

MOLDOVA: NGO FOLLOW-UP REPORT

CERD/C/MDA/8-9 (April 6, 2011)

Submitted by: National Association of Community Mediators in the Republic of Moldova, on April 3, 2017. Contact person: Valeriu Caldararu, tel: +373 68757605, email: valeriu.caldararu@mail.ru.

The National Association of Community Mediators in the Republic of Moldova is a republican public association established in December 2016, being active on the whole territory of the Republic of Moldova. The main aim of the association is to protect civil, economic, social, cultural, and other rights and legitimate freedoms of Roma persons, as well as to develop the potential of community mediators through lobby actions, advocacy, and development programs.

The members of the public association are members of the Roma community mediators from the majority of localities where the respective positions was established. The community mediators are responsible for facilitating the access of Roma persons from localities compactly populated with Roma people or mixed populated localities to services of social assistance, education, healthcare, employment, documentation, improvement of living conditions, other services in case of need, through efficient communication with the relevant institutions from the locality. According to the national regulations, the Roma community mediators are persons of Roma ethnicity. A considerable part of this report is based on the study on the establishment and functioning of the Roma Community mediator, elaborated by the “Voice of Roma” Coalition¹.

Paragraph 15: Marginalization and precarious socio–economic situation of Roma population

The Committee urges the State party to enhance its efforts aimed at combating discrimination against Roma. In light of its general recommendations Nos. 27 (2000) on discrimination against Roma and 32 (2009) on the meaning and scope of special measures in the International Convention on the Elimination of All Forms of Racial Discrimination, the Committee recommends that the State party ensure that special measures and programmes in favour of Roma, inter alia the new Action Plan for 2011-2014, are designed and implemented on the basis of need, that sufficient resources are allocated and implementation monitored.

1. Any measures taken in accordance with the recommendation, and its effects

Although the institution of community mediator in the RM was established in 2003, with the financial and methodological support of donors, the activity of the community mediator becomes an officially recognised occupation in the Republic of Moldova by the end of 2012, when the process of amending the relevant legal framework was initiated. In 2013 additional legislative amendments were made to foster the establishment of the community mediator position in the eligible localities (localities compactly populated by Roma people or mixed populated localities, where a position of community mediator is established for at least 150 beneficiaries) and to regulate the activity organization of the community mediator.

According to the estimates carried out in 2012, as a result of the mapping of the localities densely populated with Roma people², and in line with the describe methodology (one mediator per at least 150 beneficiaries), the need emerged to establish 48 positions of community mediator in about 44 localities in the Republic of Moldova.

The best indicator in relation to the employment of community mediators was registered in 2012, when this process was financially supported by UNDP Moldova and Youth Union in RM “Tărnă Rom” and in 2014, when the financing of the community mediators was covered from the state budget sources. During the respective period of time 32 community mediators were active.

The situation changes towards a negative trend starting on 01 January 2015, when the component of

¹ <http://eef.md/index.php?pag=news&id=929&rid=1080&l=ro>

² Ministry of Labour, Social Protection and Family requested UNDP Moldova to perform the mapping of localities compactly populated by Roma.

financial decentralisation of local authorities entered into force, according to which the local public authorities were supposed to allocate from their own budgets the means necessary for a number of local services, including for the activity of community mediators, and this fact has drastically reduced the number of employed community mediators (*Table No. 1*).

As for the results of the community mediators' activity from the perspective of improving the life quality of Roma population and increasing their social-economic and cultural inclusion, it is necessary to mention the following aspects:

Until currently, there is no generalised report regarding the achieved outcomes and their impact on the activity of community mediators, and no standardised indicators were established to assess performance and impact. However, the systematization of the community mediators' reports submitted periodically to the local administration reveal the fact that in many localities where community mediators work a light increase of 15.5% was registered in Roma students' attendance of pre-university educational institutions (*Table No. 2*).

As it was mentioned in the interviews with the parents of Roma children and the local public administration, this fact is due to the change of attitude towards the training-educational process of children, insisting on them attending the school. Frequently, when parents leave abroad, they do not take the children with them, so as to avoid interrupting the educational process, requesting the authorities' contribution in establishing the guardianship over the child during their stay abroad. An important aspect is the fact that the community mediator monitors students' success for the purpose of avoiding school drop-out and teachers support them in making their homework.

As well, according to the existing evaluations, all the citizens of Roma ethnicity from communities where community mediators work are registered on the family doctors' lists. An increase by 47.2% was registered as well for the number of those who have benefited from material assistance (*Table No. 3*).

The activity reports of the community mediators reveal that some localities where community mediators work register some stability in relation to migration abroad to work for population of Roma ethnicity. Offering access to Roma population to all the necessary services, as well as providing them the possibility to get officially employed on the labour market and to launch their own business, they prefer remaining in communities (*Table No. 4*).

2. Any measures taken that contradict the purposes of the recommendation

Contrary to the provisions of the Action Plan for supporting the population of Roma ethnicity for 2011-2015, the position of community mediator was not institutionalised in 80% of all those 44 localities densely populated with Roma people, and the budgets of the majority of local public administrations do not provide for budgetary lines to pay the salaries of the community mediators, as this was not considered to be a priority for the locality.

