

## Annex 1: Evaluation Framework

Evaluation question, as per the Tender Book	Evaluation assumptions	Analytical approach	Methodological tools	Primary information sources	Secondary information sources	Evaluability
<b>Q1.1:</b> Which are the areas / topics aimed at equal opportunities relevant for the Structural Instruments?	There is a European legal framework on equal opportunities that allows to define specific areas/topics	(1) Analysis of the European framework regarding the equal opportunities principle in the Structural Instruments context	<ul style="list-style-type: none"> <li>▶ Desk analysis</li> <li>▶ Experts' panel</li> </ul>	<ul style="list-style-type: none"> <li>▶ n.a.</li> </ul>	<ul style="list-style-type: none"> <li>(1) Regulations 2007-13</li> <li>(2) Proposal of regulation 2014-2020</li> <li>(3) Other European documents (see annex)</li> </ul>	High
<b>Q1.2:</b> Which is the national legal framework relevant for the equal opportunities?	There is a national legal framework regulating the equal opportunities principle in the Structural Instruments context	(2) Analysis of the national framework regarding the equal opportunities principle in the Structural Instruments context		<ul style="list-style-type: none"> <li>▶ n.a.</li> </ul>	See the specialized literature indicated above	High
<b>Q1.3:</b> Are there any European regulations or policies on equal opportunities which have not been mainstreamed into the national legislation?	The European framework on the equal opportunities principle in the Structural Instruments context has been mainstreamed in the national legislation	(3) Comparative analysis of the European and national framework for identification of differences		Members of the experts' panel (see specific section)	See the specialized literature indicated above	High
<b>Q2.1:</b> How have the European and national provisions been mainstreamed into various stages of the Programmes related to the cohesion policy, co-financed through ESF, ERDF and the Cohesion Fund in Romania?	The equal opportunities principle is integrated/promoted throughout the lifecycle of Operational Programmes financed from Structural Instruments	<ul style="list-style-type: none"> <li>(1) Analysis of how the equal opportunities principle is integrated/implemented in the 7 OPs and 35 selected KAIs of the OPs in Romania</li> <li>(2) Analysis of the awareness campaigns aiming to promote equal opportunity principle organized during programming period</li> <li>(3) Analysis on the clarity of descriptions regarding the equal opportunities</li> </ul>	<ul style="list-style-type: none"> <li>▶ Desk analysis according to the check-lists presented in par. 3.3.3</li> <li>▶ Interviews</li> <li>▶ Benchmarks with practices from other MS</li> </ul>	<ul style="list-style-type: none"> <li>▶ ACIS</li> <li>▶ MAS</li> </ul>	<ul style="list-style-type: none"> <li>(1) 7 Operational Programmes</li> <li>(2) One applicant's Guidelines for each of the 35 KAIs</li> <li>(3) Methodologies for project selection for each of the 35 KAI</li> <li>(4) Description of Management and Control Systems for the</li> </ul>	High

Evaluation question, as per the Tender Book	Evaluation assumptions	Analytical approach	Methodological tools	Primary information sources	Secondary information sources	Evaluability
		<p>principle within the Applicant's Guidelines</p> <p>(4) Analysis of the treatment of equal opportunities issues within the project selection process (eligibility criteria, selection criteria, ratio of such criteria in the final scoring)</p> <p>(5) Analysis of guidelines for equal opportunities evaluation within the financing applications evaluation process (existence of project evaluation methodologies, training sessions for project evaluators in terms of equal opportunities principle, etc.)</p> <p>(6) Analysis of the norms, structures and mechanisms related to equal opportunities for financial management and control</p> <p>(7) Analysis of monitoring tools at Programme level in terms of equal opportunities (indicators, reporting)</p> <p>(8) Analysis of monitoring tools at project level in terms of equal opportunities (indicators, reporting)</p> <p>(9) Analysis of how the equal opportunities principle has been addressed within ex-ante and interim evaluations.</p> <p>(10) Analysis of the partnership principle in terms of representativeness and participation in the consultation process</p>			<p>7 OPs, including monitoring procedures at Programme and project level</p> <p>(5) Available Evaluation Reports</p> <p>(6) Procedure rules and structure of the Monitoring Committees</p>	
<p><b>Q2.2:</b> What other topics on equal opportunities have been promoted / mainstreamed in various</p>	<p>There are other actions promoting equal opportunities that are not listed in European regulations</p>	<p>(1) Matching between the recipients of intervention considered targeted to equal opportunities and the typical targets listed in EC Regulations</p>	<p>▶ Desk analysis according to the check-lists presented in par. 3.3.3</p>	<p>▶ MAs/ MA Equal Opportunities Departments</p>	<p>(1) 7 Operational Programmes</p> <p>(2) One applicant's Guidelines for each of</p>	<p>High</p>

Evaluation question, as per the Tender Book	Evaluation assumptions	Analytical approach	Methodological tools	Primary information sources	Secondary information sources	Evaluability
OPs?					the 35 KAI	
<b>Q2.3:</b> Can be identified cases of good practice in mainstreaming / integrating the subjects on equal opportunities into the Structural Instruments framework?	There are components of the OP management systems that are very effective in supporting equal opportunities	(6) Definition of criteria for the selection of best practices (7) Collection of relevant information for the selection of the best practices (8) Analysis of practices for mainstreaming the equal opportunities related provisions in the aforementioned stages, as compared to the criteria agreed with ECU for identification of good practices (9) Identification of practices in the implementation of the programme that properly address equal opportunities (in any stage of programmes implementation) (10) Benchmarking with practices used in other member states	<ul style="list-style-type: none"> <li>▶ Desk analysis according to the check-lists presented in par. 3.3.3</li> <li>▶ Interviews with MA</li> <li>▶ Focus group for selecting the relevant criteria</li> <li>▶ Meeting with ECU to define the selection criteria</li> <li>▶ Case studies</li> </ul>	<ul style="list-style-type: none"> <li>▶ Representatives of MAs, Social partners attending Monitoring Committee, Associations fostering equal opportunities, Trade unions</li> <li>▶ MAs</li> <li>▶ ECU</li> <li>▶ MAs</li> </ul>	(3) Documents on Programmes as in Q2.1 (4) Best Practices/ bad practices in promotion/integration of equal opportunities at EU level	High
<b>Q3:</b> To what extent have the existing programming and implementation mechanisms triggered access to financing for people in vulnerable groups?	Programming and implementation mechanisms related to the current programming period do not provide obstacles for access to financing for vulnerable groups	(1) Identification per each vulnerable group (par. 2.3 ) of criteria impeding access to financing (2) Analysis of documentation and findings of interviews in order identify factors matching the identified criteria	<ul style="list-style-type: none"> <li>▶ Desk analysis</li> <li>▶ Interviews</li> <li>▶ Benchmarks with practices from other MS</li> </ul>	<ul style="list-style-type: none"> <li>▶ MAs</li> <li>▶ Selected number of organizations representative of vulnerable groups.</li> </ul>	(1) Programming and implementation documents including KAI level documentation (2) Specialized literature on European good practices (3) Data taken from SMIS/ SIM (HRD OP) system (4) Annual Implementation Reports	High

Evaluation question, as per the Tender Book	Evaluation assumptions	Analytical approach	Methodological tools	Primary information sources	Secondary information sources	Evaluability
<p><b>Q4.1:</b> Which are the specific projects directed or dedicated to vulnerable groups?</p>	<p>There are projects with significant impact on vulnerable groups</p>	<p>(1) Request to SMIS Unit and POSDRU monitoring unit, database of contracted projects under targeted KAIs including the following labels: OP, KAI, name of beneficiary, project title, budget, status, target groups addressed (based on availability in the System)                       (2) Selection of projects targeted to vulnerable groups as defined in chapter 2</p>	<ul style="list-style-type: none"> <li>▶ Desk analysis</li> <li>▶ Interviews</li> </ul>		<p>(1) Data taken from SMIS system and SIM-POSDRU</p>	<p>High</p>
<p><b>Q4.2</b> Which of the specific projects directed or <b>dedicated to vulnerable groups</b> are identified as (having a potential of) good practices?</p>	<p>There are projects that may be classified as being good practices in terms of impact on vulnerable groups</p>	<p>(1) Analysis of projects with significant impact on vulnerable groups as compared to the criteria agreed with ECU for identification of good practices (see Q 2.3)                      (2) Creation of a basket of 70 projects that could be meet those selection criteria                      (3) Identification of best practices at project level</p>	<ul style="list-style-type: none"> <li>▶ Focus group for selecting the relevant criteria</li> <li>▶ Meeting with ECU to define the selection criteria</li> <li>▶ Questionnaire to key informants of “targeted” and “non targeted” KAIs concerning as indicated during the interviews with the MAs)</li> <li>▶ Questionnaire to beneficiaries implementing the selected 70 projects</li> <li>▶ Desk analysis</li> <li>▶ Interviews</li> <li>▶ Case studies</li> </ul>	<ul style="list-style-type: none"> <li>▶ MAs/ MA Equal Opportunities Departments</li> <li>▶ Programme stakeholders, ACIS, MAs, representatives of project beneficiaries as in the methodology for case studies section 3.5</li> </ul>	<p>(1) Documents related to targeted projects                      Documents related to 70 projects (including targeted projects as per Q.4) Financing applications and final / monitoring reports</p>	<p>Medium</p>

## Annex 2: Reference Framework of trends, policies, agreements related to vulnerable groups

### *Gender Equality in the EU legal framework and Cohesion Policy*

Equality of women and men is a fundamental principle of the actual Community Law. Since its creation, the Community has recognised the principle of equal pay for men and women and on this basis has developed a consistent set of legal provisions aimed at guaranteeing equal rights to employment, vocational training and, to a large extent, social protection.

The first phase in the evolution of EU legal framework referred to gender equality was developed in the more general process of building the European community market, following the **equal treatment perspective**: in fact the only equality principles established in the Rome Treaty is related to equal pay for male and female (art. 119).

The second phase was characterized by the commitment of the European Community in favor of **equal treatment** and the **prohibition of discrimination** under secondary Community legislation, through the use of directives to harmonize the legislation of Member States.

Decisive factor was the **Council Directive 75/117/EEC** of 10 February 1975 on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women, which expressly extends the principle of equal pay between male workers and female workers with regard to jobs of equal value.

The following directives have further expanded this legislative scheme, extending the implementation of the principle of equal treatment between men and women in matters of social security, within the statutory schemes that provide protection against the risks of illness, disability, old age, accidents at work, occupational disease and unemployment (**Council Directive 79/7/EEC of 19 December 1978** on the progressive implementation of the principle of equal treatment between men and women in matters of safety social); and within specific occupational schemes between self-employed, with reference to the protection of maternity (**Council Directive 86/378/EEC of 24 July 1986** on the implementation of the principle of equal treatment between men and women in occupational social security schemes and **Council Directive 86/613/EEC of 11 December 1986** on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture, and related also to the protection of female workers during pregnancy and motherhood.

