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Conference on launching the Citizens' Consultations on the future of Europe



On 9 May 2018, the Ministry of Foreign Affairs, through the Minister Delegate for European Affairs, organized in partnership with the European Institute of Romania (EIR), a Conference marking the launching of the Citizens' Consultations on the future of Europe. The event was hosted by the Central University Library of Bucharest. The event was attended by representatives of the central public administration, the diplomatic corps accredited to Bucharest, academics, representatives of non-governmental organizations, representatives of educational institutions in Bucharest, students and media ... [p. 2](#)

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Creative Industries in Regions

The Debate on *Creative Industries in Regions - How to Inspire Development?* was included in the program of the fourth edition of the *European Congress of Local Governments* which took place in Krakow (Poland) on 26 and 27 April 2018 ... [p. 3](#)





... The debate was structured in two sections. The first was composed of the speech of Mr. **Victor Negrescu**, the Minister Delegate for European Affairs and Ms **Gabriela Crețu**, Senator, Chair of the European Affairs Committee, Romanian Senate, and the second section (moderated by Ms **Sabina Iosub**, Antena 3 journalist and Mr **Dan Cărbunaru**, journalist, Calea Europeană), which aimed at engaging citizens in a consultation on subjects related to European Union by using an online platform - the consultation consisted of six questions that were displayed on a website where citizens could choose one or more of the answers provided. The vote on the answers was opened to people watching the conference online and also to the people present in the audience during the event. After the answers were chosen, several experts present in the conference hall were asked to briefly comment on the results.

The opinions expressed by the experts, guests and speakers focused on Europe's Day, the start of the citizens' consultation process, the beginning of the process EU was built, aspects of the EU's contribution to Romania's development, opportunities for EU membership, the future of the Union, priority areas for Romania during the Presidency of the EU Council, strategic directions for Romania and the outcomes of EU accession for our country. Among the aspects highlighted in the event, we mention the following:

- *The future of the European Union can only be defined by involving citizens and bringing its policies in line with their expectations. European politics seemed for too long abstract and distant to citizens. These Citizens' Consultations have the purpose of bringing again the European policies closer to the stakeholders (Victor Negrescu)*
- *This process has a significant importance in conjunction with the Romanian Presidency of the EU Council in the first semester of 2019 and the extraordinary European Council on 9 May 2019 in Sibiu. During the Council in Sibiu, European leaders will sum up the results of the reflection process on the future of the European project and the future EU Strategic Agenda (2019 - 2024) will be discussed (Victor Negrescu)*
- *The Union must build a social economy, urgently repair the monetary system to remove the suspicion that Europe has been built to support the euro and we need to remind ourselves us that arming does not protect peace, but fuels war (Gabriela Crețu)*
- *Romanians are willing to be in the world, to be part of it, to explore it and to give it a Romanian dimension (Lazăr Comănescu)*
- A rather low importance of accessing European funds resulted from the answers received from the citizens during the consultation;
- Citizens considered that the following issues could endanger the future of the EU: security challenges, terrorism, regional instability in the Union's neighbourhood;
- A different question concerned the priority areas for Romania during the Presidency of the EU Council. Based on the approximately 200 opinions expressed, Romania's priorities should be: strengthening the European project, promoting a EU-based set of values, maintaining EU internal security; the development EU as a global actor, the enlargement of the EU;
- As regards the strategic directions that Romania should promote for the future of the EU, the respondents opted for: a union of cohesion as a common value: more united, more solid, more integrated and stronger (82%); a union more centred on the single market (11%); a union with multiple integration speeds between Member States (5%); continue on the same road (2%);
- Asked if their expectations have been met after joining the EU, the participants responded: yes (49%), no (44%) and do not know (7%);
- *The expectations related to EU membership must be seen in a balanced way and there is a connection between the rights and obligations of each Member State; the answers received to the questions addressed to the citizens show a good knowledge of the evolutions in the EU (Augustin Fuerea);*
- *We need creativity to build a united Europe, to support the project that brings us together and young people are the ones that bear the responsibility to take it further. (Gabriela Drăgan)*
- For more details, please access the event report available on EIR website, Events section.

