

UNIVERSAL PERIODIC REVIEW (UPR) STAKEHOLDER JOINT SUBMISSIONS

Bálványos Institute
and
Institute for Public Policies in Szeklerland

Joint Submissions
to the United Nations
Universal Periodic Review

44th Session of the Working Group on the UPR
Human Rights Council
Fourth Cycle
April – May 2023

Romania

Bálványos Institute
Str. Samuil Micu 2/4
Cluj-Napoca/ Kolozsvár, Romania
400014
www.balvanyos.org/en/
contact person: Tibor Toró
email: office@balvanyos.org
phone: +40-722-322839

Institute for Public Policies in Szeklerland
Str. Oltului 8, Office B2
Sfântu Gheorghe/Sepsiszentgyörgy, Romania
520024
www.szki.ro/en
contact person: István Gergő Székely
email: office@szki.ro
phone: +40-745847766

Executive Summary

This memorandum is jointly submitted by the Bálványos Institute and the Institute for Public Policies of Szeklerland in advance of the forth periodic review of Romania at the Human Rights Council. We provide an assessment of and comments on the implementation of third cycle recommendations of the Working Group.

Our assessment is based on empirical data collected by the two submitting organizations and secondary analysis of existing data. While we address some general minority issues, our primary focus is on the human rights situation of the Hungarian community, the largest national minority in Romania.

We do not intend to evaluate all aspects of Romania's minority policy. The scope of our submissions is limited to highlighting some main issues of concern in relation to the human rights of persons belonging to the Hungarian community and identifying possible recommendations to address them to increase compliance with UN standards.

Our main focus is on the educational rights of minorities. First, we provide an overview of key international standards relevant to human rights of minorities to and in education, followed by a brief assessment of minority education in general. Then we address three key issues of concern, namely (1) discrimination of Hungarian speaking students and asymmetrical relations between majority and minority pupils in mixed (dual-stream) schools; (2) unequal access to higher education of Hungarian language students linked to indirect discrimination inherent in the official examination process; (3) deficiencies concerning intercultural education in general, and representation of Hungarians in textbooks in particular. In the second main section, we highlight the negative representation of Hungarians in mainstream (Romanian) media and political discourse, which we perceive as a direct consequence of deficient intercultural education. In the third section, we discuss the human rights situation of Hungarian-speaking Roma communities, an issue that has been rarely addressed at international fora. We conclude with a set of recommendations on how the Working Group should encourage the government of Romania to improve the human rights situation of minorities.

Bálványos Institute is a non-governmental organization established in 2018. As a think tank, it conducts social science and public policy research to provide evidence-based responses to issues impacting the Hungarian community in Transylvania.

The **Institute of Public Policy in Szeklerland** is a non-governmental and non-partisan research institute founded in 2017. Its primary objective is to develop professional background materials that will assist local governments in Szeklerland in achieving their public policy objectives.

I. Educational rights of the persons belonging to the Hungarian community

Accepted Recommendations: 114.46, 114.78, 114.137, 114.138, 114.139, 114.176, 114.180, 114.199

Recommendations noted by Romania: 114.174, 114.175

1. General overview

1. The protection of national or ethnic, linguistic and religious minorities and the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights.
2. It follows that the right to education and the rights in education for minorities, as guaranteed by minority-rights specific instruments such as the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UNDM) and the Council of Europe Framework Convention on National Minorities (FCNM) and European Charter for Regional or Minority Languages (ECRML) are integral part of educational rights as entrenched in a number of specific provisions in international instruments, including the Universal Declaration of Human Rights (UNHR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Elimination of All Forms Racial Discrimination (ICERD), the UNESCO Convention against Discrimination in Education and regional human rights treaties Romania is party of, including the European Convention on Human Rights and Fundamental Freedoms (ECHR) and the Revised European Social Charter (ESC).
3. The key treaty reference to minority rights is Article 27 of the International Covenant on Civil and Political Rights (ICCPR), which states:
In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.
Article 30 of CRC provides a similar standard for minority children.
4. Although these minority rights provisions do not specifically mention education, but since education is an essential component of minority rights to existence and identity, these provisions serve as a framework for developing general education policies as they affect minorities. State educational systems must be designed in a manner that facilitates the maintenance and promotion of minority identities. Therefore, these minority rights provisions, along with the texts of minority-specific instruments such as the UNDM, FCNM and ECMRL, complement the basic right to education without discrimination.
5. Accordingly, the state must provide equal opportunities for minorities to participate in educational programmes funded by the state based on the principles of non-discrimination and equal rights. Additionally, minorities also have special rights which also reflect the concept of equality, since they are often in a disadvantaged position in relation to the majority.
6. The appropriate education regime meets the separate educational needs of persons belonging to minority groups (multicultural component of minority education). Ideally, this includes education of minorities in their own language and education about their history and culture.