In particular, the **Council Directive 76/207/EEC of 9 February 1976** on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions, brought to the extension of the concept of discrimination and the appearance of the new concept of **“indirect discrimination”**. Unlike **direct discrimination**, that is a simpler form to be identified since explicit, indirect discrimination refers to all the assumptions of behavior, which do not seem discriminatory in appearance, but are substantially unfair, like the adoption of selection criteria possessed generally from one sex (usually the male one) and not essential to the performance of work, such as physical strength. The directive states “without prejudice to measures to promote equal opportunity for women and men, in particular by removing existing inequalities, which affect women’s opportunities (...)”. This is the concept of **“affirmative action”**, i.e. a setting that does not just enshrine formal bans, but tends to eliminate situation of substantial disadvantage, which originate from the employment context, as well as from the social and cultural one. In this regard the Council Recommendation 84/635/EEC of 13 December 1984 on the promotion of positive action in favor of women express the importance of adopting a policy of affirmative action designed to eliminate existing inequalities which women are subject in working life and to promote employment.

Concerning this, the **Council Recommendation 84/635/EEC of 13 December 1984** on the promotion of positive actions in favor of women expresses the importance of adopting a policy of affirmative action intended to eliminate existing inequalities to which women are subjected in working life and to promote employment.

In this context, since the Eighties, the European Community has provided action programmes on equal opportunities (from 1981 to 2005 five have been adopted), which created a considerable knock-on effect especially in promoting the implementation of other actions by individual Member States in order to make the objectives already identified by the Community acts more concrete.

Nevertheless, the limitation of the implementation of the principle of gender equality to the workplace only has represented for a long time a major restriction on its more extensive and effective application.

In this respect, since 1992, a third phase of development of the Community law on gender has arisen, characterized by the consolidation of social policies, thanks to the Treaties of Maastricht and Amsterdam. The 1992 **Treaty of Maastricht**, in fact, has provided an Agreement on Social Policy signed by eleven countries and aimed at extending the powers of the European Union to some sectors, including equal treatment between men and women. The provisions on equality between men and women gained in crucial importance after the entry into force of the **Treaty of Amsterdam** as well as the Charter of Fundamental Rights of Nice.

According to Article 2 of the Treaty, equality of women and men is one of the tasks to be promoted by the Community. Article 3 lays down the principle of gender mainstreaming by stating that "in all its activities referred to in this Article, the Community shall aim to eliminate inequalities and to promote equality, between men and women". Furthermore, Article 13 provides for pro-active measures "to combat discrimination based on sex, racial or ethnic origin, religion and belief, disability, age or sexual orientation". Finally, Article 137 and 141 stipulate that each Member State shall ensure "equality between men and women with regard to labour market opportunities and treatment at work" such as "to ensure that the principle of equal pay for male and female workers for equal work or work of equal value" are applied.

According to the Treaty the **gender equality approach is founded on two pillars**: specific actions (in legislation and program financing) and gender mainstreaming adopted as a tool to better achieve the objectives of **European Employment Strategy** by integration of the gender issue into every step of the policy processes, the design, implementation and evaluation of programmes of structural funds.

In the framework of the reformed EES and integration into the new **Community Lisbon Programme**, the Integrated Guidelines for growth and jobs (2005-2008) highlight that equal opportunities, combating discrimination and promoting **gender mainstreaming** are essential for making progress towards achieving full employment, and reducing unemployment and inactivity.

The **Fifth Community Action Programme on equal opportunities** (2001 -2006) has integrated the new global and transversal approach formally set in the Treaty of Amsterdam, by introducing the practice of mainstreaming next to the prediction of specific measures aimed at women. The Fifth Action Programme is specifically thought as an instrument to implement the Community's global framework strategy on gender equality in relation to policy areas specifically identified (equality in economic life, equal participation and representation, equal access and full enjoyment of social rights for women and men, gender equality in civil life) and for which the program identifies goals, interventions and links with the general policies<sup>48</sup>.

An important contribution to the development of gender policies is derived, finally, by the **European Councils held in Lisbon and Nice in 2000**. The strategy defined by the Lisbon Council has identified the promotion of equal opportunities aimed at increasing employment of women as a fundamental objective to be supported.

The European Council of Nice is instead important as it has adopted the Charter of Fundamental Rights, that fully recognize the principle of non-discrimination in a broad sense and that of gender equality.

Lastly, **Directive 2006/54/EC** on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation envisages the adoption of preventive measures against harassment and sexual harassment in the workplace and in access to employment, vocational training and promotion, requesting Member States to provide for effective, proportionate and dissuasive penalties for breaches of the Directive obligations. The directive specifies as well the concept of indirect discrimination, as the condition "where an apparently neutral provision, criterion or practice would put persons of one sex at a particular disadvantage compared with persons of the other sex, unless that provision, criterion or practice is objectively justified by a legitimate aim, and the means of achieving that aim are appropriate and necessary.

Previously the **Structural Funds** General Regulation for the period 1994-1999 had already taken equal opportunities for men and women in the labour market as a Community goal and a priority task for the ESF. In 1996, the Council of

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<sup>48</sup> In this regard, on 23 September 2002 the European Parliament and Council adopted the Directive 2002/73/EC, which amends the previous Directive 76/207/EEC related to the implementation of the principle of equal treatment between men and women as regards the introduction to professional employment, training, promotion and working conditions. This Directive, in addition to expressly invoking the gender mainstreaming and to providing, in line with the guidelines mentioned above, the same definition of indirect discrimination in reference to gender, it assumes an undoubted relevance because it speaks up on sexual harassment field, explicitly equalized to the discriminations by sex, not failing to point out how they do not occur only at the workplace but also in the process of access to employment and during the formation.

Ministers adopted a resolution on the mainstreaming of equal opportunities for women and men in the Structural Funds<sup>49</sup>.

However the Funds have mainly supported specific measures for women or pilot projects. These are important but cannot remedy structural inequalities. Moreover, gender equality has been regarded as a task mainly for the ESF although conclusions of the ESF final evaluations of the period 1994-1999 based on specific country results suggest that the measures, as well as jobs obtained after the measures, tended to reflect occupational segregation and gender stereotypes<sup>50</sup>.

A **turning point** and a forerunner of measures to reduce vertical and horizontal segregation was the initiative **NOW ("New Opportunities for Women")** within the Community Initiative EMPLOYMENT. The successes in women's entrepreneurship and activities to reduce labour market segregation serve as an important basis for current Fund operations. Building on this, the gender equality dimension has been incorporated into the methodological working papers for the preparation of the programming period 2000-2006, covering programming, ex-ante evaluation, monitoring and evaluation. The Commission has also drawn up a technical paper which sets out guidance on practical arrangements for implementing gender mainstreaming in the operations co-financed by the Structural Funds and presented a definition of gender mainstreaming in the Structural Funds<sup>51</sup>.

«**Gender mainstreaming**» involves ensuring that all general measures and operations openly and actively take into account – during planning, implementation, monitoring and evaluation – their effects on the respective situations of women and men. It also involves the complementary design, implementation, monitoring and evaluation of specific measures and operations to promote equality and to assist women to participate and benefit equally.

Overall, plans and programmes should contribute to improved equality between men and women, and should be able to demonstrate this impact, prior to, during and after implementation.

Within the **2000 – 2006 programming period**, the General Regulation<sup>52</sup> sets gender equality as a key objective and provides that the gender equality dimension must be incorporated into operations co-financed by the Funds. The issue of gender equality is explicitly mentioned in 10 of the 56 articles. The Regulation reflects the obligations of the Amsterdam Treaty with which the dual approach of combining gender mainstreaming and specific actions was formally anchored at EU level. This dual approach is also reflected in the ESF Regulation<sup>53</sup>.

The ERDF<sup>54</sup> Regulation and the EAGGF<sup>55</sup> Regulation also contain references to gender equality. Gender equality is also an objective in each of the four Community Initiatives (2000-2006) EQUAL, INTERREG III, URBAN II and LEADER+.

The Structural Funds and especially the ESF, are the main financial tools that underpin the European Employment Strategy (EES). The EES has incorporated the gender dimension as a horizontal priority across all pillars, in addition to a specific pillar on equal opportunities which contains specific Employment Guidelines on gender issues. The ESF Regulation 1784/1999 Art. 2, (b) specifies "promoting equal opportunities for all in accessing the labour market, with particular emphasis on those exposed to social exclusion", (e) "specific measures to improve women's access to and participation in the labour market, including their career development, their access to new job opportunities and to starting up of business, and to reduce vertical and horizontal segregation on the basis of sex in the labour market" and (c) "equal opportunities for women and men as part of the mainstreaming approach" and supports measures to prevent and combat unemployment, to develop human resources and social integration into the labour market in order to promote a high level of employment, equality between men and women, sustainable development, and economic growth.

In addition, the Commission proposed on 8 March 2005 the setting up of a European Institute for Gender Equality<sup>11</sup>,

<sup>49</sup> Council Resolution of 2 December 1996 on mainstreaming equal opportunities for men and women into the European Structural Funds (96/C 386/01)

<sup>50</sup> European Commission, Implementation of gender mainstreaming in the Structural Funds programming documents 2000-2006, COM(2002)748.

<sup>51</sup> Technical Paper 3 "Mainstreaming Equal Opportunities For Women And Men In Structural Fund Programmes And Projects", European Commission, March 2000

<sup>52</sup> Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds

<sup>53</sup> Regulation (EC) No 1784/1999 of the European Parliament and of the Council of 12 July 1999 on the European Social Fund, Art. 2 (1 e) and (2 c)

<sup>54</sup> Regulation (EC) No 1783/1999 of the European Parliament and of the Council of 12 July 1999 on the European Regional Development Fund, Art. 2 (2 f)

<sup>55</sup> Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations, Art. 2

which is intended to become an important tool for the dissemination of information, the exchange of good practices and the development of technical tools for the promotion of gender mainstreaming.

In the face of these persisting inequalities the Commission has adopted a “**Roadmap for equality between women and men**”, which highlights the priority areas for EU action on gender equality for the period 2006-2010. The roadmap aims, inter alia, to tackle a number of inequalities such as the differences in economic dependence for women and men, and notably the gender pay gap, the persisting tensions in reconciling work and private life or the equal representation of women and men in decision making.

Furthermore, the European Council agreed on a **European Pact for Gender Equality 2011-2020**<sup>56</sup> which represents the commitment of the Member States to close gender gaps and combat stereotypes in the labour market, to promote a better work-life balance for all and to reinforce gender mainstreaming in all policies. The Pact also indicates the need to improve governance through the use of gender-sensitive statistics and obliges the Member States to adopt a gender perspective in the policies set by the National Reform Programmes, through the use of indicators and joint assessment plan prepared as part of follow-up to the Beijing Platform.

The Pact and road map are fully in line with both the Commission’s 2006 Annual Progress Report on the Lisbon Strategy and the Report on Equality of women and men 2006, which emphasise that strengthening the position of women on the labour market in terms of closing the gender gaps and enabling a better balance of working and private life remain crucial to achieve the Lisbon targets of diversifying and improving the skills of the European workforce and thus to contribute to making Europe more dynamic and competitive, in a sustainable way and while enhancing social inclusion.

In fact, at micro economic level there is a growing body of evidence how personnel policies, which integrate a gender equality dimension, are benefiting both employees and employers. Clearly, flexible, family-friendly work organisation and work-life-balance packages that, besides needs-tailored working time arrangements, offer care and other family support services, contribute to reducing absenteeism and to increasing productivity and competitiveness of companies, local areas or regions. At a macro- economic level, maximising the economic contribution of women is a must to mitigate the consequences of demographic changes that are causing the lack of labour supply and skills gaps in many occupations and economic sectors. Supporting women to develop their full potential, particularly in sectors where they are under-represented, widens and strengthens the pool of talents and skills, which is a crucial asset for Europe’s competitiveness on global markets.

