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Content

0. Introduction

1. This report was drafted by Broken Chalk to contribute to the fourth Universal Periodic Review (UPR) of Romania. Broken Chalk is an Amsterdam-based NGO focused on human rights violations in the field of education. Since Broken Chalk is an organization fighting inequalities and improving the quality of education worldwide, this report focuses on human rights, especially with regards to education.

2. This report first explores the main issues in education in Romania, the recommendations Romania received in the last review and its progress since 2018. Then, Broken Chalk offers some practical recommendations to Romania to further improve human rights in education.

3. In the last review, Romania received 203 recommendations and accepted 163. 26% of the recommendations focused on reducing inequalities and 14% were linked to inclusive quality education and lifelong learning. Romania has submitted a voluntary midterm report about the implementation of the accepted recommendations received in the 3rd cycle of the UPR.

4. Quality education is a vital pillar of society. It enables long-term growth and development, helps the integration of minorities and foreigners, and shapes the people of future society. According to the Human Rights Measurement Initiative, Romania is doing 65% of what it could possibly do with its national income when it comes to ensuring the right to education[i]. With this score, Romania is the last one of all European countries.

I. Main issues in the educational field

Access to education

5. Hungarians constitute the biggest minority group in Romania with around 1.2 million Hungarian speakers[ii]. Despite the size of the Hungarian minority, education in Hungarian is not always available to minority children because of shortage in Hungarian-speaking teachers. Law requires Hungarian students to follow the Romanian curriculum, so classes about Hungarian literature, grammar and history are an addition to the national curriculum. Therefore, minority students have more classes weekly which violates the principle of equal opportunities[iii].

6. Roma people are the second largest minority group in Romania as they make up 3-5% of the population. Although numerous recommendations of the 3rd cycle addressed discrimination and tolerance towards the minority (114.53, 114.59, 114.138), Roma children still face difficulties in accessing education. According to World Bank, 70% of the Roma population lives in poverty, which limits their access to education[iv]. To address the issue Romania introduced the National Roma Inclusion Strategy in 2012. However, it was reported to unfit current governmental standards which hampers its

implementation and monitoring[v]. In 2020 Roma children still had lower enrolment and higher dropout rates and the illiteracy rate in the Roma population was ten times higher than in the rest of society[vi]. The situation is even worse for Roma girls who are often forced into child marriage at a young age due to Roma traditions and have to leave school.

7. Rural children have limited access to education due to financial constraints and infrastructure. Enrolment rates are the lowest in rural areas, as 16% (age 7-10) and 25% (age 11-14) of children are not enrolled in primary education, while this ratio in urban areas is 9% and 6% respectively[vii]. This is caused by the lack of educational institutions in rural areas and the inadequate infrastructure to access the closest school. Dropout rates are also higher among rural children because often there are no high schools in rural areas and travelling to school is time and money consuming.

8. Romanian law calls for the protection of the rights of disabled people and equal access to any form of education without physical limits. However, disabled people face difficulties accessing education and institutions. 40% of children with disabilities are placed in segregated schools or not offered education at all, while only 21% of high schools are equipped with access ramps[viii]. Teachers often lack professional training on how to provide inclusive education to students with various disabilities. The interest of the disabled was addressed in the 3rd cycle in recommendations 114.61, 114.160 and 114.173, and Romania has reported its progress in the midterm report, however, Broken Chalk would like to encourage Romania to further continue its projects and investment to provide education for the disabled.

9. Romania faces difficulties in providing quality education to refugees, who, based on the Refugee Convention of 1951, are entitled for education. In the 3rd cycle Romania was recommended to adopt legislation to improve refugee's access to education (114.203). Broken Chalk would like to congratulate Romania for adopting a new legal framework in 2019-2020 to enhance the social integration of foreigners. However, the enrolment procedure for refugees is regularly delayed and they often lack access to Romanian language education because of the shortage or underqualification of staff[ix]. Migrant children are often enrolled in grades below their age, they face psychological problems because of leaving their home country and they receive inadequate psychological support[x].

10. Registration at birth is mandatory in Romania, but still many children are left without the necessary documentations to access public services such as education[xi]. The number of unregistered people in Romania is estimated around 160.000, of which the majority is children[xii]. Denying the access to education from unregistered children violates their human rights and puts them in a disadvantaged position because of a situation they have no power over.

Quality of education

11. The general literacy rate of people over 15 was 99% in Romania in 2021. However, according to the national literacy study of 2022, 42% of Romanian students in grade 1-8 are functional illiterate, meaning that they can read words and texts but have difficulties with interpreting information, forming their own ideas and arguing effectively[xiii].