7. Moreover, education should promote tolerance, dialogue, mutual respect, and understanding among different cultural groups (intercultural component of education).¹ This requires reaching out to the knowledge of the wider society to ensure that the society as a whole understands and respects the history and cultures of minorities and the contributions they made to the social, economic and cultural enrichment of the country and to national, economic and social progress. Therefore, states should take measures in the field of education to facilitate the understanding of minorities' history, traditions, languages, and cultures, including by ensuring that the national curriculum and textbooks reflect the diversity of cultures and identities, and promote tolerance and intercultural communication.
8. In Romania, 1/2011 Law on Education remains the main legislative basis for teaching in and of minority languages. According to the law, minorities are entitled to receive education in their mother tongue at all levels of education and in all forms.² Institutionalized minority language educational options ("groups", "classes", "sections", and "schools") must be provided at the request of the parents. In addition, the law allows for the implementation of a medium-of-instruction policy based on the dominance of minority languages. This means that in pre-university education, all subjects may be taught in minority languages, except for Romanian language and literature.³
9. The legislation also provides for a wide range of multicultural curriculum content for minority students, including the possibility of learning five subjects (native language and literature, Romanian language and literature, musical education, religious education, history, and traditions of minorities) based on minority-specific curricula.⁴ Furthermore, the law facilitates the establishment of separate minority language-medium schools.⁵
10. While maintaining a centralized structure of education, the law also guarantees (limited) minority control over the overall educational process. Minorities have the right to proportional representation in school management and county-level school inspectorates.⁶
11. Two basic models of educational institutions have been developed to accommodate the educational needs of the Hungarian minority: 1) Hungarian language schools, with Hungarian as language of instruction and all subjects (except for the Romanian language and literature) being taught in Hungarian in all classes; 2) mixed language schools, with separate Romanian and Hungarian language-medium classes.
12. This quasi-separate state-funded Hungarian minority education system resulted in a greater proportion of Hungarian students receiving instruction in their mother tongue, thereby increasing the use of the Hungarian language. Moreover, it resulted in a greater emphasis on curriculum content that meets the needs of minorities and a greater weight being given to Hungarian language schools than mixed language educational institutions.
13. While these institutional outcomes seem to guarantee the educational rights of the Hungarian community, including those enshrined in the UNDM and human rights treaties ratified by Romania, the results of our systematic empirical investigation

¹ Cultural assimilation should not be the purpose or effect of intercultural education.

² 1/2011 Law on Education: Para. 1 and 2 of Art. 45.

³ 1/2011 Law on Education: Para. 1 of Art 45.

⁴ Para 6. of Art 45.

⁵ Para. 5 of Art. 45.

⁶ 1/2011 Law on Education: Para. 9. of Art 45.

indicate that members of the Hungarian minority continue to face violations of their human rights to and in education.