For the **programming period 2007 – 2013** the links between the Structural Funds and the policy framework – the European Employment Strategy – are being reinforced so that the Structural Funds can contribute more effectively to the employment objectives and targets of the "Lisbon Strategy for Growth and Jobs". Particular importance is being placed on the strategy's three main objectives of **full employment, quality and productivity at work, social cohesion and social inclusion**. To reach these objectives gender equality policies are essential: full employment requires to boost the participation of women and older workers in the labour market; policies and practices improving the work-life-balance of women and men are a key component in the endeavour of enhancing quality and productivity at work; and without taking account of the different life situation and needs of women and men social cohesion and inclusion strategies cannot be successful.

A growing body of research points out that there is **no such thing as gender neutral reality**. The Commission emphasised that political decisions, which appear to be gender neutral may have a different impact on women and men, even if these differences are not intended. Labelling priorities as gender neutral would therefore clearly ignore current policy orientation if included in National Strategic Reference Frameworks (NSRF) or Operational Programmes (OP). Besides anchoring gender equality as one of the horizontal objectives in the programming documents, gender mainstreaming needs to be applied to ensure that the gender dimension is integrated in all priority axes. Depending on the relevance, scale and scope of gender inequality as reported in the national reform programme or identified through the ex-ante evaluation, Member States will have room for manoeuvre in applying the principle of gender mainstreaming at the level of projects or beneficiaries<sup>57</sup>.

Meanwhile, the European Commission has adopted the **Strategy for equality between women and men 2010-2015**, that, taking into account the persistence of gender gaps and the need to pay high attention on gender inequalities

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<sup>56</sup> Conclusioni del Consiglio del 7 marzo 2011 sul Patto europeo per la parità di genere (2011-2020) (2011/C 155/02)

<sup>57</sup> Working Group of Member States representatives on gender equality and gender mainstreaming, “The principle of gender equality in the new ESF programmes (2007-2013)”.



issues, follows on from the Roadmap 2006-2010 and focuses on economic independence of women, equal pay, equality in decision-making, Dignity integrity and an end to gender-based violence, gender equality in external actions, as well as other horizontal issues aimed at progressing equal treatment between women and men.

Annex xxx. 1.2

### ***(1) Constitution of Romania (2003)***

The Constitution of Romania stipulates as a fundamental value the **equal opportunities and non-discrimination principle** both in Title I (General principles) and in Title II (Fundamental rights, liberties and obligations).

The most relevant constitutional provisions on forbidding discrimination and equal opportunities are:

- ▶ **Art 4 par (2) “Unity of the people and equality among citizens”:** “Romania is the common and indivisible homeland of all its citizens, without any discrimination on account of **race, nationality, ethnic origin, language, religion, sex, opinion, political adherence, property or social origin**”.
- ▶ **Art. 6 “Right to identity”:** “(1) The State recognizes and guarantees the right of persons belonging to national minorities to the preservation, development and expression of their ethnic, cultural, linguistic and religious identity. (2) The protection measures taken by the Romanian State for the preservation, development and expression of identity of the persons belonging to national minorities shall conform to the principles of equality and non-discrimination in relation to the other Romanian citizens”.
- ▶ **Art 16 par (1) Equality of rights:** „Citizens are equal before the law and public authorities, without any privilege or discrimination.”

Art. 48 of the Constitution, regarding family, stipulates the equal rights between the **spouses** and articles 49 and 50 bind the state to take “affirmative measures” for the protection of **children and young people**, respectively for the protection of the **disabled** persons in order to ensure them equal opportunities.

### ***(2) Government Ordinance no. 137/2000 on preventing and sanctioning all forms of discrimination, supplemented and republished***

G.O. no. 137/2000 is the most relevant legislative document for our research in the Romanian context. It transposes both the provisions of the Constitution mentioned above, as well as those of the Council Directive 2000/43/EC regarding the application of the principle of equal treatment between persons, regardless of the race or ethnic group they belong to as well as the provisions of the Council Directive 2000/78/CE for setting forth a general framework fostering equal treatment, in terms of occupation and employment.

According to this normative document, in Romania the human dignity, the citizens’ rights and liberties, the free development of the human personality are ultimate values guaranteed by law. The fact of exerting under equality conditions such fundamental rights and liberties concerns persons in **comparable** situations.

G.O. no. 137/2000 shall apply to all persons located on the Romanian territory, **against any forms of discrimination based on any criterion, regardless of nationality, citizenship of the person in question.**

Article 2 of GO no. 137/2000 defines “discrimination”, as well as the criteria likely to lead to discrimination. According to this ordinance, discrimination refers to any difference, exclusion, restriction or preference, based on **race, nationality, ethnic group, language, religion, social category, convictions, sex, sexual orientation, age, disability, non-catching chronic disease, HIV infection, belonging to a disfavoured category**, as well as any other criterion aimed at or having as an effect the limitation, elimination of the recognition, use or exerting, under equality conditions, of the fundamental human rights and liberties or of the rights recognized by law, in the political, economic, social and cultural field or in any other areas of public life. As we may see, the **“disfavoured category” is explicitly specified in this article, without, though, being exhaustively defined.**

This is partially though referred to in article 4, according to which “disfavoured category is the category of persons in an inequality position as compared to most of the citizens because of identity differences as compared to the **majority**, or persons facing a behaviour characterized by **rejection and marginalization.**

In other words, in order to be defined as “disfavoured”, as per this legislative document, a category should meet the following conditions:

- ▶ the category of persons should be in an **inequality** position as compared to most of the citizens;

- ▶ inequality generated by identity differences as compared to the majority;
- ▶ or are facing a behaviour characterized by rejection or marginalization.

A very important aspect which has led to the insertion of the non-discrimination principle in many other legislative documents mentioned above, this “framework” law regulates in special provisions the following areas providing protection against discrimination:

- ▶ equality in the economic activity and in terms of employment and profession;
- ▶ access to public administrative and legal, health services, to other services, goods and facilities;
- ▶ access to education;
- ▶ freedom of circulation, the right to freely choosing the domicile and the access to public places;
- ▶ the right to human dignity;

A key institution for combating discrimination is the National Council for Combating Discrimination, which can be referred to by any persons considering himself/herself discriminated when a discrimination action occurs.

### ***(3) Equality in the economic activity and in terms of employment and profession***

#### *Labour Code – Law no. 53/200351*

As stated above, the first area in which G.O. 137/2000 provides protection against discrimination is “... the economic activity and employment and profession”. Thus, the Labour Code, regulating the overall individual work relationships, how the control of the application of regulations in work relationships is performed, as well as the labour jurisdiction, includes **explicit provisions regarding the equal opportunities and gender mainstreaming**, as follows:

Art. 5:

- ▶ The principle of equal treatment applies to the work relationships for all employees;
- ▶ Interdiction of direct and indirect discrimination of an employee, based on criteria such as **sex, sexual orientation, genetic features, age, nationality, race, colour, ethnic group, religion, political orientation, social origin, disability, family situation or responsibility, adherence to or trade union activity**;
- ▶ Definition of direct and indirect discrimination.

Art. 6:

- ▶ Any employee carrying out a certain activity benefits from appropriate work conditions in order to perform his/her tasks, referring to social welfare, labour safety and health, as well as the fact that one must show respect for his/her dignity and consciousness, without any discrimination whatsoever;
- ▶ The right to equal payment for equal work;

Art. 154 par (3):

- ▶ when establishing or granting the wage it is forbidden to show any discrimination;

Art. 258.

- ▶ The employer’s internal regulation includes, among others, necessarily rules on the observance of the non-discrimination principle and elimination of any form of violating dignity.

### ***(4) Access to education***

#### *National Education Law*

According to the national education law, the public education service is organized and operates in Romania in compliance with the equity and equal opportunities principle, according to which the access to learning opportunities is granted without discrimination, including by ensuring social and educational services for **children who are in special conditions: children/young people coming from socially and economically disadvantaged environments, from single-parent, separated families or families in which parents have health problems, children/young people with special educational needs and other similar**.

### ***(5) Details of GO 137/2000 by specific categories***

#### *Law no. 202/2002 concerning the equal opportunities between men and women*

A second essential legislative document in the Romanian context is Law 2002/2002 regulating the measures for promoting equal opportunities and equal treatment between men and women, in order to eliminate all forms of discrimination based on the sex criterion, in all areas of public life in Romania.

The equal opportunities and equal treatment between men and women refers to **“considering the capacities, needs and aspirations of various persons either male or female and their equal treatment”**.

This law regulates the forms of discrimination also laid down by G.O. 137/2000 concerning the prevention and sanctioning of all forms of discrimination, **retaining only one criterion of discrimination, sex**.

According to this legislative document, the areas for implementation of the equal opportunities and equal treatment between men and women are:

- ▶ Equal opportunities and equal treatment between men and women in terms of **labour**;
- ▶ Equal opportunities and equal treatment between men and women as engaged in an activity in a **self-employed capacity**;
- ▶ Equal opportunities and equal treatment in terms of **access to education, health, culture and information**;
- ▶ Equal opportunities between men and women in terms of participation in the **decision-making**.

Law no. 202/2002 concerning the equal opportunities between men and women is supplemented by another series of legislative documents:

- ▶ Emergency Ordinance no. 67 as of June 27, 2007 regarding the application of the equal treatment principle between men and women within the social welfare schemes
- ▶ Emergency Ordinance no. 61 as of May 14, 2008 regarding the implementation of the equal treatment principle between men and women in terms of access to goods and services and provision of goods and services
- ▶ Law no. 217/2003 for preventing and fighting domestic violence

#### *Law no. 448/2006 for protecting and promoting the rights of people with disabilities*

- ▶ This law regulates the rights and obligations of the people with disabilities granted for their social integration and inclusion. These provisions apply to **children and adults with disabilities, Romanian citizens, citizens of other states or stateless people, during the period in which, as per legal provisions, they have their domicile or residence in Romania**.
- ▶ As per art. 2, paragraph 1 of the law, “the persons with disabilities, within the meaning of this law, are the persons who, because of physical, mental or sensorial illness, lack the abilities necessary to normally carry out the daily activities, needing protection measures for supporting their recovery, social integration and inclusion.”

#### *Law no. 272/2004 for protecting and promoting the child’s rights*

- ▶ This law regulates the legal framework regarding the observance, promotion and guarantee of the child’s rights.

#### *Law n. 107/2006 approving the Government Emergency Ordinance n. 31/2003*

- ▶ The law concerns the interdiction or organizations and symbols with fascist, racist or xenophobic character and the promotion of persons guilty for committing infractions against peace and humanity.
- ▶ At the same time, it imposes sanctions on individual, legal persons and public institutions proven guilty of xenophobe, fascist and racist acts.

### ***(6) Access to public administrative and legal, health services, to other services, goods and facilities***

*Law 292/2011 on social assistance*<sup>58</sup>

The new law on social assistance better regulates this field and is implemented based on the following (among other) values and principles, provided for under art. 5 (i)(r):

- ▶ Non discrimination, according to which vulnerable persons benefit of measures and actions of social protection without restrictions or preference based on race, nationality, ethnic origin, language, religion, social status, opinion, sexual orientation, age, political grounds, disability, non contagious chronic diseases, HIV infections or belonging to a disadvantaged category;
- ▶ Equal opportunities, according to which beneficiaries, have equal accesses without any form of discrimination to the opportunities of personal development fulfilment and also to measures and actions of social protection.