Tiberiu Nica
Projects Unit

Creative Industries in Regions



The Debate on *Creative Industries in Regions - How to Inspire Development?* was included in the program of the fourth edition of the *European Congress of Local Governments* which took place in Krakow (Poland) on 26 and 27 April 2018.

The event was moderated by Mrs. **Gabriela Drăgan**, Director General of the European Institute of Romania, with the participation of Mrs. **Martha Mary Friel**, Programme Manager in Tourism and Local Development, Research Center CSS-EBLA (Italy), Mrs. **Katja Hermes**, Global Head of Projects, Sound Diplomacy (Germany), Mr. **Niclas Fjellstrom**, European Coordinator, Regional Culinary Heritage Europe Countries (Sweden), Ms. **Iryna Prokofyeva**, Director, Culture&Creativity EU-Eastern Partnership Programme (Ukraine), Mr. **Cezar Grozavu**, Executive Director, Regional Office for Cross Border Cooperation Romania-Ukraine (Romania).

In the beginning of the debate there were two presentations: *The Creative, Unconventional Soft Power of Cultural Diplomacy* by Mrs. **Andreea Dănescu**, President ESCU Association (Romania) and *Malaga the Creative City* by Mr. **Julio Andrade**, Technical Director for Relations with International Organizations, City Hall of Malaga (Spain).

The main aspects highlighted in the debate were the following:

- Creative industries (CIs) are important in the development of regions;
- Tourism is directly connected with them, it has been observed an increasing interest of tourists in creative experiences, in local experiences;
- Creative industries are becoming central for branding strategies;
- New programs, new calls from EU or regional governments are coming to match more and more the tourism with CIs;
- There is a B2B action, by fostering CIs through tourism and promoting tourism through CIs;

- Music could be implemented in both cities and regions development (*sound diplomacy*);
- Music informs, impacts and influences policy, planning, community development, building codes, regeneration, tourism, branding, quality of life and economic growth;
- To understand other cultures we need to know more about them; for instance, immigrants contributed to diversity in Sweden in a very good way; gastronomy is an important example;
- CIs are very strong in Sweden (IT - Spotify platform, Candy Crush; design - IKEA);
- For a strong CIs that can inspire regional development it is compulsory to have a stable economy;
- Education, available resources, best practices, good examples and creating people networks for sharing practices between countries are also important;
- EU - Eastern Partnership Culture and Creativity Programme strengthened the CIs sector as a vector of cultural, social and economic development; creating synergies between public and private actors; enhancing civil society's contribution to cultural policy; strengthening EaP institution relations in order to build partnerships within several international initiatives including Creative Europe;
- Cross border cooperation Romania - Ukraine, a challenging perspective in order to find the proper way to transform a difficult situation in a stable one, to facilitate the networking between people from these countries in order to exchange ideas and to promote creativity.

For more information as well as for the video registration of the event please access the Events Section on EIR website.

About the Congress:

The mission of the **European Congress of Local Governments** is to create a positive atmosphere to facilitate the exchange of information and to improve cooperation between regions in the EU. The event aims to be a platform for exchange of views, knowledge and experience for leading local, regional elites with state government representatives, NGOs and business leaders.

For the fourth year in a row, the European Institute of Romania (EIR) was partner of the Institute for Eastern Studies (ISE, Warsaw) in organizing a debate within the congress program.

Florentina Costache
Communication and Marketing Unit

Challenges and opportunities in the new digital era



In the context of the dissemination process centred on the main results of the European Institute of Romania's (EIR) trademark Strategy and Policy Studies (SPOS) for the year 2017, a thematic round table - *Challenges and opportunities in the new digital era. Implications for Romania* - has been organized on 25 April 2018, hosted by the Romanian Academy. On that occasion, the conclusions of two interconnected EIR studies - *Romania and the EU Digital Single Market* and *Current challenges in the field of cyber-security and Romania's contribution to this field* - were presented to the general public. Also, another thematic debate, dedicated to the latter, took place on 7 May 2018, hosted by the European Commission's Representation in Romania. Both events were attended by public officials, members of the academia, journalists and NGO representatives.

