



Mr. Remus Pricopie
Minister of Education

Budapest, Bucharest, 30 September, 2013

Re: statements of Mr. András György Király, secretary of state for minorities, offensive towards Romani children

The European Roma Rights Centre (ERRC), Romani Criss, Agentia "Impreuna" and the Policy Center for Roma and Minorities would like to express their profound concern about a recent statement made by Mr. András György Király, secretary of state for minorities within the Ministry of Education, regarding the education of Romani children and efforts to ensure quality education in Romania towards national or ethnic minorities.

The signatory organisations have vast experience in combating anti-Roma discrimination, and guaranteeing the right to education of Romani children, both in Romania and in Europe. The organisations work to reform education systems to make them inclusive for all children, regardless of their ethnicity, social situation, disability or other status.

On 20 September, 2013 the secretary of state said to Ring, a newspaper, that he would not send his child to a school where there was a significant share of Romani pupils, stating the following *"We must also understand the fact that parents want school units where there is order, where there is discipline and where one may also do some learning. It is a general problem, and in relation to those schools where the number of Roma is significant, if there is indifference, if there is disarray, of course I would not allow my child to attend that school."*

Instead of acknowledging the role of majority prejudice in the issue of school segregation, the secretary of state appears to echo such attitudes, rationalising segregation and exclusively blaming the Romani community and Romani children. This widely publicised statement constitutes direct discrimination and may contribute to the perpetuation of negative stereotypes, according to which Roma, in general, would be characterised by disorder and laziness and Romani children would not want to learn. This type of sweeping generalisation consolidates harmful attitudes towards Roma. It is particularly inappropriate from such a high ranking official of the Romanian state, responsible for issues of minorities' education, by virtue of his position.

The European Court of Human Rights has recently highlighted that, in the context of historic discrimination against Roma, and in particular against Roma children, the state has particularly stringent obligations.¹ Romania has committed to adopting measure to protect and guarantee children's rights, including those of Roma ethnicity, by signing and ratifying a series of international human rights treaties and through the development and implementation of a national strategy for Roma social inclusion based on the principles of non-discrimination and the respect of human dignity.²

The statement by the secretary of state gravely impinges on the dignity of the Roma minority in Romania in general, and particularly on Romani children. Moreover, these statements harm the cooperation between the Ministry of Education and Romani civil society, which has previously lead to the adoption of Order no. 1540/2007 on the prevention, prohibition and elimination of school segregation of Roma children. The statement of the secretary of state plainly contravenes the provisions of this order and the commitment undertaken by the Ministry of Education towards eradicating school segregation. The personal opinions of the secretary of state undermine the actions and policies of the ministry. It would be regrettable if the secretary of state were allowed to undermine, through his statement, the efforts of your

¹ Horvath and Kiss v. Hungary, application no.11146/11, judgment of the European Court of Human Rights from 29 January 2013, para. 104, available at: <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-116124>

² Strategy of the Government of Romania for the Inclusion of the Romanian Citizens Belonging to Roma Minority for the period 2012-2020 (Strategy for Inclusion 2012-2020), p. 15, available at: http://ec.europa.eu/justice/discrimination/files/roma_romania_strategy_en.pdf

institution in promoting inclusive education, eliminating segregation and implementing affirmative measures in higher education³.

We consider that the views expressed by the Secretary of State are incompatible with his position as a high ranking-official of the Romanian state. We recall that EU law requires measures against direct discrimination to be 'must be effective, proportionate and dissuasive.'⁴ Moreover, a purely symbolic sanction cannot be regarded as being compatible with the correct and effective implementation of EU anti-discrimination legislation.⁵ If there is no firm reaction to this statement, the ministry will be exposed to legal consequences under domestic and European anti-discrimination legislation.

Reiterating our concern as to the harmful character of this statement, the signatory organisations consider it necessary for the Ministry of Education to distance itself from the position expressed by the secretary of state, as well as to clearly state the Ministry's commitment and intention to continue its efforts in cooperating with civil society and Roma communities to ensure social inclusion and quality and non-discriminatory education for Roma children.

Sincerely,

Dezideriu Gergely
Executive Director
European Roma Rights Centre

Marian Mandache
Executive Director
Romani Criss

Gelu Duminičă
Executive Director
Agenția de Dezvoltare Comunitară „Impreună”

Florin Botonogu
Interim President
Policy Center for Roma and Minorities

TO:
Remus Pricopie, Minister of Education

CC:
Viviane Reding, Commissioner for Justice, Fundamental Rights and Citizenship, European Commission
Androulla Vassiliou, Commissioner for Education, Culture, Multilingualism and Youth, European Commission
Nils Muižnieks, Commissioner for Human Rights, Council of Europe
Csaba Asztalos, President of the National Council for Combating Discrimination

³ Ibid

⁴ Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, article 15

⁵ ACCEPT Association v. National Council for Combating Discrimination, application no. C 81/12, European Court of Justice decision from 25 April 2013, para.64, available at:

<http://curia.europa.eu/juris/document/document.jsf?docid=136785&mode=req&pageIndex=1&dir=&occ=first&part=1&text=&doclang=RO&cid=931754>