It is important to mention in this context that the law opens the window of opportunity for positive actions to be undertaken by entrepreneurs, as it stipulates under art. 9 (8) that: “employers hiring persons benefiting of social assistance benefit, based on legal provisions, of fiscal facilitations or of other nature”.

*Law no. 76/2002 regarding the system for unemployment insurance and stimulation of employment*

Law no. 76/2002 regulates the measures for preparing the strategies and policies for the protection of the persons for the unemployment risk, ensuring a high level of employment and adaptation of the labour force to the labour market requirements. Such measures are also aimed at supporting the employment of the persons belonging to disfavoured categories of the population and ensuring the equal opportunities on the labour market.

The law excludes any kind of discrimination on **criteria such as politics, race, nationality, ethnic origin, language, religion, social category, convictions, sex and age**. Though the criterion of sexual orientation and disability is missing, the law grants financial incentives and/or fiscal facilities to employers hiring for an indefinite period graduates among **persons with disabilities, fresh graduates of educational institutions, unemployed people aged over 45 or unemployed people who are single parents and supporters of single-parent families**.

*Law no. 95/2006 regarding the health reform*

Law no. 95/2006 regulating the public health and public health assistance includes a series of provisions setting forth the equal opportunities and gender mainstreaming principle, for example:

- ▶ art. 98 par.(7) “the qualified first aid and emergency medical assistance is granted, without any discrimination **related to, but not limited to, income, sex, age, ethnic group, religion, citizenship or political adherence, regardless of whether the patient has or not the capacity of medically insured person**”;
- ▶ art. 374 par.(3) “medical decisions and resolutions can be made considering the patient’s interest and rights, the generally accepted medical principles, non-discrimination between patients, respect for the human dignity, the principles of ethics and medical deontology, concern for the patient’ s health and public health”;
- ▶ art. 652 par.(2) „the dentist, the nurse/midwife cannot refuse to grant medical assistance/health care based on ethnical, religious or sexual orientation criteria or on other discrimination criteria forbidden by law.”

*Emergency Ordinance no.162/2008 concerning the transfer of the set of tasks and competences exerted by the Ministry of Public Health to the local public administration authorities*

Important for the object of our research, this law defines from the point of view of the Romanian State the **vulnerable groups in terms of health** as follows:

- a) below poverty threshold economic level
- b) unemployment

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<sup>58</sup> Law no. 47/2006 concerning the national social welfare system was repealed and Law 292/2011 was adopted in its place.

- c) low educational level
- d) various disabilities, chronic diseases
- e) illnesses in terminal stage needing palliative treatment
- f) pregnancy
- g) seniority
- h) age under 16
- i) are part of single-parent families
- j) risk of social exclusion

### **(7) Miscellaneous**

#### *Romanian Criminal Code*

Art. 75(c) of the Romanian Criminal Code provides as an aggravating circumstance the fact of committing an offence for reasons related to **race, nationality, ethnic group, language, religion, gender, sexual orientation, political opinion or adherence, wealth, social origin, age, disability, non-catching chronic disease or HIV/SIDA infection** or for other similar circumstances, deemed by the doer as causes of the **inferiority** of a person as compared to the others.

#### *Audio-visual Law no. 504/200262*

According to the law of the audio-visual commercial communications delivered by audio-visual media services providers should meet, among others, the following conditions, as well:

- ▶ not to include any form of discrimination for reasons related to race, ethnic group, nationality, religion, faith, disability, age, sex or sexual orientation;
- ▶ not to offend the religious or political convictions of viewers or listeners;
- ▶ not to stimulate indecent or immoral behaviors.<sup>63</sup>

#### *Law no. 4 din 2008 for preventing and combating violence on the occasion of sport competitions and games*

Organizers of sport competitions shall be bound to forbid the posting in the sport arena of symbols, slogans or texts with an obscene content or which incites to the denigration of the country, to xenophobia, national, racial, class or religious hatred, to discrimination of any kind or violence, regardless of the support on which they are displayed.

It shall be deemed as an offence to use in the sport arena fascist, racist or xenophobic symbols, the distribution or possession, for distribution purposes, of such symbols in the sport arena shall be deemed as an offence and shall be punished as per art. 4 of G.O. no. 31/2002.

### **(8) Relevant Strategies**

#### *National strategy on implementing measures for preventing and combating discrimination*

The national strategy on implementing measures for preventing and combating discrimination has been prepared by the National Council for Combating Discrimination in 2006 for the 2007-2013 period. As we will see below, this Strategy reflects to a great extent the provisions of GEO 137/2001.

As per art. 3 par. (1), this is aimed at “setting forth guidelines for action for preventing and combating discrimination and developing an inclusive and intercultural society” and “it is based on policies promoting interaction, equal opportunities, mutual understanding and respect.”

The objectives of this Strategy are:

- ▶ the effective protection and remedy against discrimination;

- ▶ ensure the inclusion and equal opportunities in the economic field and in terms of employment and profession;
- ▶ ensure the equality of access, participation and results in terms of public and private services intended for the wide public;
- ▶ Intensification of the recognition and awareness of diversity aimed at media, culture and sport;
- ▶ Concentration of efforts for the application of the policy of zero tolerance to any form of discrimination in the Romanian society.

Chapter II of the Strategy details the groups deemed vulnerable aimed at by the measures provided therein. A survey requested by the National Council for Combating Discrimination has revealed the categories of persons seen by the population as being most frequently victims of discrimination, namely **persons infected with HIV, homosexuals and Roma**.

Discriminatory behaviours seem to occur in three main contexts: the access to and exerting an occupation, school and public places and the relation with public authorities.

According to the statistics of the National Council for Combating Discrimination, based on the criterion of complaints submitted starting with 2002 until 2006, **the ratio of cases involving discrimination, in a hierarchy depending on the number of complaints**, as compared to the discrimination criteria, is as follows:

- 1) ethnic group/nationality
- 2) social category
- 3) disability
- 4) convictions
- 5) age
- 6) infection with HIV
- 7) gender
- 8) sexual orientation
- 9) religion etc.

According to the same statistics, depending on the criterion of sanctions applied, starting with 2002 until 2006, the ratio of cases in which discrimination has been identified, in a hierarchy depending on the number of complaints, as compared to the discrimination criteria, is as follows:

- 1) ethnic group
- 2) age
- 3) gender
- 4) nationality
- 5) social category
- 6) religion
- 7) sexual orientation
- 8) infection with HIV
- 9) disability etc.

As a conclusion to these exploratory analyses, the most often identified type of discrimination is the discrimination for ethnic criterion (Roma), followed by the criterion of age, sex, social category, religion, infection with HIV, sexual orientation, disability. To this date there is no information on the stage of implementation of such strategy.

#### *National Strategic Report for Social Protection and Social Inclusion (2008-2010)*

„The National Strategic Report on the Social Protection and Social Inclusion (2008-2010)” of the Romanian Government performs an “evaluation” of how the National Action Plan for Inclusion (NAPinc) has been implemented and sets forth a series of new priorities (included in the NRP 2011-2013):

- ▶ Increase the employment level for disfavoured people;
- ▶ Foster integrated family policies by promoting a set of efficient measures on benefits and social services;
- ▶ Continue the efforts of improving the life quality of the Roma.

Though the strategy is aimed at vulnerable groups, such groups are considered in economic terms, and discrimination is not addressed as a driving factor for vulnerability. The evaluation conducted for the 2006-2008 period indicates that vulnerable groups subject to various measures during the 2006-2008 period were:

- ▶ Young people coming from foster care centres,
- ▶ Young people providing for their children,
- ▶ Families with children and newly-formed families,
- ▶ Persons with disabilities,
- ▶ Aged people,
- ▶ Homeless people and
- ▶ Victims of domestic violence.

#### *National Reform Programme (2011-2013)*

The National Action Plan for Inclusion mentioned above and evaluated by the aforementioned report has been continued by NRP 2011-2013. As target groups, NRP for 2011-2013 focuses its social inclusion measures on the following categories:

- ▶ Families with low income/very poor families;
- ▶ Families with children (over 3);
- ▶ Depending persons (with disabilities, aged people);
- ▶ Single persons;
- ▶ Women (participation in the labour market, after maternity);
- ▶ Children (including those with disabilities, HIV/SIDA, terminal diseases, school-leavers);
- ▶ Young people (including over 18 years leaving the institutionalized child protection system);
- ▶ Roma;
- ▶ Persons with disabilities;
- ▶ Persons leaving from the minimum guaranteed income;
- ▶ Persons without shelter;
- ▶ Persons living in isolated communities ETC.

#### *Strategy of the Romanian Government for Inclusion of Romanian citizens belonging to Roma minorities for the 2012-2020 period*

According to this Strategy under implementation, in the case of citizens belonging to Roma minority, the approach to public policies is focused on measures in the **social** field: education, employment, health, housing and small infrastructure, areas accompanied by measures for combating **discrimination**, combating **poverty** and promoting **equal opportunities**.

#### *Sectoral Operational Programme Human Resources Development*

According to POSHRD (page 109), vulnerable groups, eligible under PA 6 Promotion of social inclusion, have been identified in the Joint Social Inclusion Memorandum (JIM), signed in 2005 between the Romanian Government (Ministry of Labour, Social Solidarity and Family) and the European Commission (General Directorate Employment and Social Affairs). These are:

- ▶ Roma population;
- ▶ Persons with disabilities;

- ▶ Young people leaving the state child care system;
- ▶ Women;
- ▶ Families with more than 2 children;
- ▶ Single-parent families;
- ▶ Children in risky situations;
- ▶ Offenders and former delinquents;
- ▶ Drug and alcohol addicts;
- ▶ Persons without shelter;
- ▶ Victims of domestic violence;
- ▶ Persons infected with HIV/SIDA;
- ▶ Persons affected by occupational diseases;
- ▶ Refugees, people seeking asylum.

### **Minimum Legal requirements deriving from the national legislation concerning the equal opportunities principle**

*Government Ordinance no. 137/2000 regarding the prevention and sanction of any form of discrimination, supplemented and republished*

#### **ART. 2**

(4) Any active or passive behaviour which, by its resulting effects, favours or disfavours in an unjustified manner or subjects to an unfair or degrading treatment an individual, a group of individuals or a community as compared to other individuals, groups of individuals or communities shall entail the contraventional liability hereunder, unless it falls under the criminal law.

(5) One shall deem as harassment and shall inflict a contraventional sanction on any behaviour on criteria such as race, nationality, ethnic origin, language, religion, social category, convictions, gender, sexual orientation, membership in a disfavoured group, age, disability, refugee or asylum seeker status or any other criterion leading to the creation of an intimidating, hostile, degrading or offensive environment.

(6) Any difference, exclusion, restriction or preference based on two or more criteria provided for by par. (1) shall be an aggravating circumstance upon ascertaining the contraventional liability unless one or several components hereof fall/s under the criminal law.

(7) One shall deem as victimization and shall inflict a contraventional sanction hereunder on any adverse treatment, coming as a reaction to a complaint or legal proceeding regarding the breach of the equal treatment and non-discrimination principle.