In opening the round table hosted by the Romanian Academy, Mrs **Gabriela Drăgan**, EIR Director General, has highlighted the relevance and timeliness of such a debate dedicated to the digital revolution and its effects on a national, regional and international level. As such, Mrs Drăgan has pointed out to the fact that, according to the DESI 2017 report, Romania has the best Internet speed. Nevertheless, the economy's degree of digitalization and the overall percent of Romanians with digital competences are modest to say the least, according to the same source, which goes to underline the paradoxes of the information technology spectrum in Romania.

In his official address delivered shortly after, Mr **Victor Negrescu**, Minister Delegate for European Affairs, Ministry of Foreign Affairs, has said that Romania intends to test and implement new IT solutions meant to de-bureaucratize the system of European Affairs, in order to ensure the best possible conditions for the upcoming Romanian Presidency of the Council of the European Union starting 1 January 2019. The senior official has also mentioned the fact that the digital industry, the developing of digital skills and of the innovation sector, are all featured high among the Presidency's set of priorities.

During the debates' sessions which took place in both events, moderated by EIR experts, valuable and insightful points were made, such as:

- We currently live in a world where technology and the Internet have become indispensable in our daily lives, both professionally and personally. The important thing is that we do not lose our control over them.
- The National Strategy on the Digital Agenda for Romania 2020, approved by the Government in 2015, continues to play an essential role in fulfilling the objectives of the Europe 2020 Strategy, but there is need for a better coordination among the different stakeholders.
- The *Directive on security of network and information systems* (NIS, applicable from 9 May 2018) and the *General data protection regulation* (GDPR, applicable from 25 May 2018) will produce a series of fundamental modifications on a European level in terms of personal data management and Romania should not find itself on the wrong foot.
- In order to develop the national cybersecurity culture, the most important three leverages are: education and research, solid cooperation mechanisms and public-private partnerships.
- During recent years, Romania has been targeted by all known types of cybernetic attacks; after its Euro-Atlantic integration, the country has become a favourite mark for these attacks, which are increasingly more sophisticated and harder to trace.
- The technological innovations integrated in the globalization process have directly impacted the economic and social future perspectives of Romania and of the European Union.
- Around 90% of the available jobs for skilled workers on the territory of the European Union require digital competences.
- The unprecedented development of the IT sector and its derivate complex interdependences is both a blessing and a curse. A blessing because it makes our lives easier by facilitating long-distance communication and by automatizing certain activities, but at the same time a curse because it threatens our native creativity and alternative thinking.



- E-democracy represents a course to be followed in the future and has the potential to help us go around the actual compromise made between the size of the group which takes part in the democratic process and the meaning of the act of expressing your opinion by using information technology and the tools of mass communication in public policy and governance.

The full event reports of the round table from 25 April and the more focused debate from 7 May can be accessed on the EIR website, in the Events Section, while the two studies mentioned here are available and can be freely downloaded from the Publications Section.

Bogdan Mureşan
Studies and Analyses Unit

Workshop: The impact of Romania's accession to the European Union on the Romanian economy



Within the conference *Recent Advances in Economic and Social Research* (10 - 11 May 2018), organised by the Institute for Economic Forecasting, Romanian Academy, took place the workshop called “The impact of Romania’s accession to the European Union on the Romanian economy. Sectorial analysis (industry, agriculture, services, etc.)” in Luxembourg Hall, Academy House. The event is a part of the dissemination process of the Study 1 with the same title within the project of Strategy and Policy Studies - SPOS 2017, and brought together representatives of the academia, the central public administration, students and PhD candidates.

During the workshop, Mr. Lucian-Liviu Albu, senior researcher (SR. I), professor and General Director of the Institute for Economic Forecasting, Romanian Academy coordinator of the research team and Ms. Oana-Cristina Popovici, a senior researcher within the same Institute, co-author of the above-mentioned study have reviewed the main elements of the paper.

It was clear that we are dealing with a process of convergence towards the EU average development level, which would have been more difficult to accomplish in the absence of the pace imposed by the EU reforms and by the joined efforts of the Member States.

