



R O M Â N I A
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**Ms. Farida Shaheed,
UN Special Rapporteur on the Right to Education**

Dear Madam,

Following the correspondence of November 21, 2022, sent via e-mail, the UN Special Rapporteur on the Right to Education issued a call to identify the main challenges to the right to education and issues that deserve attention in the future, to be included in the review of the achievements of the mandate on the right to education over the last 25 years.

The report aims, among other things, to reassert and reassess the added value of an approach based on the human right to education in education matters.

Considering the request addressed, we send you the relevant information in the attached document, according to the area of competence of the People's Advocate institution.

With my best regards,

Deputy Ombudsperson,

MOLNÁR Zsolt

Bucharest, 21 December 2022

The contribution of the People's Advocate institution

Regarding the questions asked, we communicate the following answers:

1. In the opinion of the People's Advocate institution, the education system should be built on a solid foundation, in which values play an essential role. Schools and universities represent spaces for the transmission and development of these values, so that currently we can affirm that the issues related to education are approached from the perspective of the right to education. Regarding the added value brought by our institution, it aims to evaluate and monitor the quality of education because it expresses the ability of a provider organization to offer education programs in accordance with assumed standards.

2. Regarding the second question, we appreciate that education offers adults and children the best tools to improve their living conditions through access to appropriate economic, social and cultural development in any global context. In Romania, public policies and the legal framework promote the dimensions aimed at availability, accessibility, acceptability and adaptability, as they are established in the conceptual framework expressed in the United Nations Human Rights Council. Unfortunately, educational institutions do not always have an adequate and consistent offer in terms of programs and/or curricula. We also believe that discrimination in free access to education should be avoided, in the sense that every citizen should have the opportunity to develop their skills through free admission to the educational process. However, there are environments where poverty and other elements such as exclusion prevent many children from accessing education because there is little geographical coverage of educational services, such as rural areas, disadvantaged communities, etc.

3. As we showed in the previous answer, in Romania, at the legislative level, human rights education encourages and promotes respect for values and promotes inclusion, non-discrimination, participation, responsibility and equality. Also, considering the Romanian President's *Educated Romania* initiative, education is considered a national priority, aiming at the general public interest, the development and evolution of society. However, in the context of the COVID-19 pandemic, compared to the previous school/university years, the right to education experienced different stages: a period in which it could not be exercised at all, one that allowed the establishment of unwanted discrimination based on material condition, preventing the exercise of the right only by some of its holders and another that tried to ensure equality, but not very effectively. Therefore, the right to education is not ensured in accordance with all its regulations.

We believe that the right to education experienced certain dysfunctions during this period, considering its fundamental purpose.

Also, at a systemic level, in disadvantaged communities in Romania, especially in rural areas, there were major deficiencies regarding, first of all, the provision of basic needs (running water, electricity, heat, food). Ensuring access to the Internet in order to obtain quality education was one of the big issues that should have worried the state authorities with competences in the field. These communities urgently needed the support of the state to ensure their fundamental right to education.

4. In Romania, according to the provisions of Art. 9 paragraph (3) of Law no. 1/2011 on national education, with subsequent amendments and additions, state education is free at all levels, but still there are some costs associated with it (accommodation in dormitories, scholarships with a reduced amount, teaching materials, etc.).

5. In Romania, the right to education in its entirety is a justiciable right. We do not hold information on relevant cases.

6. The right to non-discrimination and the right to benefit from education under fair conditions for all children are applied in Romania with certain deficiencies. In our opinion, the state does not yet ensure the full implementation of the existing laws prohibiting discrimination, including by establishing appropriate monitoring and reporting mechanisms, strengthening public education campaigns to address the problem of stigmatization and discrimination against Roma children, children with disabilities, girls, asylum-seeking and refugee children, LGBTI youth, as well as to ensure their equal access to education, medical care, employment and standard of living.

7. It is not the case.

8. It is not the case.

9. Romania's main challenges regarding the implementation of the right to education are represented by:

- adequate funding in infrastructure and skills;
- reducing the rate of school dropout;
- the significant decrease in the rate of functional illiteracy among students;
- revising the curriculum in order to focus on skills, flexibility and digitization;
- initial and continuous training of teachers;
- creating and promoting inclusive practices and ensuring the material resources necessary for an inclusive education.

10. The period we are going through offers a series of challenges in terms of respecting the right to education. In this context, the education system must be oriented towards the formation of a multilateral personality of the citizen, in order

to promptly respond to the global social system. These aspects force us to be aware of the important role played by education at the national and international level, through the harmonious and conscious merging of individual and collective needs, as an effective response to present and future social factors.