



European network of legal experts in gender equality and non-discrimination

NEWS REPORT

Country:	Romania
Title:	National equality body publishes annual activity report for 2016
Date:	7 June 2017
Expert:	Iordache, Romanița
<u>Context</u>	
Issue at stake:	Activity report and statistical data
Ground of discrimination:	All grounds
Source:	Miscellaneous
Field:	All fields
Applicable law:	Art. 22(2) of the Governmental Ordinance 137/2000

Content

Development: Complying with its legal obligation to present its annual activity report to the Parliament, the National Council for Combatting Discrimination released its report for 2016 including statistical data on the petitions received in 2016, a picture of the remedies provided by the NCCD, information on court cases, examples of cases and awareness raising activities, personnel and budgetary information. Out of the 842 petitions, the largest number of petitions received in 2016 were on grounds of belonging to a social category (314) and the smallest numbers were on grounds of race (3) and HIV status (4). Also relevant is the number of petitions on grounds of religion (7), language (25), age (31), nationality (30), sexual orientation (8), disability (83), ethnicity (81). As for the areas: 357 petitions were about access to employment, 180 were about access to public services, 46 on access to education, 149 on the right to dignity, 10 on housing and 22 on access to public spaces.

The NCCD found discrimination in 112 cases and issued 111 fines, 53 warnings, 44 recommendations, 8 decisions to continue monitoring the situation and in 63 cases the perpetrators were ordered to publish briefs of the NCCD decision in the media. Notably, in 2016 in one single decision against the Ministry of Labour, the National Agency for Payments and Social Inspection and 34 city mayors, monitored based on prior decisions from 2014 and 2015 on failure of local administration to ensure conditions for local transportation for persons with locomotor disabilities, the NCCD ordered cumulated fines in a total of RON 314.000 (approx. €69.000) which is higher than the total quantum of all fines issued in 2015. The 111 fines issued in 2016 amounted to RON 687.000 (approx. € 152.000).

The report also provides information regarding the cases in which its decisions had been challenged before the courts according to Article 20 (9-10) of the Governmental Ordinance 137/2000. In 2016, the NCCD had to support its decisions before the administrative courts in 351 cases and in 236 cases the courts decided in favour of the NCCD, with 281 cases still pending, the NCCD indicating a rate of success of the appeal of 86%.

Given the legal obligation of the NCCD to participate as expert institution in civil cases on grounds of the anti-discrimination legislation according to Article 27 of the Governmental Ordinance 137/2000, the institution reports participation in 750 cases (out of which 365 new cases filed in 2016). While not providing information on the resolution of these civil cases, the report mentions that 183 civil complaints had been admitted and 316 were rejected by the courts.

The annual budgetary allocation was of RON 5.318.000 (approx. € 1.175.380) and the executed budget was of RON 4.999.000 (approx. €1.105.000) with a total budget including external funds of RON 5.621.000 (approx. € 1.242.000). Out of the 89 staff positions needed, only 70 were budgeted but the institution had to function only with 63 employees, a situation similar to 2015 when the institution had 62 employees in spite of the same estimated need and allocation of resources.

Key points of analysis: Compared with previous years, the activity report indicates a slight increase in the number of petitions received and decisions issued. In 2016, the NCCD received 842 petitions as compared to 752 in 2015 and 776 in 2014. The significant decrease in the executed budget as compared to 2015 when the annual executed budget was of approximately 2.528.0000 (RON 11.518.000) is mainly due to the decrease of external funding attracted by the NCCD through projects.

Internet link source: Report available in Romanian at <http://cncd.org.ro/publicatii> and in English at: <http://cncd.org.ro/2017-04-20-raportul-de-activitate-al-cncd-anul-2016>.