On the short term, the adoption and compliance with the reforms, measures and policies promoted by the Union filled a gap in the development process of Romania and set a direction. On medium term, GDP per capita adjusted to purchasing power parity has increased by 20 percentage points over the past ten years. The integration is a long-term process and needs to be analysed accordingly.

The pursuing of the European project is necessary for Romania in the current context. An essential contribution to raising living standards and boosting economic development in rural areas was given by common policies - the Common Agricultural Policy and Cohesion Policy. The two policies are essential instruments for the recovery of the economic development gaps between Romania and the EU and for increasing the competitiveness of the Romanian economy. This emphasizes the need to maintain them at European level and, from the point of view of Romania it translates into the need to intensify the efforts to capitalize on their results.

Romania must become more active in shaping the European agenda, besides accepting the benefits of its Member State status. Ten years after joining the EU, the economic results show that Romania is going in the right direction but, looking at the progress made by the other Member States, we find that we do not have the right speed yet. Romania’s efforts must focus on developing transport infrastructure, investing in research and development and digitization.

Within the same workshop, as an administrative coordinator of the study I have presented the SPOS project specificities and the importance of the study within the framework of Romania’s Presidency of the EU Council in 2019.

The study is available on EIR website, Publications section. Additional information about the workshop is also available on EIR website, Events section.

Mihai Sebe
Studies and Analyses Unit

Eurofound Annual Conference

Eurofound Conference is an annual meeting, attended by both national correspondents and members of the research team. In 2018, as it is the case each year, the conference was organized at Eurofound's headquarters in Dublin, on 12-13 April. The conference was attended by 56 national correspondents and researchers from all 28 Member States.

On the conference agenda there were included thematic sessions about relevant developments at EU level regarding social dialogue and social policy developments at national level on three themes - minimum wage/living wage (Romania and UK), labour market shortages (Poland and Czech Republic), platform for innovation in economy (Belgium).



Regarding the importance of social dialogue and its relevant developments at EU level, Mr Jorg Tagger, Acting Head of Social Dialogue Unit - Commission Directorate-General Employment, Social Affairs and Inclusion, underlined important priorities which are on the European Commission's public agenda for the next period. The Commission's priorities regarding the social dialogue are: a closer involvement of the social partners in the European Semester, increased involvement of social partners in EU policy and law-making, a clearer relation between social partners' agreements and the Better Regulation Agenda and a stronger emphasis on capacity building of national social partners. A separate chapter of the presentation was dedicated to the European Pillar of Social Rights and the first initiatives undertaken by the European Commission regarding: work-life balance (directive and policy measures), access to social protection (recommendation), information rights for workers (written statement directive), working time (legal guidance on Directive 2003/88/EC).

At the same time, Mr Tagger informed the audience about the Social Fairness Package - Access to Social Protection which was launched by the European Commission and concerns a better communication on the European Pillar of Social Rights, a proposal to set up a European Labour Authority and a proposal for a Council Recommendation on access to social protection. At the end of his presentation, Mr Tagger underlined the Directorate's concern about Brexit, the new Multi-Annual Financial Framework, the elections for European Parliament and the appointment of the new Commission.

Regarding the social policy developments at national level, as representative of the European Institute of Romania, I had a short presentation about the minimum wage and the transfer of social contributions from employer to employee in Romania. During my presentation, I underlined various thematic aspects from the governing programme, explanation of social policies and short-term results of the Government policies.

The conclusions of the annual conference were related to: a stronger partnership between national correspondents, social actors and labour market institutions, continued balanced and impartial reporting of national developments and compliance with the tripartite approach with the involvement of stakeholders and members of the Governing Board.

Nicoleta Voicu
Projects Unit

The European Youth Forum and its contributions to the youth policy-making process

This April, the European Youth Forum (YFJ) reunited more than 150 European youth representatives in Brussels for the Council of Members meeting (COMEM). Held regularly, COMEM aims to bring together National Youth Councils and International Non-Governmental Organisations in order to define the policies, vision and direction of the Forum.

