an anti-discrimination ordinance and a government programme addressing Romani issues- at present the situation of Roma in Romania remains dire. Burdens on Roma and non-Roma alike, arising from centuries of slavery and unequal treatment of Roma, punctuated by episodes of raw persecution, have led to a situation difficult to resolve, in which society itself is corrupted by racism.

The situation of Roma is a subject of a particular concern since no improvements have been noted in the high unemployment rates and low educational level traditionally predominant among members of this minority; this contributes to the continued unacceptable prevalence of the negative and stereotyped image of the minority in the rest of society.

Romania presently aspires to the status of Member State of the European Union and next year (2007) will be accepted. Inclusion in this organization requires strict adherence to the highest human rights standards, including but not limited to rights set

down in the European Convention on Human Rights. Romania must protect, in law and in practice, the rights recognized in the International Convention on Economic, Social and Cultural Rights without discrimination of any kind, taking particular care to ensure that no person suffers the anathema phenomenon of racial discrimination.

Biography

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