14. We reviewed and analysed official data provided by the Ministry of Education, including databases of the Romanian Agency for Quality Assurance in Public Education (ARACIP) and the Integrated Information System in Education in Romania (SIIR) and examined the micro-data regarding baccalaureate examinations. Additionally, the Bálványos Institute conducted a survey among Hungarian and mixed language schools (922 educational institutions in total) to investigate extra-curricular language use and resource allocation in mixed language schools.
15. The results of our empirical research indicate that
 - (a) Hungarian students continue to face discrimination in mixed language schools, which institutionalize deeply asymmetrical relations and inequality between Hungarian and Romanian language students.
 - (b) Hungarian language students do not have equal access to higher education due to (inter alia) indirect linguistic discrimination inherent in the official examination process.
16. We also carried out an assessment of intercultural components of education in relation to the Hungarian minority. We conducted a comprehensive review and analysis of the representation of the Hungarian minority in the national curriculum and textbooks. We found that national minorities are rarely mentioned in textbooks. Textbooks that refer to national minorities reproduce stereotypical images and do not provide adequate information regarding the history and culture of minorities and their contribution to society.
17. This memorandum thus asserts that Romania has failed to fully implement the relevant educational provisions of UN human rights instruments in relation to the educational rights of the Hungarian minority (such as Articles 1, 3, 4 and 5 of the Convention against Discrimination in Education; Article 13 of ICESCR; Articles 24 and 28 of CRC, Articles 5.d.v and 7 of ICERD, and Article 4 of UNDM), and regional human rights treaties (such as Article 2 of Protocol No. 1 of ECHR; Articles 9, 10, 15.1 and 17 of ESC, Articles 4.1, 4.2, 6, 12 of FCNM and Article 8 of ECRML) and only partially fulfilled the third cycle recommendations related to educational rights of minorities (114.78, 114.137, 114.138, 114.139, 114.176, 114.199 and 114.174 and 114.175) of the UPR Working Group.
18. In the following sections, we will detail our assessment by focusing on three concerning areas of the educational rights of the Hungarian minority in Romania: 1) discrimination affecting students attending Hungarian language classes in mixed language institutions; 2) discrimination Hungarian language students face in accessing higher education; 3) deficiencies related to intercultural education, focusing on textbooks used by the majority.

2. Discrimination of students learning in Hungarian language classes of mixed schools

19. Educational discrimination is rarely discussed in the context of linguistically separated educational systems based on voluntary enrolment. Nevertheless, Article 5.1.c of the UNESCO Convention against Discrimination in Education explicitly stresses that, while “*it is essential to recognize the right of national minorities to carry out their own educational activities, including the maintenance of schools [...]*”, it should be ensured that the quality of minority education “*is not lower than the general standard laid down or approved by competent authorities*”.
20. Neither UN human rights instruments nor regional human rights treaties obligate states to establish a quasi-separate institutional system of minority education funded by the state. However, in case state authorities decide to create such a system and institutional realities evolve accordingly, then the state is required to provide equal resources for minority language institutions and classes to ensure equal quality education for minority students. The opposite would lead to the marginalization of the minority group and constitute structural discrimination and a violation of the human rights of persons belonging to minorities.
21. This state obligation, even in the cases of private or semi-private educational institutions, was highlighted by the UN Special Rapporteur on minority issues in his 2020 report to the Human Rights Council clarifying the human rights obligations of states in the context of language education: “*If State authorities have obligation [by law] to provide education in a mother tongue... then these same authorities need to provide the necessary support, financial and material, to ensure that this is done on the basis of equality with similar measures or institution in the official or majority language.*”⁷
22. Concerning the provision of equal resources, we note that in terms of school equipment and infrastructure, official data (ARACIP) indicate that Hungarian, Romanian, and mixed language schools do not differ systematically, but no official data is available on resource allocation within mixed language schools. The survey results of the Bálványos Institute, however, indicate there are significant differences between Hungarian and Romanian classes in mixed language schools. Compared to Romanian classes, Hungarian language classrooms are less equipped with modern teaching equipment, such as white boards, internet connections, computers, projectors, and smart TVs (see Annex 1).
23. The unequal distribution of modern teaching equipment between Hungarian and Romanian classes is a manifestation of more general linguistic, symbolic and power asymmetries found in these schools, resulting in educational inequalities disadvantaging minority students attending Hungarian language classes in mixed language institutions.
24. Our field visits to mixed language schools confirmed that Hungarian language students are generally taught in smaller classrooms (for the same number of students) and their classrooms are located in more peripheral areas of the institutions than classrooms for Romanian language students.

⁷ A/HRC/42/47, Report of the Special Rapporteur on Minority Issues, „Education, Language and Human Rights of Minorities,” 2020, para 64.