For this COMEM, the policy papers brought into discussion followed the topics of sustainable development (with reference to circular economy), respectively the next Multiannual Financial Framework of the European Union. Having participated for the first time to COMEM, as an official delegate of YMCA Europe, where I am a member of the Youth Policy Group, I addressed a couple of questions to Mr. **François Balate**, Policy and Advocacy Director of the European Youth Forum. The main ideas which transpired from his answers can be found below.



- *What does the process of drafting the policy papers for YFJ look like and how open are the EU institutions to take into account the formulated policy proposals?*

Developing and adopting policy papers in the European Youth Forum is a democratic and inclusive process. This includes several phases of work, from analysis and consultations to votes on amendments.

First, we define the scope of the policy papers: in which policy area do we need the European Youth Forum to take a position, to develop a policy understanding?

Then, starts a long process of analysis and drafting by our Secretariat, several rounds of consultations with our Member Organisations and strategic oversight by our Board.

Once a final draft is ready, we send it to our Member Organisations for amendments. Then during our statutory meetings (twice a year - in spring and fall), delegates

discuss and vote on each amendment before voting on the final text.

Once adopted, we publish and disseminate our policy papers via various channels. Our key targets are EU institutions (relevant Directorate Generals and Commissioners; MEPs, Permanent Representations of Member States). Usually, EU institutions are open to our contributions and we engage in different formats with them, depending at which stage of the policy cycle we find ourselves. It goes from informal exchange with EU officials to contributions to public consultations; from events with stakeholders to submission of amendments in the European Parliament.

To give a recent example, a **Report on the Implementation of the Youth Strategy** currently being discussed in the European Parliament even acknowledged the contribution of the European Youth Forum.

- *What do you find to be the most important subjects, youth-related, on the 2018 EU agenda and how is YFJ working to provide inputs on them?*

We can consider the following key issues for young people in the European Union in 2018:

Youth unemployment & social inclusion - While economic predictions are becoming more encouraging after years of recession, unemployment and social exclusion are still a major concern for young people. There are still high disparities in terms of youth unemployment all across the European Union. The European Commission Youth Employment Initiative, through the Youth Guarantee scheme, has contributed to provide young people with working experience, but in an unequal manner. The European Youth Forum is analysing the situation and monitoring, **trying to improve this scheme**, ensuring that it reaches the most vulnerable and ensure the highest quality of job offers.

Still one in five young people is at risk of social exclusion. Hence, it is essential that the European Union and its Member States adapt their current social standards and welfare systems to a new reality. The recently proclaimed European Pillar of Social Rights is a promising way to upgrade our social models; but it needs more than words, it needs actions from all actors. The European Commission has put forward several initiatives (on social protection or working conditions) to implement the Pillar but needs to rely on Member States, considering the nature of social policy competence in the EU. The European Youth Forum is engaging at all levels (by developing analysis but also reaching with EU institutions, mostly recently within the Informal Meeting of the Council of Ministers of the EU on Employment and Social Affairs in April in Sofia) to ensure that the specific situation of young people - often the most affected by the current changes in our socio-economic environment - to be considered and that their social rights are ensured.



Investment - In 2018, youth is always mentioned by leaders on all levels, in all declarations. We need to turn words into action; and action requires investment. In May 2018, the European Commission presented their proposal for the next Multiannual Financial Framework (2021-2027), where they highlight the funding - hence political - priorities of the next programming period. When it comes to young people, the obvious programme is the Erasmus+ successor, where the European Commission proposes to multiply by 2.2 the funding, which is an encouraging start. But we also need to also look at the future of the Youth Employment Initiative (which is linked to the above point). The European Youth Forum is pushing for a doubling of the funds allocated to ensure it reaches its objectives. Beyond that, we also need to take into consideration the youth perspective in other policy areas, such as the Common Agricultural Policy, the Research & Development funds, the citizens programmes and so on. The European Youth Forum has developed a **position on how to mainstream the youth perspective in this debate**.