12. Dropout rates are the highest in Romania from all EU countries, with 15.3% in 2021[xiv]. To tackle this issue, the Education Ministry introduced the National Program to Reduce School Drop-out with a budget of almost 200 million euros to decrease dropout rates by covering various educational expenses. Although socio-economic background is a significant determinant of school dropout, it is not the only one and therefore reducing the cost of education will not completely eradicate early school leaving. For instance, child marriage, pregnancy, disability, the sickness or death of the parents are all reasons why children leave school early, and these cultural-social aspects cannot be tackled by merely financial tools.

13. Sanitary conditions are alarmingly poor in Romanian schools. Only 72% of schools had basic drinking water and hygiene services in 2021, which was the lowest in Europe[xv]. In 2018, thousands of schools lacked sanitary and fire safety authorization[xvi]. To ensure the quality and success of education and reduce dropout rates, an undisturbed and well-equipped educational environment is essential.

14. Romanian students scored on average 50 points below the OECD average on the 2018 PISA test in all 3 categories (reading, mathematics, science)[xvii]. Socio-economic status seemed to be a significant predictor of reading test scores in Romania, as the variation between the top and bottom quarters of economic, social and cultural status is one of the highest of all participating countries[xviii]. This illustrates the inequality in the quality of education received by different social groups.

15. In 2022 a modification to Romanian law regarding children's rights passed. According to this bill, sex education in Romania can only be taught from grade 8 and the parents' written consent is required. In the Romanian education system grade 8 corresponds to the age of 14-15, meaning that children only access sex education from 14 years. In the meantime, the proportion of teenage mothers is the highest in Romania from all EU countries. In 2020, 357 children were born to mothers between the age of 10 and 14, while this number is below 120 in all other EU states[xix]. The lack of sex education leads to pregnancy and early motherhood, which often forces young girls to drop out from school and discontinue their education. Despite the recommendations received during the 3rd cycle about adopting sexual-reproductive health in school curriculum (114.143-145), Romania has made it less accessible.

16. Romanian parliament adopted an amendment in 2020 that banned all discourse on gender as different from biological sex in the educational field[xx]. As a result, gender studies programs and education about different genders became prohibited, which violates academic freedom. However, Broken Chalk appreciates the efforts of the Romanian Constitutional Court, which found the legislation unconstitutional and

abolished it in 2021.

17. Shortage of qualified teachers and low salaries are also serious problems in Romanian education. In the academic year 2019-2020, the annual gross starting salary of public-school teachers was around 9000 euros in Romania[xxi], one of the lowest in the EU.

18. Information technology skills and digital literacy are essential in the 21st century. In Romania only 57% of students between 15 and 19 had basic or above basic IT skills, compared to the 82% EU average[xxii]. This is mostly caused by schools' lack of adequate equipment and qualified teachers to offer high-quality IT classes. Rural areas are especially lacking digital infrastructure and internet connection[xxiii].

19. Romania's spending on education is the second lowest in the EU as only 3.7% of Romania's GDP was spent on education in 2020, compared to the 5% EU average[xxiv].

Discrimination and violence in education

20. Despite numerous attempts to end school segregation of Roma children, it remains a problem to date in Romania. Students in segregated classes have worse learning environment than students of mixed classes[xxv]. Segregated schools more often lack heating and water, qualified and motivated teaching staff, and this leads to lower academic results and higher dropout rates for segregated students[xxvi]. In 2007 a Ministerial Order was adopted that banned the segregation of Roma children in schools, however, the implementation of this decision and other related policies is lacking ever since.

21. The ANAIS Association's study showed that 30% of female students experience sexual abuse and harassment throughout their studies, while this ratio is 50% for university students[xxvii]. In many of the cases the perpetrator is a teacher, who often remains unreported because of their power and status. Sexual harassment affects children's physical and mental well-being, increases the chance of depression and can lead to teenage pregnancy, which forces girls to drop out from school.

22. A 2022 survey found that 82% of students have witnessed bullying at school and many suffer from mental health issues[xxviii]. Bullying mostly takes the forms of social exclusion, physical threats and spreading rumours, and can lead to depression, anxiety or even suicide. Despite the new provisions of 2019 prohibiting bullying in education, it remains a widespread problem. Bullying makes students lose their focus in class, decrease their interaction with their peers, which hampers their knowledge attainment and socialization processes.

The effects of Covid-19 on education

23. In 2020 schools worldwide shifted to online education to halt the spread of the coronavirus. Romania also closed its educational institutions in March 2020. Although the measures were meant to be short-term, offline education could only fully restart in 2021 and it had a huge effect on education.