On the other hand, based on the interviews organised with the community mediators, it was deduced that there is no synergy at the local public administration level in the localities where mediators are active, between the local public services and the activity of the community mediators. They are not efficiently involved in the decision-making process, including the one related to developing the local budget, activity of the multidisciplinary teams, commissions for distribution of material assistance, etc.

3. Current status of the problem (especially changes after the adoption of concluding observations)

As it was mentioned above, based on the existing estimates, the necessary number of community mediators accounts for 48 positions for those 44 localities densely populated with people of Roma ethnicity. Although the current public policy document in the area of Roma inclusion for 2016- 2020³ provides for the employment of 47 community mediators in those 44 identified communities, in reality, by the end of 2016, only in 20 localities, the community mediators were de-facto active, of whom 2 work for half a day and other 4 work based on volunteer basis, and this is a significant decrease as compared to the previous years.

The main barriers for ensuring the effective and efficient functioning of the institution of Roma community mediator are the following:

- The I-level local public administration / localities do not have the necessary financial resources to employ a community mediator (for whom about 1550 USD are necessary on annual basis).
- The work contracts with the community mediators are signed for a determined period of time and this fact is prohibited by the labour legislation, as well as the circumstance that creates the feeling of instability, vulnerability at the place of work;
- Many of the local public administrations do not understand the role and the added value of the community mediators, considering that their activity is overlapping with that of the social assistant, respectively it is useless / doubled;
- Existence of claims of on-job discrimination, marginalization of community mediators;
- Community mediators are not efficiently involved in the decision-making process, including in the development of the local budget, hence having no real levers to solve the stringent problems of the Roma community; the work of the community mediator is not in synergy with that of other local public services;
- Their offices are not equipped with computers and other things, and this questions the efficiency of the community mediator's activity;
- The statistical data about the number of Roma population coming from the community mediators differ from those of the National Bureau of Statistics (Coalition "Roma's Voice" has other data, which differ essentially, and the same fact was established in the mapping during 2012).
- Framework - regulation regarding the organization of community mediator's activity⁴ is an obsolete document, because the community mediators get effectively involved on a wider segment of activities, which needs to be regulated and standardised;
- Lack of a unit / entity of central and regional level, which would coordinated the actions related to observance of Roma population rights, including in relation to the institution of community mediator;
- Projecting the mistrust of the Roma people towards the community mediators, as they are associated with the local public authorities.

4. Visions on how to improve the conditions for the functioning of the institution of community mediator in the Republic of Moldova

To increase the efficiency of community mediators' activity, to obtain the expected impact of the policies for social inclusion of Roma people, it is suggested to maintain the activity of the community mediators at the level of LPA of the first level, ensuring the financing of the institution from the state budget, through the Ministry of Labour, Social Protection and Family.

This option would ensure the employment of envisaged/necessary number of mediators, would stop the dismissal due to insufficiency of financial resources at the local level; would ensure the sustainability of the community mediator's institution, and would increase the access of all the applicants to the necessary support for accessing services and reducing social distance between Roma and non-Roma population.

As well, based on this scenario, it would be possible to ensure the initial and continuous training, the methodological guidance of community mediators by the MLSPF, using the existing infrastructure of

³ Action Plan for supporting Roma population in RM for 2016-2020, approved via the GD no. 734 dated 09.06.2016.

⁴ GD No. 557 of 17.07.2013 approving the Framework-Regulation on organization of community mediator's activity

the MLSPF (Centre for training specialists in the area of social assistance).

The estimated annual cost of the community mediators' salary for the 44 communities accounts for 1 488 000 MDL / 70 857 Euro, which could be planned in the state budget, through the national policy for mid-term fiscal planning (Mid-term Budgetary Framework).

This option was supported also by the UN Special Rapporteur for minorities issues, Mrs. Rita Izsák-Ndiaye, as a result of her visit in the Republic of Moldova in June 2016: "recognising the essential role played by the Roma community mediators in building a bridge between authorities and Roma persons and fulfilling specific actions in promoting Roma's rights, measures should be taken to fill in all the vacancies and ensuring their salaries from the central budget."