Participation - Young people are often portrayed as disengaged in politics; but this is not true, they want to engage but not with the current traditional democratic structures (as highlighted in this 2015 [Study](#)). There is then a priority to re-engage with young people, especially in the perspective of the 2019 European elections but also in the broader debate regarding the Future of Europe. Leaders on all levels need to engage with young people and youth organisations to define the new priorities for Europe. The European Youth Forum is bridging between institutions and young people and their organisations to ensure that young people views are taken into account in a meaningful way. There is a need to adapt our democratic structures, from institutions to political parties, to adapt to the realities of engagement nowadays.

- *The YFJ paper on post-2020 MFF underlines the need to multiply the budget for Erasmus+, and the European*

Commission (EC) said that it will most likely be doubled. Although this is seen as a success, what kind of arguments do you think that EC and the Member States are keener to listen to in order to allocate even more funds for Erasmus+?

The European Youth Forum recently adopted a **policy paper on the post-2020 Multiannual Financial Framework of the European Union**. It presents how, from the point of view of young people and youth organisations, the EU should decide on their funding priorities, to ensure a rights-based approach, youth mainstreaming and sustainability proofing. It analyses how programmes in the current Framework have fared and what they should achieve in the next period. It covers different topics from education, social & economic inclusion, cohesion policy, citizenship, agriculture & environment, migration, external action and research & development.

Part of the position is about the future of the Erasmus+ programme (a more detailed position on the programme is available [here](#)), which calls to multiply the budget of the programme by ten. With such an increased budget, the programme could further:

- Widen its access for a truly lifelong learning programme;
- Strengthen its social dimension for better inclusion;
- Empower citizens through education;
- Develop quality mobility experience and projects;
- Support sustainable development;
- Support youth organisations;
- Boost competitiveness and employability of young people.

All of the above are arguments for an #Erasmusx10 programme. The European Commission has provided a good start in the negotiations by proposing doubling the funding. Being one of the most successful programme of the EU, the Erasmus programme receives strong visibility and calls for improvement. The European Parliament has been calling for tripling the funding. The Member States, through the European Council, have been calling for a substantial increase in funding. These are encouraging signs. We count on Member States and the European Parliament to give an extra boost of ambition to the programme, in order for it to reach many more young people from diverse backgrounds.

Eliza Vaş
Studies and Analyses Unit

Free services for public administrations

Public administrations in the EU Member States can use free of charge *eTranslation*, a machine translation service officially launched on 15 November 2017, built on MT@EC (the previous service developed by the European Commission) and representing the latest step in the development of the automated translation CEF.AT platform. We remind you that you can find additional information on this service, including how to register at https://ec.europa.eu/info/resources-partners/machine-translation-public-administrations-mtec_en.

Developed under CEF (*Connecting Europe Facility*), the CEF.AT platform supports the digital single market and seeks to facilitate multilingual communication and exchange of documents and other language data between Europe's national public administrations and between these administrations and citizens/businesses in the EU. The platform will support online European public services such as Europeana, e-Justice, e-Procurement, e-Health, Open Data Portal, Online Dispute Resolution.



Public administrations wishing to contribute to developing the CEF.AT platform and to improving the quality of the automated translation system in the national language can upload their linguistic resources to <https://elrc-share.eu/>. Moreover, they can get, free of charge, the assistance of the ELRC (*European Language Resource Coordination*) to prepare data or they can even request on-site assistance. For details regarding the types of services, see <http://www.lr-coordination.eu/services>.

The ELRC programme was designed to collect linguistic and mono/bilingual translation data from all the EU Member States, Iceland and Norway (30 states). By the end of this year, a workshop will take place in each ELRC country in order to strengthen the network of the public administrations supporting the development of the CEF.AT platform in the long run. Eight workshops have already taken place in Ireland, Greece, Poland, Spain, Slovenia, Sweden, Belgium and Slovakia. In Romania, the workshop will take place on 1 November 2018. Information on workshops is available at <http://www.lr-coordination.eu/events>.