(10) Within the meaning hereof, the elimination of any forms of discrimination shall be performed through:

- a) prevention of any acts of discrimination, by setting forth special measures, including assertive actions in order to protect the disfavoured people who do not enjoy equal opportunities;
- b) mediation by amicable settlement of conflicts arising from the performance of discriminatory actions/deeds;
- c) sanction of the discriminatory behavior specified under the provisions of par. (1)-(7).

(11) The discriminatory behaviour provided for by par. (1)-(7) shall entail the civil, contraventional or criminal liability, as the case may be, under the legal terms.

#### **ART. 5**

One shall deem as a contravention, according to this ordinance, the conditioning of the participation in an economic activity of a person or the choice or freely exerting of a profession on the fact that he/she belongs to a certain race, nationality, ethnic group, religion, social category, respectively convictions, sex or sexual orientation, age or membership to a disfavoured category.



**ART. 6**

One shall deem as a contravention, according to this ordinance, the discrimination of an individual for the reason that he/she belongs to a certain race, nationality, ethnic group, religion, social categories or disfavoured category, respectively for convictions, age, sex or sexual orientation, in a work and social welfare relationship, except for the cases provided for by the law, shown in the following areas:

- a) termination, cancellation, modification or cessation of the work relationship;
- b) establishment and change of the professional tasks, workplace or wage;
- c) granting other social rights than the wage;
- d) vocational training, retraining, reconversion and promotion;
- e) enforcement of disciplinary actions;
- f) the right to adhere to a trade union and the access to the facilities granted by the latter;
- g) any other conditions for performance of the respective activity, as per the applicable legislation.

**ART. 7**

(1) One shall deem as a contravention, according to this ordinance, the refusal of a natural or legal entity to hire an individual for the reason that the latter belongs to a certain race, nationality, ethnic group, religion, social categories or disfavoured categories or because of his/her convictions, age, sex or sexual orientation, except for the cases provided for by the law.

(2) One shall deem as a contravention, according to this ordinance, the conditioning of filling in a position by announcement or contest, launched by the employer or by its representative, on the fact that he/she belongs to a certain race, nationality, ethnic group, religion, social category or disfavoured category, age, sex or sexual orientation, respectively on the applicants' convictions, except for the cases specified under art. 2 par. (9)<sup>59</sup>.

(3) Natural and legal entities with tasks in the labour mediation and distribution shall apply an equal treatment to all job seekers, shall grant them free and equal access to the consultation of the demand and supply existing on the labour market, to the consultation on the possibilities of filling in a position and obtaining a qualification and shall refuse to support employers' discriminatory requests. Employers shall ensure the confidentiality of the data on race, nationality, ethnic origin, religion, sex, sexual orientation or other private data concerning job seekers.

**ART. 8**

One shall deem as a contravention, according to this ordinance, the discrimination of employees by employers, in terms of the social benefits granted, because the employees belong to a certain race, nationality, ethnic origin, religion, social category or disfavoured category or on criteria such as age, sex, sexual orientation or convictions promoted by the latter.

**ART. 10**

One shall deem as a contravention, according to this ordinance, unless it falls under the criminal law, the discrimination of a natural entity, of a group of individuals or individuals managing the legal entity because of the fact that he/she/they belongs/s to a certain race, nationality, ethnic group, religion, social category or disadvantaged category, respectively because of convictions, age, sex or sexual orientation of the respective persons through:

- a) refusal to grant public administrative and legal services;
- b) refusal to give an individual or a group of persons access to public health services – the choice of the family physician, medical care, health insurance, emergency services or other health services;
- c) refusal to sell or to rent a plot of land or a building with lodging purposes, except for the case in which this restriction is objectively limited by a legitimate goal, and the methods for reaching such goal are appropriate and necessary;
- d) the refusal to grant a bank loan or to conclude any other type of contract, except for the case in which this restriction is objectively justified by a legitimate goal, and the methods for reaching such goal are appropriate and necessary;

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<sup>59</sup> (9) Measures taken by the public authorities or by legal entities of private law in favour of an individual, group of individuals or a community, aimed at ensuring their natural development and effective application of the equal opportunities in relation with the other individuals, groups of individuals or communities, as well as positive measures aimed at the protection of disfavoured groups shall not account for discrimination within the meaning hereof.

- e) the refusal to give an individual or a group of individuals access to the services provided by theatres, cinemas, libraries, museums and exhibitions, except for the case in which this restriction is objectively justified by a legitimate goal, and the methods for reaching such goal are appropriate and necessary;
- f) the refusal to give to an individual or a group of individuals access to the services provided by stores, hotels, restaurants, bars, discos or any other services providers, regardless of whether they are under private or public ownership, except for the case in which this restriction is objectively justified by a legitimate goal, and the methods for reaching such goal are appropriate and necessary;
- g) the refusal to give to an individual or a group of individuals access to services provided by public transportation companies – by plane, ship, train, subway, bus, trolleybus, tramway, taxi or other means -, this restriction is objectively justified by a legitimate goal, and the methods for reaching such goal are appropriate and necessary;
- h) the refusal to grant to an individual or a group of individuals rights or facilities.

### 3<sup>rd</sup> SECTION

#### Access to education

##### ART. 11

(1) One shall deem as a contravention, according to this ordinance, the refusal to give an individual or a group of individuals access to the public or private educational system, to any form, degree and level, because they belong to a certain race, nationality, ethnic group, religion, social category or disfavored category, respectively because of convictions, age, sex or sexual orientation of the individuals in question.

(2) The provisions of par. (1) shall apply to all phases or stages of educational system, including the enrollment or admission in educational units or institutions and to the knowledge assessment or examination.

(3) One shall deem as a contravention, according to this ordinance, the request for supporting statements regarding the fact that the respective individual or group belong/s to a certain ethnic group, conditioning the access of an individual or group of individuals to education in the mother tongue. The exception refers to the case in which in the high-school or university education applicants compete for vacancies specially granted to a certain minority and it is required to prove, by a document issued from a legally setup organization of the respective minority, that the respective individual/s belong/s to such minority.

(6) One shall deem as a contravention, according to this ordinance, any hindrance for criteria such as belonging to a certain race, nationality, ethnic group, religion, social category or disfavoured category in the process of setting up and accrediting educational institutions created according to the applicable legal framework.

### 4<sup>th</sup> SECTION

#### Freedom of circulation, the right to freely choosing the domicile and the access to public places

##### ART. 12

(1) One shall deem as a contravention, according to this ordinance, any action consisting in threats, constraints, use of force or other means of assimilation, displacement or colonization of people, in order to change the ethnic, racial or social structure of an area of the country or of a locality.

(2) One shall deem as a contravention, according to this ordinance, any behaviour consisting in causing the abandonment of domicile, deportation or rendering difficult the life conditions in order to get to the abandonment of the traditional domicile of an individual or group of individuals belonging to a certain race, nationality, ethnic group or religion, respectively of a community, without their agreement. One shall deem as a breach of the provisions hereof both compelling a group of individuals who are in minority to leave the locality, areas or zones inhabited by them, as well as compelling a group of individuals belonging to the majority to settle in localities, areas or zones inhabited by a population belonging to national minorities.

##### ART. 13

(1) One shall deem as a contravention, according to this ordinance, any behaviour aimed at moving or chasing away an individual or a group of individuals in a neighbourhood or building because he/she belongs to a certain race, nationality, ethnic group, religion, social category or disfavoured category, respectively because of convictions, age, sex or sexual orientation of the respective individuals.

##### ART. 14

One shall deem as a contravention, according to this ordinance, the restriction of the access of an individual or a group of individuals in public places because of the fact that they belong to a certain race, nationality, ethnic group, religion, social category or any other disfavoured category, respectively because of convictions, age, sex or sexual orientation of the individuals in question.

## 5<sup>th</sup> SECTION

### Right to personal dignity

#### ART. 15

One shall deem as a contravention, according to this ordinance, unless it falls under the criminal law, any publicly displayed behaviour, with a character of nationalist and chauvinist propaganda, of incitement to racial or national hatred or conduct which has the purpose or aim at harming dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment, directed against an individual, a group of individuals or a community and related to the fact of belonging to a certain race, nationality, ethnic group, religion, social category or disfavoured category or to convictions, sex or sexual orientation.

#### CHAP. III

### Procedural provisions and sanctions

#### ART. 26

(1) Contraventions specified under art. 2 par. (5) and (7), art. 5-8, art. 10, art. 11 par. (1), (3) and (6), art. 12, art. 13 par. (1), art. 14 and 15 shall be sanctioned by fine from RON 400 to RON 4,000, if the discrimination is aimed at a natural entity, respectively with a fine from RON 600 to RON 8,000, if the discrimination is aimed at a group of individuals or a community.

(2) Sanctions shall also apply to legal entities.

(3) Upon the request of findings agents, legal representatives of public authorities and institutions and of economic agents subject to control<sup>60</sup>, as well as natural entities shall be bound, under legal terms:

- a) to make available any document likely to help clarify the purpose of the control;
- b) to provide information and explanations both verbally and in writing, as the case may be, in connection with the issues referring to the purpose of control.
- c) to issue copies of the required documents;
- d) to ensure the support and conditions necessary for the proper performance of control and to help clarify the findings.

(4) Failure to comply with the obligations specified under par. (3) shall account for a contravention and shall be sanctioned by fine from RON 200 to RON 1,000.

#### ART. 27

(1) The individual who considers herself/himself discriminated may file, before the court, a claim for being granted compensations and resumption of the previous status or cancelation of the status generated by discrimination, as per the common law. The claim shall be exempted from judicial stamp fee and shall not be dependent on the notification of the Council.

### CRIMINAL CODE

#### Aggravating circumstances

Art. 77. – The following shall account for aggravating circumstances:

- a) deed committed by three or more individuals together;
- b) deed committed by cruelty or subject of the victim to degrading treatments;
- [...]
- h) deed committed for reasons such as race, nationality, ethnic origin, language, religion, gender, sexual orientation, opinion or political adherence, wealth, social origin, age, disability, non-catching chronic disease or HIV/SIDA infection or for other similar circumstances, deemed by the doer as causes of inferiority of an individual as compared to others.

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<sup>60</sup> Representing staff of the National Council for Combating Discrimination, which act if a complaint is submitted to this institution.

## Torture

### Art. 282.

(1) The deed of the public servant filling in a position involving the act of exerting a state authority or of another person acting for incitement or express or tacit agreement to cause to an individual a serious physical or psychic sufferance:

- a) in order to get information or statements from this individual or from another third party;
- b) in order to punish him/her for an action committed or allegedly committed by the latter or a third party;
- c) in order to intimidate or to put pressure on this individual or to intimidate or put pressure on a third party;
- d) for a reason referring to any form of discrimination, shall be punished by imprisonment from 2 to 7 years and banishment to exert such rights.

## Incitement to hatred or discrimination

Art. 369. The public incitement, by any means, to hatred or discrimination against a category of individuals shall be punished by imprisonment from 6 months to 3 years or by fine.

## CHAPTER III

### Offences committed on a family member

#### Domestic violence

##### Art. 199.

(1) If the deeds specified under art. 188, art. 189 and art. 193-195 are committed on a family member, the special maximum term of the punishment provided for by law shall be increased by one quarter.