25. The results of the survey conducted by the Bálványos Institute also indicate profound asymmetries in terms of extracurricular language use and the linguistic landscape of mixed language institutions.
26. A significant number of mixed schools lack Hungarian-speaking support staff. Thirty-seven percent of mixed schools do not have Hungarian-speaking speech therapists, and 42 percent lack Hungarian-speaking psychologists. Consequently, Hungarian language students in these educational institutions lack equal access to these crucial services assisting their educational, linguistic and personal development.⁸
27. Although mixed language schools have parallel Romanian and Hungarian language tracks, the linguistic landscape of these institutions is predominantly Romanian, Hungarian language being mainly limited to in-classroom use. According to the decision of the state equality commission (decision no. 172/04.05.2011 of the National Council for Combating Discrimination) the absence of bilingual signs inside and at the façade of these educational institutions constitutes discrimination and a violation of the rights of persons belonging to the Hungarian minority, in particular the right to use their language in extracurricular context of education.
28. As a result, educational environment in mixed language institutions is characterized by hierarchical relationship between students belonging to the majority and those belonging to the Hungarian community. This aspect is particularly concerning as it affects the process of socialization of schoolchildren and reinforces the perception that members of the minority community are expected to accept a subordinate position.
29. These considerations also inform the choices of Hungarian parents when selecting separate Hungarian language schools for their children instead of mixed language schools. The results of our empirical investigation indicate that more Hungarian parents would choose to enrol their children in mixed schools if the relations between minority and majority students were more equal in those institutions.
30. Mixed educational institutions have the potential to facilitate intercultural education as a means of fostering mutual respect and understanding among cultures. However, if Hungarian students are marginalized and discriminated against in these institutions, mixed schools are unlikely to promote mutual respect, understanding, and equality between different cultures. Instead, they institutionalize inequality.
31. Additionally, state-funded extracurricular activities could serve as an integrated component of education that provides opportunities for teachers and students from diverse backgrounds to meet each other and learn to interact constructively. However, this is not the case in practice. Public finances for extracurricular activities are rather unevenly distributed. Only two counties with a majority Hungarian population, Harghita and Covasna County, have state-funded extracurricular programmes in Hungarian. Hungarian language students, therefore, have limited access to extracurricular school activities. This disadvantage is most evident in the case of language-related activities, such as acting and participating in literary clubs.

⁸ Since psychologists and speech therapists are employed by the school inspectorates, the ultimate responsibility for the unequal situation lies with the Ministry of Education.

3. Unequal access to higher education and indirect discrimination in the process of official examination

32. Persons belonging to minorities shall be provided with equal opportunities for access to education at all levels, and educational opportunities shall not be constrained on the account of membership of a minority.
33. Higher education is an imperative for minorities as they need their professionals and intellectuals for the survival of their community. To ensure minorities' rights to existence and identity, equal access to higher education is essential.
34. The right to equal access to education can be denied directly or indirectly when a person belonging to a minority is impeded by an apparently objective entry requirement that has a disproportionately prejudicial effect on the particular community.
35. While Romania's national examination system has become highly centralized and standardized over the last decade, it still creates substantial barriers to access to education and contributes to massive social inequalities.⁹ In our memorandum, we do not address all forms of inequalities, but instead highlight one aspect of unequal access to higher education for Hungarian speakers.
36. More specifically, we focus on how the exams students must take in Romanian language and literature to obtain their baccalaureate (school-leaving) qualification¹⁰ constrains access to higher education for students belonging to Hungarian minorities who attend school in their mother tongue, resulting in their underrepresentation in higher education.
37. Students studying in Romanian are required to take six (three written and three oral) exams. Students are examined in Romanian language and literature, and in one compulsory and one optional subject (based on their educational background). For oral exams, attendance is the only condition for passing, whereas for written exams, participants must achieve a minimum grade of 5 for each subject (grading is between 1 and 10) and a minimum GPA of 6.00. There are two additional exams that students learning in a minority language must take, namely an oral and a written test in their native language and literature. Their GPA is calculated by averaging the grades obtained on each of the four written tests. Except for Romanian language and literature, they are examined in the minority language.
38. This system of national examination has disproportionately prejudicial effects on members of the Hungarian community who choose to exercise their right to study in their mother tongue. Between 2012 and 2020, Hungarian language students' passing rates were significantly lower than the national average (see Annex 2). This happened in the context where the results of international assessment programmes show that students studying in Hungarian language classes do not underperform compared to the national average. Consequently, Hungarian-speakers are disproportionately underrepresented among potential (and actual) university students and among those with higher education.
39. The lower passing rates of Hungarian students are due exclusively to their weak performance on Romanian language and literature exams, where they must satisfy the same requirements as Romanian native speakers. Since 2011, between 35 and

⁹ Kitchen, H., et al.: *Romania 2017, OECD Reviews of Evaluation and Assessment in Education*, OECD Publishing, Paris, 2017: 56.