The organisation of workshops was one of the subjects tackled at the sixth Language Board Meeting of the ELRC, which took place in Nice, on 19 April 2018. There have also been presented a series of projects such as:

- ✓ *ELRI (European Language Resource Infrastructure)*: a 24-month project started on 2 October 2017, cofinanced by the European Union under CEF. The main objective is to create a national infrastructure in order to collect, prepare and share the linguistic resources that could improve the translation services within the public institutions. The countries concerned in the first stage of this project are France, Ireland, Portugal and Spain;
- ✓ *EU Council Presidency Translator*: a translation programme adapted for the Bulgarian language and integrated on the site of the Bulgarian EU Council Presidency;
- ✓ *iADAATPA (Intelligent, Automatic Domain Adapted Automated Translation for Public Administrations)*: a 1.9 million EUR contract awarded by CEF to develop a platform capable of integrating *eTranslation* and to provide services to the public sector; the platform is due to become available on 28 February 2019;
- ✓ *eTranslation TermBank*: a project that will support in particular E-Health, e-justice, ODR (Online Dispute Resolution) by focusing on the terminology in three domains (health, business legislation, consumer protection);
- ✓ *Cross-border eProcurement notifications*: a project in which procurement notifications will be translated automatically, due to become available online in June 2018;
- ✓ *ParaCrawl*: a project to collect linguistic resources collected from various sites that use English in parallel with any other official EU language. The collected linguistic resources will serve to improve translation memories.

Laura Mihăilescu
Translation Coordination Unit
ELRC - Public Services National Anchor Point

One year after the Rezmiveş pilot-judgment

Measures taken by Romanian authorities to reduce the prison population and improve the conditions of detention

On 25 April 2017, the European Court of Human Rights ('the Court') delivered a pilot-judgment in the case of *Rezmiveş and Others v. Romania*. The Court reiterated the existence of structural problems in terms of prison overcrowding in Romania and, while acknowledging some progress, it recommended to the national authorities to take additional measures of logistics and criminal policy, as well as to introduce preventive and compensatory remedies, for persons in such conditions. The Court requested the Romanian Government to provide, within six months from the final date of the judgment, under the supervision of the Committee of Ministers of the Council of Europe, a clear timetable for introducing the appropriate general measures in order to address the problem of prison overcrowding and inadequate conditions of detention, in accordance with the Convention principles.¹



The year that has elapsed since the pilot-judgment has been full of positive developments. On 15 March 2018, the Committee of Ministers, in the supervision of the execution of the ECHR judgments, noted with satisfaction the positive impact of the measures taken to combat overcrowding in prisons and encouraged the ongoing legislative work aimed at providing financial compensation to those who did not receive a sentence reduction and lodged or may still lodge an application with the ECHR concerning their conditions of detention. On the other hand, it called on the authorities to double their efforts to find a comprehensive and rapid solution to the deficiencies related to the conditions of detention in prisons and to provide information on the additional measures envisaged in this respect.²

In retrospect, the first step in order to comply with the calendar undertaken by the Romanian Government was the adoption of Law no. 169/2017.³ The most important amendments brought by this law are the following:

1. The amendment of Article 40(5)(b) of Law no. 254/2013. Though not very visible (the phrase *kept to one's work* has been replaced by *made the necessary efforts in the work carried out*), the new provision intends to award bonuses for the prisoner's effort to work in order to obtain a superior result;
2. The compensatory measure introduced by Article 55¹ in case of inadequate conditions of detention. The calculation of the sentence actually served, regardless of the prison regime, also takes into account, as a compensatory measure, the time served in inadequate conditions, in which case, for each period of 30 days served in inadequate conditions, whether or not consecutive, an additional period of six days of the imposed sentence is regarded as executed;
3. The exercise of the right to telephone calls from public phones installed in prisons can no longer be restricted, in terms of the confidentiality of the calls (Article 65);
4. The rules for the prisoner's right to renounce the 40 % of their work in return for obtaining additional days for the time considered as served (Article 87);
5. The modification of the duration of the sentence considered served according to the work carried out (Article 96).

¹ A detailed description of the context of the adoption of the pilot-judgment and its provisions can be found [here](#).

² https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=090000168078baba

³ Law no. 169/2017 amending Law no. 254/2013 regarding the execution of sentences and custodial measures ordered by the judicial authorities during criminal proceedings, published in the Official Gazette no. 571 of 18 July 2017.