(2) In case of offences specified under art. 193 and art. 196 committed on a family member, the criminal proceeding may be started ex officio, as well. The reconciliation shall relieve from criminal liability.

## CHAPTER VIII

### Offences against freedom and sexual integrity

#### Rape

##### Art. 218.

(1) The sexual intercourse, oral or anal intercourse with a person, committed by constraint, rendering it impossible for the respective person to defend herself/himself or to express his/her will or taking advantage of such a state, shall be punished by imprisonment from 3 to 10 years and banishment to exert certain rights.

(3) The sanction shall be imprisonment from 5 to 12 years and banishment to exert certain rights when:

- a) the victim is under the care, protection, education, guard or treatment of the doer;
  - b) the victim is a direct line relative, brother or sister;
  - c) the victim is not 16 years;
- [...]

#### Sexual aggression

##### Art. 219.

(1) The sexual intercourse, other than those specified under art. 218, with a person, committed by constraint, rendering it impossible for the respective person to defend herself/himself or to express his/her will or taking advantage of such a state, shall be punished by imprisonment from 2 to 7 years and banishment to exert certain rights.

(2) The sanction shall be imprisonment from 3 to 10 years and banishment to exert certain rights when:

- a) the victim is under the care, protection, education, guard or treatment of the doer;
  - b) the victim is a direct line relative, brother or sister;
  - c) the victim is not 16 years;
- [...]

#### Sexual intercourse with a minor

[...]

#### Sexual corruption of minors

[...]

#### Soliciting minors for sexual purposes

[...]

#### Sexual harassment

Art. 223.

(1) Recurrently pretending sexual favours in a work relationship or in a similar one, if by this the victim has been intimidated or put in a humiliating position, shall be punished by imprisonment from 3 months to one year or by fine.

(2) The criminal proceedings shall be started upon the damaged party's prior complaint.

#### Family abandonment

##### Preventing the access to the general mandatory education

Art. 380. - (1) The parent or the person who has been entrusted, according to the law, with the custody of a minor child and who, in an unjustified manner, withdraws or prevents by any means the latter to attend general mandatory education studies shall be punished by imprisonment from 3 months to one year or by fine.

[...]

### CHAPTER III

#### Offences against religious freedom and respect owed to dead persons

##### Preventing religious freedom from being exerted

Art. 381.

(1) Preventing or hindering the free exerting of the ritual of a religious cult, organized and operating under the law, shall be punished by imprisonment from 3 months to 2 years or by fine.

[...]

##### Abuse of office

Art. 297.

(1) The deed of the public servant who, while exerting the professional tasks, does not perform an action or performs it in a faulty manner and by this causes damages or prejudice to the rights or legal interests of a natural entity or legal entity shall be punished by imprisonment from 2 to 7 years and banishment to exert the right to fill in a public position.

(2) The same punishment shall also apply to the public servant who, while exerting the professional tasks, hinders the exerting of a right of a person or causes for the latter an inferiority situation for criteria such as race, nationality, ethnic origin, language, religion, sex, sexual orientation, political adherence, wealth, age, disability, non-catching chronic disease or HIV/AIDS infection.

#### *Law no. 202/2002 concerning the equal opportunities between men and women*

Art. 2

Measures for promoting equal opportunities and equal treatment between men and women in order to eliminate all forms of discrimination based on the sex criterion shall apply in areas such as labour, education, health, culture and information, policy, decision-making, provision of and access to goods and services, as well as in other areas regulated by special laws.

Art. 6

(1) Discrimination shall be deemed the propensity to discriminate a person based on the sex criterion.

(2) Any order of discrimination against persons for sex criteria shall be deemed as discriminatory.

(3) Any form of discrimination based on the sex criterion shall be forbidden.

### CHAPTER II

#### Equal opportunities and equal treatment between men and women in terms of labour

Art. 8

(1) Employers shall be bound to ensure the equal opportunities and equal treatment between employees, men and women, in any kind of professional relationships, including by introduction of provisions for banishing

discriminations based on the sex criterion in the organization and operation regulations and in internal regulations of units.

(2) Employers shall be bound to inform on a permanent basis employees, including by posting in visible places, their rights in terms of complying with the equal opportunity and equal treatment between men and women in the work relationships.

#### Art. 9

(1) One shall forbid the discrimination through the usage by the employer of certain practices disfavoured people of a certain sex, concerning work relationships, regarding:

a) announcement, organization of contents or examinations and selection of applicants for filling in the vacancies in the public or private sector;  
[...]

#### Art. 12

For preventing and eliminating any behaviours, defined as discriminatory based on criteria such as sex, the employer shall have the following obligations:

a) to stipulate in the internal regulations of units sanctions for misconduct, under legal terms, for the employees who breaches the personal dignity of other employees by creating degrading, intimidating, hostility, humiliating or offending environments, through discrimination actions, defined under art. 4 letters a)-e) and under art. 11;  
b) to ensure the information of all employees on the banishment of harassment and sexual harassment at the work place, including by posting in public places the provisions of internal regulations of units for preventing any act of discrimination based on the sex criterion;  
c) to inform immediately after having notified the public authorities authorized to apply and control the law enforcement on the equal opportunities and equal treatment between men and women.

#### Art. 14

For preventing discrimination actions based on the sex criterion in the labour field, both in the single collective labour agreements at national level, specific to the industry, and upon the negotiation of collective labour agreements at unit level, the contracting parties shall set forth the insertion of clauses for forbidding acts of discrimination and, respectively, clauses on how to settle notifications/complaints filed by the parties damaged by such deeds.

### CHAPTER III

Equal opportunities and equal treatment in terms of access to education, health, culture and information

#### Art. 15

(1) One shall forbid any form of discrimination for sex criterion in terms of women's and men's access to all level of education and vocational training, including apprenticeship at the work place, retraining and, generally, on-going education.

(2) Educational units of all levels, social factors involving in training and educational processes, as well as all the other training and retraining services providers, authorized as per the law, shall include in the national educational programs issues and activities concerning equal opportunities between men and women.

(3) Institutions provided for by par. (2) shall be bound to set forth, in their activity, non-discriminatory practices based on the sex criterion, as well as actual measures for guaranteeing the equal opportunities and equal treatment between men and women, according to the applicable legislation.

[...]

#### Art. 16

(1) The Ministry of Education and Research shall ensure, by specific means, the proper training, instruction and information of the teaching staff, at all forms of education, public and private, in terms of equal opportunities for men and women.

(2) The Ministry of Education and Research shall promote those school manuals, university courses, guidelines for application of analytical programs which should not include aspects of discrimination between sexes, as well as negative behavioural patterns and stereotypes in terms of women's and men's role in the public and family life.

#### Art. 17

One shall forbid any form of discrimination based on the sex criterion in terms of women's and men's access to all levels of medical care and to programme for disease prevention and health promotion.

#### Art. 18

County and Bucharest public health departments shall be liable for the application of measures for complying with the equal opportunities and equal treatment between men and women in the health field, in terms of access to medical services and their quality, as well as occupational health.<sup>61</sup>

#### Art. 19

(1) Cultural public institutions, as well as any other structures or units promoting the cultural act under any form shall be bound to apply the necessary measures for the access of all people, without discrimination based on the sex criterion, to cultural productions.

[...]

#### CHAPTER IV

Equal opportunities between men and women in terms of participation in the decision-making

#### Art. 22

(1) Central and local, civil and military public institutions and authorities, economic and social units, as well as political parties, employers' organizations and trade unions and other non-profit entities, carrying out their activity based on own by-laws, promote and support the balanced participation of women and men in the management and decision-making and adopt the necessary measures for ensuring the balanced participation of men and women in the management and decision-making.

[...]

#### Art. 23

(1) For the actual achievement of equal opportunities and equal treatment between women and men, central and local public institutions and authorities, social dialogue structure, employers' organizations and trade unions, political parties shall ensure the fair and balanced representation of men and women at all decision-making levels.

[...]

*LAW No. 448 as of December 6, 2006 \*\*\* republished for protecting and promoting the rights of people with disabilities*

Full

#### CHAP. IX

Judicial Responsibility

#### ART. 100

(1) The following facts represent contraventions and will be sanctioned as it follows:

(a) Failure to fulfil the obligations specified under art. 15 par. (1), with a penalty from 6,000 lei to 12,000 lei; (Art. 15 par. (1): People with handicap have free and equal access to any form of education, regardless the age, according to the type, degree of handicap, and their educational needs.)

(b) Failure to fulfil the obligation specified under art. 18-20, art. 21 par. (3) and (4), art. 22, art. 23 par. (1) and (2), art. 24, 30 and 31, art. 33 par. (1), art. 34 par (3), art. 51 par. (4), art. 55 par. (1), art. 61-64, art. 65 par. (1), (2) and (5), art. 66-68, art. 69 par. (1), art. 70, 71 and art. 82, with a penalty from 6,000 to 12,000 lei;

#### Art. 18

(1) During the learning process, regardless of its level, the people with handicap have the right to: a) educational support services; b) technical equipment adapted to the type and degree; adaption of the furniture in lecture rooms; d) school text books and course work in a format that is accessible to pupils and students with sight deficiencies; e) the use of assistance software and equipment in the examination processes of any kind and level.

(2) Pre-pupils, pupils and students with handicap, together with their personal assistants and professional personal assistants, have the right to free places in rest camps, once a year, regardless of the type of study.

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<sup>61</sup> No sanctions prescribed if they fail.

(3) The financial amounts related to the right mentioned in par. (2) is ensured from the state budget through the National Youth Authority.

Art. 19 With regard to ensuring the access of people with handicap in the educational units and institutions, the public authorities have the obligation to take the following specific measures:

- a) to promote and guarantee the access to education and professional formation for the people with handicap;
- b) to ensure home-schooling for people with handicap that cannot move during the mandatory schooling period, as well as school preparation, regardless of the place where the person is located, including through support educational staff;
- c) to ensure access to permanent education forms, adapting them to the educational needs of the people with handicap;
- d) to support the cooperation between the units for special education or for meal with the family and the community, in order to ensure an educational offer that answers the individual needs of people with handicap;
- e) to support the preparation of educational staff for the adaption to the educational practices for pupils with handicap from regular study groups;
- f) to ensure educational support services for people with handicap and their families, through specialists in the field of special psycho-pedagogy; h) to ensure access to study institutions.

Art. 20

(1) In order to ensure the people with handicap access to obtaining a home, the public authorities have the obligation to take measures to introduce a priority criterion for rental, at lower floors, of homes that belong to the public domain of the state or to the territorial-administrative units of it.

(2) People with handicap benefit from the following rights: a) giving of a living room, besides the normal minimal living norms provided by the law, based on the rent contracts for the dwellings that belong the public or state private domain or to its –territorial-administrative units; b) Waive of rental pay for the living surfaces that dwellings owned by the state or by its territorial-administrative units and that are used by these people.

(3) Beneficiaries of the provisions of par. (2) are also the family or the legal representative, during the period when they are in charge of a child or a person with severe handicap.

(4) Beneficiaries of the provisions of par. (2) letter b) is also the adult with severe handicap.

Art. 21

(3) The child with handicap, as well as the person that accompanies him/her, benefits from free entrance tickets to shows, museums, artistic and sports manifestations.