24. Online education deepened the gap between urban and rural areas as rural students had significantly less access to internet and digital equipment necessary to participate in classes. In 2021, 87% of urban households had access to internet, while only 73% in rural areas[xxix]. The Ministry of Education and Research estimated that over 250.000 children had no access to online education during the pandemic because of lack of electricity, equipment or internet[xxx]. These disadvantaged students from poor areas fell behind with the course materials and without immediate measures, their dropout rates will increase.

25. Broken Chalk congratulates Romania for launching the national program "School After School" in 2021 to recover the losses in education caused by the pandemic. However, according to Romania's midterm report, only 168.000 students have benefited from the program funded by 30 million euros from European funds, which is only a small portion of the millions of students enrolled in education.

26. Another barrier of online education is the lack of IT skills. 50% of students who did not attend online classes reported that the reason for this was that the teacher did not give classes online[xxxi]. This is mostly caused by teachers' lack of knowledge on how to teach online and the teachers' lack of access to internet, equipment, and online educational tools. In addition, 13% of students reported that they did not know either how to use online platforms[xxxii].

27. According to UNICEF, the children who were the most affected in their education due to the pandemic are the poor, rural, and disabled children, the ones who already faced difficulties in accessing quality education before the pandemic[xxxiii].

II. Recommendations

28. Based on the above analysis of the challenges in Romanian education, Broken Chalk would like to encourage Romania to continue its efforts to improve the access and quality of education, upscale its current projects and address the issues that are not yet dealt with. In particular, Broken Chalk would like to recommend Romania to:

Access to education

29. Ensure that all Hungarian minority students have access to education in their mother tongue and that they do not face disadvantages because of the language difference.

30. Continue improving the Roma community's integration in Romanian society. Adopt and implement national strategies aimed at improving the living conditions and access to education of Roma population in poverty and make these legislations fit for government standards, easily implementable and monitorable.

31. Promote the enrolment of Roma and rural children in education and reduce dropout rates. Build new schools in rural areas and improve infrastructure between rural and urban areas to make urban institutions more accessible.

32. Achieve its target of eliminating child marriage by 2030. Report its progress on the matter regularly to evaluate and potentially change its strategy.

33. Equip educational institutions with the necessary tools to make it accessible for people with disabilities.

34. Strengthen inclusive education by enrolling disabled students in mixed classes instead of segregation and offer training to teachers on inclusive education techniques.

35. Provide refugee and migrant children education that fits their age and skills, does not discriminate against them and offers effective Romanian language training. Offer free psychological counselling for foreign children to help them deal with mental health issues.

36. Ensure that children who lack birth registration have access to education until they receive the necessary documents to access all public services.

Quality of education

37. Improve the quality of education in general, develop functional literacy, digital technology skills and inclusivity, and make changes to the current national curriculum to better fit the demands of the 21st century's labour market.

38. Conduct research on the major causes of school dropout and develop a national strategy to tackle the issue based on the study's insights.

39. Speed up construction and renovation projects at schools to provide the basic necessary sanitary facilities, drinking water and toilets.

40. Improve the quality of education in schools located in rural and poor areas.

41. Increase government spending on education and invest more money in raising teachers' salary, improving schools' equipment, renovating school buildings and funding training for teachers.

42. Lower the age limit for the access to sex education and make it accessible to all students to reduce teenage pregnancies.

43. Equip all schools, especially the ones in rural areas with working internet connection and computers.

44. Increase teachers' salary to attract more people to enter the profession and retain experienced teachers.

Discrimination and violence in education

45. End the segregation of Roma children in education and implement inclusive education strategies.

46. Develop safe ways for students to report harassment and introduce accountability mechanisms for teachers in schools to monitor sexual abuse. Examples are appointing confidential counsellors or any other form of anonymous reporting, offering anti-harassment training, monitoring abuse in schools regularly.

47. Take measures to tackle bullying at schools, for example by creating and implementing national intervention plans. Students should be empowered to speak up for themselves, have access to channels to report bullying and professional help to overcome trauma.

Teachers and parents should receive training to spot signs of bullying and have the necessary skills to handle the issues.

The effects of Covid-19 on education

48. Upscale and implement current projects on providing rural and poor children with digital equipment and internet necessary to access online education.

49. Offer training to teachers on how to use online educational tools effectively, give them free access to a variety of these tools and encourage them to use these.

50. Conduct research on how the pandemic affected the educational process of children, identify areas where children fell behind and develop strategy to help schools catch up with the curriculum in all subjects.