¹⁰ Articles 77 and 78 of 1/2011 Law on Education.

52 percent of students enrolled in Hungarian language classes failed to attain the grade needed for passing in this subject.

40. The seemingly impartial practice of grading written exams in other counties also disadvantages Hungarian-speaking students. Their tests are often evaluated by teachers living in regions without a significant Hungarian population and without considering that they are non-native speakers. Moreover, survey results indicate that among majority group members, the (unfounded) stereotype of Hungarians unwilling to learn Romanian is quite common, leading to intolerance of the incorrect Romanian language use (or accent) of Hungarians. The prevalence of this negative attitude (so-called "native-languageism" of the majority) also adversely affects the evaluation of their tests, and consequently the bacalaureate results of Hungarian-language students.
41. It should be noted that Article 46.2) of 1/2011 Law on Education stipulating that "*The subject Romanian language and literature is taught based on syllabi and schoolbooks specially elaborated for the minority in question throughout the whole pre-university school year*"¹¹ entered into force gradually starting with the 2013/2014 school cohort. In case of these cohorts "*the Romanian language and literature tests are elaborated based on a special syllabus*",¹² meaning that minority students will receive special tests beginning with the 2024/2025 school year, which is likely to alleviate this problem for those who graduate from that year onwards.

4. Intercultural education and the representation of Hungarians in textbooks used by majority students

42. UN provisions (Article 5.1.a of the UNESCO Convention against Discrimination in Education; Article 7 of ICERD, and Article 4 of UNDM) and provisions of the regional minority rights treaties ratified by Romania (Articles 6 and 12.1 of FCNM, see also the Preamble of ECRML) place a strong emphasis on intercultural education. Intercultural education promotes knowledge about minority groups in society as a whole, and, consequently, requires adequate representation of diversity of cultures in a given country in the national curriculum and textbooks, including those used by majority students. For this reason, we focus in this section on how Hungarians are portrayed in textbooks used by majority students.
43. In this context, Article 46.10 of the 1/2011 Law on Education refers only to history textbooks. Besides history textbooks, we also reviewed Romanian language a literature and civic education textbooks (available at <https://www.manuale.edu.ro/>) and the national curriculum. We focused on three aspects: (1) the presentation of Hungarians (adjectives, textual cues, imagery, recurrent themes); (2) past and present relationship with the majority group and (3) the minority's contributions to Romania's social development.
44. We found that national minorities are rarely mentioned in textbooks. Textbooks that refer to national minorities reproduce stereotypical images and do not provide adequate information regarding the history and culture of minorities and their contribution to society. Based on these textbooks, majority students cannot develop genuine understanding of Hungarian culture, history and traditions.

¹¹ Article 46(2) of 1/2011 Law on Education.

¹² Article 46.3 of 1/2011 Law on Education.

45. Hungarians are rarely mentioned in Romanian language and literature textbooks, even when discussing related subjects (Transylvania, ethnic minorities, etc.). Most references are neutral, often portraying Hungarians as the neighbouring country's population rather than as a minority community in Romania.
46. According to the national curriculum, civic education textbooks should include chapters on "multiculturalism" and "diversity." However, these topics are addressed in textbooks only in the global context and do not account for the diversity and presence of significant minority populations in the country. Internal diversity is only mentioned in connection to Romanian folk culture. Textbooks fail to discuss relations between the state, the majority and minorities; minority rights (existing in Romania) and the relation between ethnicity and citizenship. Moreover, the term 'us' is used in a (more or less explicitly) exclusionist manner. The country's population and its political community are often equated with ethnic Romanians.
47. History textbooks frequently refer to Hungarians in negative terms, often in a discriminatory manner. Hungarians are discussed in the context of historical animosity. Their social and political dominance in the past resulting in the discrimination of Romanians is often emphasized. According to this narrative, Transylvania was always a Romanian land, while Hungarians were the oppressive, external agents. They referred to as "colonizers", "migrants", and "foreign populations". Hungarians are usually portrayed as perpetrators, while the Romanians are depicted as oppressed, while peaceful coexistence of the two community and positive contributions of the Hungarian community to society are rarely mentioned.