(4) The adults with severe or advanced handicap benefit from entrance tickets to shows, museums, artistic and sports manifestations, as it follows: a) the adult with a severe or advanced handicap, as well as the person accompanying him/her benefit from free tickets; b) the adult with medium and light handicap benefits from entrance tickets in the same conditions as pupils and students.

Art. 22

The local public administration authorities have the obligation to take specific measures to ensure common transportation for people with handicap: a) to purchase adapted means of transport; b) to adapt the functioning existing means of transportation within the technical possible limits, according to the applicable law; c) to realise, in collaboration with or in partnership with public or private judicial persons, transport programmes for people with handicap.

Art. 23

(1) People with severe and advanced handicap benefit from free access to all lines of urban transport with above- and under-ground means of transportation.

(2) The following persons are also beneficiaries of the provisions in par. (1): a) the people accompanying people with severe handicap, in their presence; b) the people accompanying children with severe handicap, in their presence; c) the people accompanying people with severe advanced auditory or mental handicap, in their presence, based on the social inquiry realised by the social assistant from the specialised compartment of the city hall in whose territorial area the person with handicap is resident; d) the personal assistants of people with handicap; e) the professional personal assistants of the people with advanced handicap.

Art 24.

(1) People with severe handicap benefit from free interurban transportation, on any type of train, within the cost limits of a 2<sup>nd</sup> class train ticket, on buses or with river transportation ships, for 12 return tickets per year.



(2) Beneficiaries of the provisions of par. 1 are also the following people: a) the people accompanying people with a severe handicap, only in their presence; b) the personal assistants of people with severe handicap.

(3) People with severe handicap benefit from free interurban transportation, on any type of train, within the cost limits of a 2<sup>nd</sup> class train ticket, on buses or with river transportation ships, for 6 return tickets per year.

(4) Beneficiaries of the provisions of par. (3) are also the people accompanying children with severe handicap, only in their presence.

(5) People with kidney affections that need dialysis in other locations than those of residence benefit from free interurban transportation, on choice, for any type of train, within the cost limits of a 2<sup>nd</sup> class train ticket, on buses or with river transportation ships, beyond the limit of yearly tickets, depending on the recommendation of the dialysis centre.

(6) Beneficiaries of the provisions of par. (5) are also the personal assistants or the people accompanying the people with handicap that need dialysis.

(7) The financial amounts related to the rights mentioned in par. (1) - (6) are ensured from the state budget through the budget of the National Authority for People with Handicap.

(8) The modality of giving the rights mentioned in par. (1) - (6) is established through a Governmental decision.

Art. 30: In order to ensure the correlation of services from the children with handicap care system with the services of the adult people with handicap care system, the responsible public administration authorities have the obligation to take the following specific measures: a) to plan and to ensure the transition of the young person with handicap from the child protection system to the adult person with handicap protection system, based on the individual identified needs of the person; b) to ensure the continuity of the services offered to people with handicap; c) to put in place measures meant to ensure the preparation of the young person for the adult life and for the independent life; d) to develop, in collaboration with or in partnership with public or private judicial persons, programmes for preparation for adult life; e) to develop informing sessions of the young person with handicap with regard to the opportunities for education, employment, access to familial life and to social life, to different means of spending the free time; f) to evaluate on request, the pupils from the special education units.

#### Art. 31

(1) The right to social care in form of social services is given upon request or by default, depending on the case, based on proving documents, in the conditions provided by the law.

(2) The request for the award of right to social services is registered at the local public administration authority in the area of which the person with handicap is registered.

(3) The request and the proving documents are submitted for registration by the person with handicap, their family, the legal representative, the personal assistant, the professional personal assistant or by the NGO whose member the person with handicap is.

(4) In order to ensure the necessary social services for the people with handicap, the public authorities have the obligation to take the following special measures:

a) to create access conditions for all types of services correspondent to the individual needs of the people with handicap;

b) to initiate, sustain and develop social services centred on the person with handicap, in collaboration or partnership with public or private judicial persons;

c) to ensure the proportion of the professional specialist staff employed in the people with handicap care system in accordance to the types of social services: social assistants, psychologists, occupational therapy instructors, kinetherapists, recovery educators, stuttering specialists, psycho-educators, support teachers, specialised educators, psychiatrists, dentists, medical assistants;

d) to involve the family of the person with handicap in his/her activities of care, rehabilitation, and integration;

e) to ensure the training of the staff working in the system of care for people with handicap on the specific problem of the person with handicap, including of the personal assistants and of the professional personal assistants;

f) to develop and support collaboration programmes between the parents and specialists in the field of handicap, in collaboration or partnership with public or private judicial persons;

g) to set up and to sustain the system based on case management in the protection of the person with handicap;

h) to encourage and to support volunteering activities;

i) to ensure socio-medical assistance and care at the residence of the person with handicap.

#### Art. 33

(1) The local public administration authorities have the obligation to organise, administrate and finance social services dedicated to people with handicap, within legal conditions. Art. 34: (1) the social services for adult people with handicap are coordinated by the National Authority for People with Handicap.

(2) The monitoring of the implementation of specific quality standards and the control of their application are in the competence of the National Authority for People with Handicap and is applied by the staff with attributions in the field, according to a methodology that has been approved by its President.

(3) In the realisation of the activity mentioned in par. (1) the staff of the National Authority for People with Handicap has access to the spaces that are connected to the supply of social services, to data and information related to people with handicap that benefit from the respective service.

Art. 66:

(1) the publishing houses have the obligation to make the electronic type moulds used for printing the books and magazines available to the authorised judicial persons that requests them, in order to transform them in a format that is accessible to people with sight or reading deficiencies, according to the law L. 8 / 1996, regarding copyrights and connected rights, with the subsequent modifications and additions.

(2) Public libraries have the obligation to set up departments with books in formats that are accessible to people with sight or reading deficiencies.

Art. 67:

(1) Up to 31 March 2007, mobile phone operators have the following obligations: a) to connect at least one cabin to public phones, in conformity with the applicable legal provisions; b) to offer information on the costs of services in forms accessible to people with handicap.

(3) The employees of banking and postal services have the obligation to offer assistance in filling in the forms, upon request from people with handicap.

Art. 68: Up to 31 December 2007, the owners of hotels have the following obligations: a) to adapt at least one room for the accommodation of the person with handicap that uses a rolling chair; b) to mark through pavement or tactile carpets the entrance, the reception and to have a tactile map of the building; c) to install lifts with tactile signs.

Art. 69 par. (1) Central and local authorities and institutions, public or private, ensure authorised interpreters of the sign language or of the language specific to the person suffering from deafness.

Art. 70: (1) Public central and local authorities, as well as central and local institutions, public or of private law, have the obligation to ensure services of documentation and information accessible to people with handicap.

(2) In 6 months time from the moment this law becomes applicable, the public relations services will display and will be able to offer information that is accessible to people with a visual, auditory and mental handicap. Art. 71: (1) Up to 31 December 2007, the public authorities have the obligation to take measures for: a) making the own internet pages accessible, in the view of improving the access of electronic documents by people with mental and visual handicap; b) the utilisation of pictograms in all public services; c) the adaption of tele-fax and tele-text devices for people with hearing handicap.

(3) In the acquisition of equipment and software, the public institutions will take into account respecting the accessibility criterion.

Art. 82

(1) the protected authorised units benefit from the following rights: a) exemption from tax payment for authorisation at the moment of set up and for reauthorisation; b) exemption from profit tax, on the condition that at least 75% of the amount obtained through exemption be reinvested in restructuring or purchase of technological equipment, cars, machines, work equipment, and/or decoration of protected work places, according to the law L.571/2003, with the subsequent modifications and additions; c) other rights given by the local public authorities financed from own funds.

(2) At the beginning of each year, the authorised protected units have the obligation to present to the National Authority for People with Handicap the activity report for the previous year.

(3) Disobedience of the obligation mentioned in par. (2) is sanctioned with the suspension of the functioning permit as a protected unit or, depending on the case, with the cancelation of it and full reimbursement of the facilities of which it benefited from on the duration of functioning as an authorised protected unit.

(4) The procedure for the suspension or cancelation of the protected units authorisation is established through methodological norms for application of the present law.)

Art. 100 c) Failure to fulfil the obligation specified under art. 78, with a penalty from 15,000 to 20,000 lei;

Art. 78

(1) the people with handicap can be integrated in work environment according their professional qualification and work capacity, proven by the certificate for integrating within a degree of handicap, issued by the evaluation committees on a county level or on a district one, in Bucharest.

(2) Public authorities and institutions, public or private judicial persons that do not employ people with handicap in the conditions mentioned in par. (2) can opt for the fulfilling of one of the following obligations: a) to pay the state budget a monthly amount representing 50% of the minimum base salary in the country, multiplied with the number of work places where they did not hire disabled people; b) to acquire products or services realised through the own activity of the people with handicap employed in the authorised protected units, on a partnership basis, for an equivalent amount to the amount owed to the state budget, in the conditions mentioned at letter a). (4) Exceptions from the provisions of par. (2) are the public institutions for national defence, public order and national security. (5) The monitoring and control for respecting the provisions of par. (2) and (3) are done by the Labour Inspection.)

Art. 100 d) failure to respect the specific quality standards, with a penalty from 6,000 lei to 12,000 lei and/or the suspension or cancelation of the functioning permit;

Art. 100 e) Failure to respect the authorization conditions during the period of functioning as a protected authorised entity, with a penalty from 20,000lei to 25,000 lei and the cancelation of the functioning permit;

Art. 100 f) parking of other means of transport on the parking places specially adapted, reserved and signalled through the international sign for handicapped person, with a penalty from 200 lei to 1,100 lei and removal of the means of transport from the respective parking place;

Art. 100 g) Issuance of certifications for level of handicap, against the provisions of art. 85 (10), with a penalty from 2,500 lei to 5,000 lei. (Art. 85 par. (10): The medical, psychological and social criteria on the base of which the type and degree of handicap is established are approved through a common order of the minister of labour, family and social care and of the minister of health).

(2) The establishments of the contraventions and the application of contraventional penalties from par. (1), letters a), b), d), e) and g) are made by the staff of the Ministry of Labour, Family and Social Care, empowered for this through a Order of the Labour, Family and Social Care Minister.

(3)The establishments of the contraventions and the application of contraventional penalties from par. (1) letter c) are made by the staff of the Labour Inspectorate.

(4)The establishment of the contravention and the application of contraventional penalty from par. (1), letter f) is made by traffic agents or by the control staff with such attributions.

### ***Labour Code – Law no. 53/200351***

Art. 5

(1) Within the work relationships the principle of equal treatment for all employees and employers shall apply.

(2) Any direct or indirect discrimination of an employee, based on criteria such as sex, sexual orientation, genetic features, age, nationality, race, colour, ethnic origin, religion, political orientation, social origin, disability, family situation or responsibility, adherence to a trade union or related activity, shall be forbidden.

(3) One shall deem as direct discrimination acts and deeds of exclusion, difference, restriction or preference, based on one or more of the criteria provided for by par. (2), which are aimed at or have as an effect the non-granting, restriction or elimination of the recognition, use or exerting of the rights stipulated in the labour law.

(4) One shall deem as indirect discrimination acts and deeds apparently based on other criteria than those specified under par. (2), but which cause the effects of direct discrimination.