Annexes:

Table No. 1. Dynamics of the number of community mediators

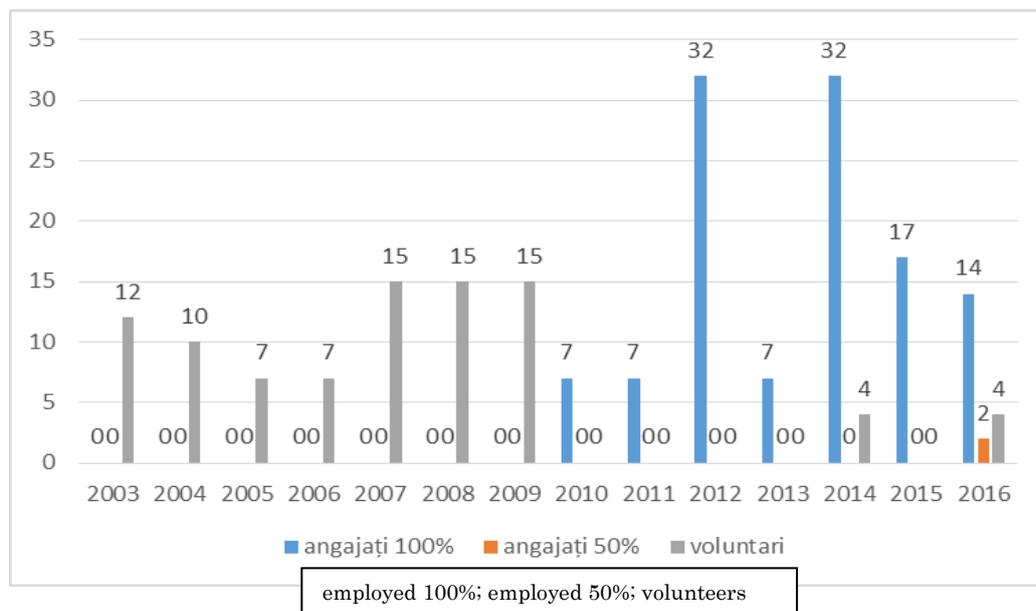


Table No. 2. Number of children enrolled in pre-university educational institutions

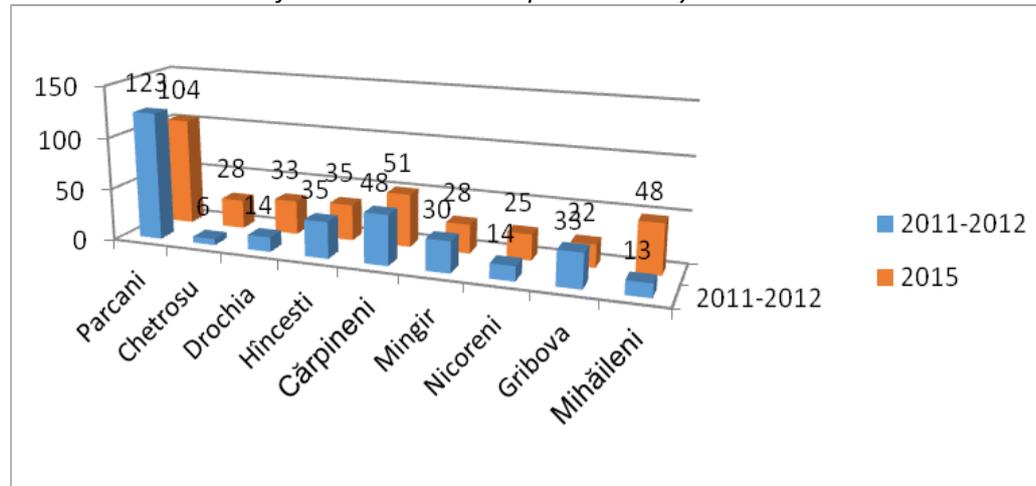


Table No. 3. Number of families benefiting from material assistance

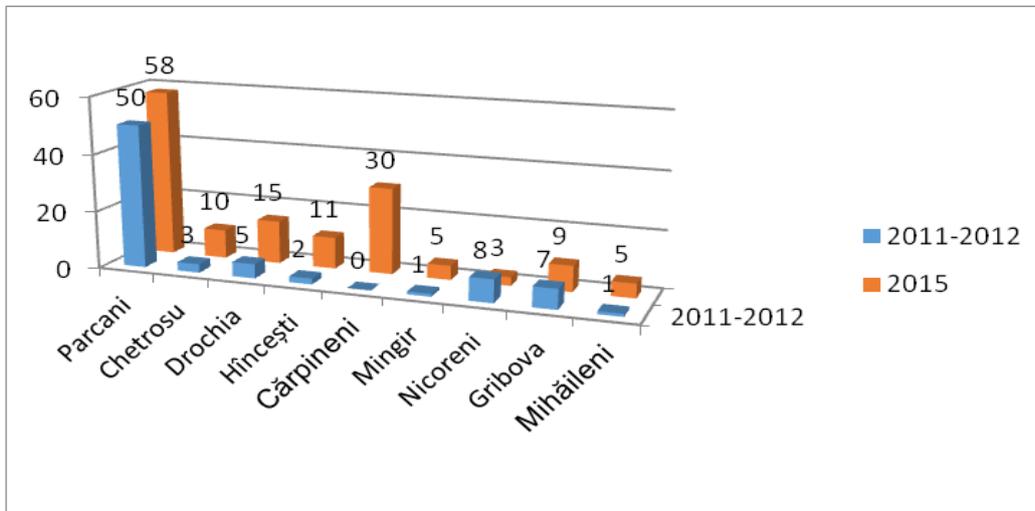


Table No. 4. Number of Roma persons who left abroad