II. Media and political discourses concerning the Hungarian community

Recommendations: 114.49, 114.50, 114.51, 114.199 (Partially fulfilled)

48. As noted in its general recommendation No. 35 (2013) on combatting racist hate speech, the UN Committee on the Elimination of Racial Discrimination (CERD) stresses that combating prejudices which lead to discrimination against minorities necessitates media representation of minority groups being based on principles of respect, fairness and the avoidance of stereotyping. CERD also noted the role of politicians and other public opinion-formers in contributing to the creation of a negative climate towards minority groups. While recognizing the special importance of freedom of speech in political matters, it emphasized that its exercise carries with it special responsibilities and duties.
49. The two submitting institutes conducted a study on anti-Hungarian attitudes and discourses in Romania. Among others, we analyzed mainstream media and political discourses concerning Hungarians in social media. We focused on the 50 most popular Facebook sites of Romanian media organs and political actors (100 sites in total) and investigated all Hungarian related contents and reactions (likes, comments and shares) in 2019 and 2020.¹³ Of the 1.5 million posts in total we identified 18,393 as Hungarian-related.
50. Social-media representation of Hungarians is analogous to their representation in textbooks. They rarely mentioned in the everyday discourses of political actors

¹³ We used the Crowdtangle application of Facebook and we selected Hungarian-related edited content based on multiple-keyword search.

and media organs.

51. Hungarians mentioned mostly related to extraordinary media-events¹⁴ (Hungarian-related incidents or scandals). See Annex 3 for the key scandals in 2019 and 2020. These scandals often related to nationwide political events (governmental changes, elections etc.) and nearly all were politically instrumentalized. Hungarians were depicted as a politically organized community having extreme ethnic claims, being hostile toward Romanians and representing an ontological threat to Romanian national identity. The Hungarian character of certain regions (most notably Szeklerland) was presented as an anomaly *per se*. Historical tensions and the oppression of Romanians by Hungarians were also often emphasized, especially in certain mass-media produced content. In 68 percent of the most popular political and 58 percent of the media-posts represented Hungarians in a negative light (Annex 4).
52. Representation of Hungarians in political and media-discourse is similar to how they appear in textbooks. In case of neutral topics, they are omitted and their positive contribution to Romania's development is rarely mentioned. When they mentioned, they are portrayed as a community representing a threat to the country. An illustrative example of this is the speech made by President Klaus Iohannis on 19 April 2021, which was deemed discriminatory by the state equality commission.¹⁵ *"I wish you a good day PSD¹⁶ [ionapot chivanok PSD, in broken Hungarian]! Dear Romanians, it is unbelievable what is happening in the Parliament of Romania. PSD helped the UDMR¹⁷ in passing [tacitly] a law in the Parliament which provides extensive autonomy for Szeklerland. It's unbelievable how far PSD has come. It is unbelievable what agreements are made in the Parliament of Romania. Meanwhile we (me, the government and various state bodies) were fighting against the COVID pandemic, we were fighting for the lives of Romanian. PSD, the great PSD was fighting in secret offices to turn Transylvania over to the Hungarians."*

III. Hungarian-speaking Roma facing intersectional and multiple inequalities

Recommendations: 114.49, 114.53, 114.54, 114.56, 114.57, 114.58, 114.184, 114.185, 114.186, 114.187, 114.188, 114.189, 114.190, 114.193 (not fulfilled in relation to Hungarian speaking Roma)

53. According to SocioRoMap survey carried out by Romanian Institute for Research on National Minorities, Hungarian-speakers are heavily overrepresented among those living in compact Roma neighborhoods (Roma colonies, blocks, quarters, settlements etc.). They represent 11 percent of the approximately 750,000 people living in such neighborhoods. The total number of Hungarian-speaking Roma in Romania (including those living dispersed among non-Roma) is around 105,000. There are two large Hungarian-speaking Roma blocks, one in Harghita, Covasna and Mureş counties (approx. 50,000 people) and one in Bihor and Satu-Mare

¹⁴ Through the expression of media-event we would like to emphasize that media organs and political actors not only report or reflect on certain (really happening) events but they actively construct them.