These were followed by several legislative measures concerning the conditions of detention and the rights of the staff in the prison administration system:

1. Order of the Minister of Justice no. 2772/C/2017 approving the minimal standards for the accommodation of persons in detention⁴, a regulatory act reiterating the need for the accommodation areas for detainees to respect human dignity and to meet the minimum requirements of health and hygiene;
2. Order of the Minister of Justice no. 2773/C/2017 for the approval of the centralized situation of buildings that are inadequate in terms of the conditions of detention⁵, a normative act establishing the principle that, for every 30 days of detention of a person in detention facilities qualified as inadequate, an additional number of six days are regarded as executed;
3. Law no. 61/2018 amending Government Ordinance no. 26/1994 on the food rights, in peace time, of the personnel of the national defence, public order and national security sectors;⁶
4. The legislative proposal to amend Government Ordinance no. 652/2009, which establishes the number of posts assigned to the National Prisons Administration (ANP) and subordinate units. The results were positive, and in its meeting on 14 December 2017 the Government agreed to 1 000 additional posts in the ANP staff.

A second necessary step taken by the Romanian executive in the direction of the legislative reform, in terms of reducing the prison population and improving the conditions of detention, was the adoption on 17 January 2018 of the 2018-2024 Timetable of measures for addressing prison overcrowding and detention conditions.⁷ Thereby, the Ministry of Justice is considering the introduction of the electronic supervision measure in the criminal legislation, a decision to be taken by the judges, following the model of suspended sentences (the deadline for this possible measure is, according to the Timetable, the second semester of this year), but also an analysis of the opportunity to promote an appeal in the interest of the law in respect of applications for conditional release.

Also, more than 8 000 new accommodation places for detainees are to be built in the next six years and more than 1 300 accommodation places in prisons are to be modernized. The amounts needed for this bold project will come from three sources: the **Norwegian Financial Mechanism** (1 400 new accommodation places, for an estimated amount of EUR 21 007 300 and 100 modernized accommodation places, for an estimated amount of EUR 940 000); the **state budget** (4 795 new accommodation places and 1 251 modernized accommodation places for an estimated amount of EUR 75 297 550); a **loan from an international financial institution**, according to the draft approved by the Government of Romania on 5 December 2017 through the Memorandum concerning the Decision on the opportunity of financing the physical infrastructure of the Romanian prison system through a project financed from external repayable funds, which proposes the concept of national project - Investments in the prison infrastructure - 1 900 new accommodation places by building and establishing two new prisons (Berceni and Unguriu). Regarding this latter aspect, it should also be noted that on 11 April 2018, Justice Minister Tudorel Toader met with representatives of the Council of Europe Development Bank, having talks on contracting a loan to finance the project 'Investments in prison infrastructure'. According to the Ministry of Justice, the meeting held at its headquarters will result in the conclusion of a loan agreement in relation to the government's approval, on 7 March, of the memorandum for financing the project.

Another measure laid down in the timetable aims to introduce in the law the financial compensation for prisoners who served time in inadequate conditions, who have applications pending before the ECHR or who have the intention to start proceedings before this Court. Thus, the financial compensation for prisoners held in inadequate conditions will be awarded in the form of a compensatory appeal, and the pecuniary compensations are to be received by those prisoners who were not granted the six-day reduction of sentences for every 30 days served in inadequate conditions. 'The amount due to a person who served time in inadequate conditions (and for which they had not been previously awarded bonus days under Article 55¹ of Law no. 254/2013) will be obtained by multiplying these bonus days with a sum to be set for each bonus day', reads the Timetable of measures published by the Ministry of Justice. Ministry officials set the first semester of this year as deadline for this measure.

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⁴ Published in the Official Gazette no. 822 of 18 October 2017.

⁵ Published in the Official Gazette no. 822 of 18 October 2017.

⁶ Published in the Official Gazette no. 227 of 14 March 2018.

⁷ The timetable for measures was posted on the Ministry of Justice website <http://www.just.ro/wp-content/uploads/2018/01/calendar-masuri.pdf>.



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