

## UNIVERSAL PERIODIC REVIEW 26<sup>th</sup> SESSION – ROMANIA

Submission to the UN Office of the High Commissioner for Human Rights  
The National School Students' Council (CNE)

Key words: students' rights, quality education, early school leaving, vulnerable children, equity, citizenship, non-formal education

### INTRODUCTION

Romania is a country which takes into account the necessity of making great efforts in order to ensure and protect the fundamental human rights of all its citizens. Although in the past years the country has taken several steps towards offering students the quality and inclusive education they deserve, Romania is still far from reaching the EU average when it comes to several aspects, such as investment in education, the performance of students in standardized tests, creating a democratic educational climate by granting students' fundamental rights, compliance and monitoring of the law and so on. Furthermore, we are yet to experience a coherent political will as in concerning making education a priority and implementing the most promising solutions in this field. The purpose of this report is to express the concerns of the National School Students' Council in regards to the lack of capacity of the government to provide truly equitable education and to support civic involvement on behalf of students.

### I. Access to quality education

Related to: recommendation 109.119. Take effective measures to remove the obstacles for vulnerable children to access to quality education (Italy); recommendation 109.117. Allocate adequate financial resources for education in the State Budget as provided for by the Law on Education 2011 (Timor-Leste); *Recommendations accepted by Romania during the 15th session of the second UPR cycle in 2013: 109.117*

#### Status quo

The Education Law of Romania stipulates that education is a national priority and pursues the free, integral and harmonious development of the individual as well as the development of an autonomous personality for active citizen participation in society, social inclusion and employability. The state ensures equal access to all levels and forms of education without any discrimination.<sup>1</sup> However, students today face problems caused by the lack of equity of the system, even if public education is free, according to The National Constitution of Romania<sup>2</sup>.

On one hand, there is the financial aspect that needs to be taken into consideration. Firstly, we have constantly expressed our disappointment with the small amount of money that is invested into education each year, adding up to only 4,1% of the country's GDP, compared to the 4,7% Eastern Europe average

<sup>1</sup> The Education Law, no. 1/2011, Art. 2

<sup>2</sup> The National Constitution of Romania, Art. 32

and the 5,4% EU average.<sup>3</sup> Not only are the funds generally insufficient for an infrastructure that would not endanger the lives of children, teaching materials fitted to the needs of the 21<sup>st</sup> century and sustained training for every teacher in the system, but the algorithm which dictates the way funds are distributed is extremely flawed as well. For example, a study<sup>4</sup> showed that approximately two thirds of the public expenses towards education are directed to the wealthiest two fifths of the society (65,8%) in comparison to the 9,9% received by the poorest fifth. Secondly, another financial issue is displayed by the fact that the government does not fully reimburse the price of the commutation ticket for pupils who do not study in their hometown, although there are schools in the area and restrict the distance to which reimbursement is applicable to 50 kilometers. We believe that this limits a school student's right to access any kind of educational path, one that is suited to their personal needs and priorities, and also hinders the achievement of Romania's national goal regarding early school leaving (11,3% by 2020<sup>5</sup>). According to the Romanian National Institute of Statistics, early school leaving is one of the most concerning problems of the present educational system and unfortunately its values are continuously on the rise, with approximately 1 out of 5 students leaving school early<sup>6</sup>. The growth of early school leaving is also catalyzed by the inexistence of a threshold for a minimum amount of money/month/capita as in of awarding scholarships<sup>7</sup>, leaving the decision to the local councils, which can decide not to allocate any budget to this matter. This becomes problematic not only in terms of learning stimulation, but can also have catastrophic effects regarding the social scholarships, for whose beneficiaries any amount of money would make a difference, given their socio-economical background.

On the other hand, the lack of equity is still posing a stringent problem in Romania's educational system. Measures that need to be taken in order to cope with discrimination, whether it is caused by the home environment, the belonging to a minority ethnic group, sexual orientation or a disability. For instance, at the moment, even though there is a law<sup>8</sup> that stipulates the obligation of public authorities to support accessibility for handicapped people, most schools are barely equipped to fit the needs of children that suffer from certain disabilities.

## Recommendations

1. Rethink and restructure the algorithm which establishes the distribution of funds, in order to reduce the discrepancies between socio-economical environments and, inherently, the occurrence of discrimination based on these factors;
2. Invest more money of the GDP in education, so that quality and inclusive education can be reached, through improved teaching and learning conditions suited for the needs of both regular and disabled pupils, the reimbursement of the commute expenses and the awarding of scholarships both for academic and social reasons;
3. Reforming mechanisms for evaluating and monitoring compliance with the law and guaranteeing the rights of students.

---

<sup>3</sup> Eurostat

<sup>4</sup> UNICEF

<sup>5</sup> ET2020

<sup>6</sup> Eurostat

<sup>7</sup> The Education Law, no. I/2011, Art. 82

<sup>8</sup> Law no. 448/2006

## II. Citizenship education through non-formal activities

### Status quo

School, apart from preparing you for entering the labor market, also has the function of teaching adolescents how to integrate themselves in the society, but there are certain skills and abilities that cannot be acquired through formal education. In Romania, even though pupils take a compulsory civic education class in the 7<sup>th</sup> grade, the notions it promotes are only tangentially met later on in high school. We find that the matter of students' involvement in the life of the community is strongly linked to non-formal education, which can be provided by third parties, such as NGOs. However, one of the greatest problems that non-formal education is facing in Romania is the lack of a correlation between itself and the curriculum of the formal education. We believe that these discrepancies are being deepened by the fact that some people do not regard non-formal education as an efficient teaching method. Furthermore, the support offered in the present for NGOs are at best unsatisfactory, especially in rural communities where little to no money go to the youth sector. Another problem is that the local councils do not have a quantified line of finance for NGOs, which means the sum can vary depending on the willingness of the board.

### Recommendation

1. Romania should encourage the recognition of non-formal education competences and abilities, providing a coherent, evidence-based and effective legal framework on the subject.
2. The public authorities should be making more steps in supporting non-formal education providers' (especially NGOs') access to rural or disadvantaged communities, for example by competitive funding allocations or facilitating partnerships with local schools, in order to help pupils both develop certain skills and become involved in the life of the community.

### ABOUT THE CONTRIBUTING ORGANISATION

The National School Student's Council (CNE) is the only structure in Romania that represents over 2,5 million school students nation-wide. Our activity's legal framework is based on *OMENCS 3838/23.05.2016* and our main goals are not only defending the rights and interests of each student, but also advocating for a better educational system. In our view, having an academic frame work based on quality, relevance of information and a friendly environment are the three main aspects that should represent the start point of an educational reform. Our experience, based on over 10 years of activity, is a mirror of consistency, transparency, strength and independence. Our public statements are based on the strong wish of a pupil's necessity-based system and their involvement in the process of decision making. During the past years, The National Student's Council (CNE) has brought important changes to the educational environment. Legal documents, such as "Statutul Elevului" (School Students' Statutes), in which pupils' rights and duties are stipulated, have been a significant part of our work, adding up to what we hope will be the creation of a legal framework, based on a modern, school student-centered perspective, which will serve the needs of the primary beneficiaries of education.

Contact person: Vlad Stefan