¹⁵ See: <https://www.cncd.ro/comunicat-de-pres-a-20-mai-2020/>.

¹⁶ The Social Democratic Party being in opposition.

¹⁷ Democratic Alliance of Hungarians in Romania (UDMR) is the dominant ethnic party representing Hungarians.

counties (approx. 35,000 people). There are 300 compact Roma neighborhoods where practically exclusively Hungarian is spoken and an additional 150 neighborhoods with a strong presence of the Hungarian language.

54. Three aspects characterize the situation of Hungarian-speaking Roma. First, they are strongly connected to the minority institutions of the Hungarian community. Not only they do speak Hungarian but their children are enrolled in Hungarian schools, they belong to Hungarian churches, and vote for Hungarian ethnic parties. Second, they are (virtually) invisible. They barely appear in census figures, are not included in historical narratives and there are no Roma-related public memorials in Hungarian-speaking areas. Third, their connection to the Hungarians does not translate into equal participation in Hungarian minority institutions or in (non-ethnic) public institutions.
55. Moreover, SocioRoMap data on housing conditions show that their situation is more dire than that of Roma in general. In their neighborhoods the quality of private and community infrastructure is worse, more houses are overcrowded, low quality and deteriorated buildings are more common. They are also less integrated into the labor market (through formal long-term employment) and a greater proportion of them lives in poverty.
56. There are multiple causes contributing to this unfavorable situation. According to survey results, social differences between Roma and non-Roma are larger in the case of Hungarian speakers, while territories inhabited by Hungarian-speaking Roma (and Hungarians in general) are economically peripheral. Moreover, Roma strategies fail to address their specific situation, increased vulnerability and multiple and intersectional discrimination experienced by this community. They are barely included in existing projects of Roma inclusion.

Recommendations

Submitting organizations request that the Working Group to make the following recommendations to Romania:

1. Monitor the educational environment in mixed language schools to ensure that students of minority-language medium classes have equal access to school equipment and support services in the mother tongue.
2. Promote balanced linguistic landscape in mixed language schools to ensure that minority pupils are not discriminated against regarding their right to use their language in extracurricular settings.
3. Ensure equal access to minority students to extra-curricular activities in their language by financing minority-language extra-curricular activities in all counties, preferably in a proportion equal to the share of students learning minority language medium classes. This is the most justified in areas where minorities live in higher proportions and concentrated and in case of language related activities.
4. Adopt interim measures to remove barriers to equal access to higher education for minority students studying in their mother tongue until a new methodology of Romanian language and literature examination tailored to their needs is adopted. As for the new methodology of examination, it should be closely monitored whether it provides an adequate and fair assessment of Romanian language skills of students in minority-language education.

5. Systematically review and revise Romanian language and literature, civic education and history textbooks to ensure that they include intercultural content. In case of Romanian language and literature textbooks more minority authors could be included. Civic education textbook should reflect upon the situation of minorities and should stop reproducing majoritarian ethnic nationalist perspectives. In case of history textbooks explicit negative stereotypes of minorities should be removed and narratives included should be more inclusive, pluralistic and balanced. The role and status of minorities should be discussed in contemporary context as well and not only in historical perspective, with more attention paid to peaceful coexistence between the minority community and the majority.
6. Encourage the public and private media to adopt codes of professional ethics and press codes that incorporate respect for the principles of non-discrimination and other fundamental human rights and promote media representations of minorities based on principles of respect, fairness and the avoidance of stereotyping.
7. Ensure that Roma strategies, action plans and policies at both state and county levels acknowledge the internal diversity of the Roma minority and pay particular attention to Hungarian speaking Roma.
8. Adjust the Romanian Government's Strategy for Inclusion of Citizens Belonging to the Roma Minority for the 2021-2027 period with its 7 strategic axes (housing, infrastructure, health care, education, labor market, cultural recognition and historical memory and anti-discrimination) to the specific needs of the Hungarian-speaking Roma.
9. The institutional system of the Hungarian minority should also be transformed into more integrative environments concerning Roma. For instance, Hungarian language and literature textbooks should be revised, Roma-related public memorials in Hungarian inhabited areas should be initiated involving both Hungarian speaking Roma and non-Roma Hungarian speakers. Romanian public and governmental entities (e.g., Department for Interethnic Relations) might help financially such undertaking.