Art. 6

(3) For equal work or work of equal value one shall forbid any discrimination based on the sex criterion in terms of all payment items and conditions.

Art. 159

(3) When establishing and granting the wage, one shall forbid any discrimination based on criteria such as sex, sexual orientation, genetic features, age, nationality, race, colour, ethnic origin, religion, political opinion, social origin, disability, family situation or responsibility, adherence to a trade union or related activity.

Execution of the individual labour agreement

Art. 37. – The rights and obligations concerning the work relationships between the employer and the employee shall be established according to the law, by negotiation, under collective labour agreements and individual labour agreements.

[...]

Art. 39. - (1) The employee shall mainly enjoy the following rights:

[...]

d) the right to equal opportunities and equal treatment;

[...]

Art. 40. - (1) The employer shall mainly enjoy the following rights:

[...]

f) to set out the individual performance objectives, as well as assessment criteria for their achievement.

(2) The employer shall mainly have the following obligations:

[...]

c) to grant the employees all the rights deriving from the law, from the applicable collective labour agreement and from individual labour agreements;

f) to pay all the contributions and taxes which are his/her/its responsibility, as well as to collect and transfer the contributions and taxes owed by employees, under legal terms;

g) to create a general employees' record and to make the registrations stipulated by law;

[...]

i) to ensure the confidentiality of employees' personal data.

Art. 159.

[...]

(3) Upon establishing and granting the wage one shall forbid any discrimination for criteria such as sex, sexual orientation, genetic features, age, nationality, race, colour, ethnic group, religion, political opinion, social origin, disability, family situation or responsibility, adherence to a trade union or related activity.

TITLE

X

Labour Inspection

Art. 237. – The enforcement of general and special regulations in the work relationships, occupational security and health shall be subject to the control of the Labour Inspection, as a specialized body of the central public administration, with a legal personality, subordinated to the Ministry of Labour, Family and Social Welfare.

[...]

TITLE

XI

Legal liability

CHAPTER I

Art. 241. – The internal regulation shall be prepared by the employer, with the consultation of the trade union or the employees' representatives, as the case may be<sup>62</sup>.

Art. 242. – The internal regulation shall include at least the following categories of provisions:

a) rules on the occupational protection, hygiene and security across the unit;

b) rules on the compliance with the non-discrimination principle and elimination of any form of breach of dignity;

c) employer's and employees' rights and obligations;

[...].

Art. 243. - (1) The internal regulations shall be notified to the employees care of the employer and shall produce its effects on the employees upon their notification.

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<sup>62</sup> The law does not provide for sanctions for non-preparation hereof, the labour inspection does not check it.

(2) The obligation to inform the employees on the contents of the internal regulations should be fulfilled by the employer.

(3) The actual manner of informing each employee of the contents of the internal regulations shall be set out under the applicable collective labour agreement or, as the case may be, by the contents of the internal regulations.

(4) The internal regulations shall be posted at the employer's headquarters.

Art. 244. – Any change occurring in the contents of the internal regulations shall be subject to the information procedures stipulated under art. 243.

Art. 245.

(1) Any employee concerned may report to the employer on the provisions of the internal regulations, to the extent to which he/she proves that one of his/her rights have been violated.

(2) The control of the lawfulness of the provisions included in the internal regulations shall lie with the law courts, which can be referred to within 30 days as of the communication date by the employer on the settlement of the complaint filed as per par. (1).

Art. 246.

(1) The preparation of the internal regulation at the level of each employer shall be made within 60 days as of the effective date of this code.

(2) In case employers setup after the effective date of this code, the term of 60 days stipulated at par. (1) shall start to run as of the date when the legal personality is acquired.

#### CHAPTER

IV

##### Contraventional liability

Art. 260.

(1) One shall deem as a contravention and shall sanction therefore the following deeds:

a) failure to comply with the provisions regarding guaranteeing the payment of the minimum gross base salary at country level, by fine from RON 300 to 2,000;

b) breach by the employer of the provisions of art. 34 par. (5), by fine from RON 300 to 1,000;

c) hindering or compelling, by threats or violence, an employee or a group of employees to take part in a strike or work during the strike, by fine from RON 1,500 to 3,000;

[...]

(2) Ascertainment of contraventions and application of sanctions shall be performed by labour inspectors.

[...]

#### CHAPTER

V

##### Criminal liability

[...]

Art. 262. – Failure to enforce a final court award on reintegration at the workplace of an employee shall be deemed as an offence and shall be punished by imprisonment from 6 months to one year or by fine.

Art. 263. - (1) In the case of offences specified under art. 261 and 262 the criminal proceedings shall be started upon the damaged person's claim.

(2) The parties reconciliation shall relieve from criminal liability.

Art. 264.

(4) In case of committing one of the offences stipulated under par. (2) and (3) and under art. 264 par. (3)<sup>63</sup>, the law court may also order the enforcement of one of the following complementary punishments:

a) loss in full or in part of the employer's right to be granted public benefits, aids or subsidies, including European Union funds managed by the Romanian authorities, for a period of up to 5 years;

[...]

<sup>63</sup> Not including aspects concerning equal opportunities or internal regulations

*Law no. 188/1999 on the Status of civil servants, consolidated 2009*

Section 1 – Rights of civil servants

Art. 27

[...]

(2) A discrimination between civil servants on grounds related to politics, trade union membership, religious beliefs, ethnicity, gender, sexual orientation, wealth, social origin or any alike shall be prohibited.

Section 1 – Recruitment of civil servants

Art. 57

[...]

(3) The screening shall be based on the principles of open competition, transparency, professional merits and competency, as well as equal access to public roles for each citizen meeting legal requirements.<sup>64</sup>

***National Education Law***

Art 118

(2) No discrimination on grounds related to age, ethnicity, gender, social origin, political or religious orientation, sexual orientation or other types of discrimination, except for affirmative measures legally provided for, shall be allowed in higher education institutions.

(3) Students with physical disabilities shall be entitled to access routes adapted to their needs throughout university premises, as well as to conditions for the normal conduct of academic, social and cultural activities within higher education institutions.

Art. 202. – (1) The principles regulating student activities with the university community are as follows:

a) non-discrimination principle – based on which all students receive equal treatment from the higher education institutions; any direct or indirect discrimination against the student shall be prohibited;<sup>65</sup>

***Law 107/2006 for endorsement of Government Emergency Ordinance no. 31/2002 regarding the banishment of organizations and symbols with a fascist, racist or xenophobic nature and promotion of the cult of persons found guilty for committing crimes against peace and humanity***

Art. 1.

To prevent and fight against incitement to hatred based on nationality, race and religion, discrimination and crimes against peace and humanity, this Emergency Ordinance regulates the prohibition of organizations and symbols that are fascist, racist or xenophobic in nature and the promotion of the cult of individuals found guilty of having committing crimes against peace and humanity.

Art. 3.

(1) The set up of an organization which is fascist, racist or xenophobic in nature shall be punished by imprisonment from 5 to 15 years and by the prohibition of certain rights.

(2) The same sanction shall apply in the case of joining an organization which is fascist, racist or xenophobic in nature, as well as supporting in any way such an organization.

[...]

Art. 4.

(1) Distribution, sale or production of fascist, racist or xenophobic symbols, as well as the possession, for distribution purposes, of such symbols shall be punished by imprisonment from 6 months to 5 years and prohibition of certain rights.

(2) The same punishment shall also apply to the use in public of fascist, racist or xenophobic symbols.

(3) One shall not deem as an offence the deed specified under par. (1) or (2), unless committed for the interest of art or science, research or education.

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<sup>64</sup> No provisions related to sanctions if the principle is not implemented.

<sup>65</sup> No sanctions if the principle is not implemented

Art. 5. – Promotion of the cult of individuals found guilty for committing crimes against peace and humanity or promotion of the fascist, racist or xenophobic ideology, by propaganda, committed by any means, in public, shall be punished by imprisonment from 6 months to 5 years and prohibition of certain rights.

Art. 6. – Challenge or denial in public of the Holocaust or of its effects shall be punished by imprisonment from 6 months to 5 years and prohibition of certain rights.

Art. 7. – In the case of the offences specified under art. 3-6 the criminal investigation shall necessarily be performed by the prosecutor.

Art. 8.

(1) One shall deem as contravention and shall sanction by fine from RON 25,000,000 to 250,000,000:

- a) the distribution, sale or production of fascist, racist or xenophobic symbols, as well as the possession, for distribution purposes, of such symbols by a legal entity;
- b) the use in public of fascist, racist or xenophobic symbols by a legal entity;
- c) the promotion of the cult of persons found guilty for committing crimes against peace and humanity or promotion of the fascist, racist or xenophobic ideology, by propaganda, committed by any means, in public, by a legal entity.

(2) One shall not deem as a contravention the deed specified under par. (1) letter a) or b), unless committed for the interest of art or science, research or education.

(3) The ascertainment of the contravention and the application of the sanction shall be performed by the staff empowered for this purpose by the minister of culture and cults, as well as by the specially authorized staff within the Ministry of the Interior.

[...]

Dissolution of the legal entity

Art. 9.

(1) One can dissolve by court award the legal entities which carry out one or more of the following activities:

- a) activities proper to an organization with a fascist, racist or xenophobic nature within the meaning of art. 2 letter a);
- b) distribution, sale or production of fascist, racist or xenophobic symbols or possession, for distribution purposes, of such symbols or their use in public;
- c) promotion of the cult of individuals found guilty for committing crimes against peace and humanity or promotion of the fascist, racist or xenophobic ideology, by propaganda, committed by any means, in public.

#### CHAPTER IV

Obligations of public administration authorities

Art. 12. – The erection and maintenance, in public places, except for museums, of statues, statuarys, commemorative plaques featuring individuals found guilty of having committed crimes against peace and humanity shall be prohibited.

Art. 13.

(1) The naming of streets, boulevards, squares, piazzas, parks or other public places after individuals found guilty of having committed crimes against peace and humanity shall be prohibited.

(2) The naming of organizations, with or without legal personality, after individuals found guilty of having committed crimes against peace and humanity shall be also prohibited.

#### *Law 292/2011 on social assistance*

Art. 9 (8): “Employers hiring individuals receiving social benefits may be granted, under the law, tax or other incentives.”

#### *Law no. 76/2002 regarding the system for unemployment insurance and stimulation of employment*

ART. 4

(1) For the purpose of enforcing this law, any type of discrimination on grounds related to politics, race, nationality, ethnicity, language, religion, social category, conviction, gender and age shall be prohibited.

(2) The measures and special rights granted by way of this law to certain categories of disadvantaged people shall not account for discrimination within the meaning of par. (1).

### SECTION 3 – Incentivizing employers to hire unemployed individuals

#### ART. 77

Employers shall be incentivized to hire unemployed individuals by way of:

- a) subsidizing jobs;
- b) issuing credits under privileged conditions for the purpose of creating new jobs;
- c) granting certain facilities.

### CHAPTER 7 – Legal liability (art.110-119)

#### ART. 110

The violation of this law shall result in disciplinary, material, civil, contraventional or criminal sanctions, as applicable.

#### ART. 111

The breach by the employer of the obligations referred to in art. 26 par. (1) and art. 27, namely circumventing the obligation to pay unemployment contributions shall account for an offence and it shall be punished by imprisonment from 6 months to 1 year or by fine.

#### ART. 112

The withholding of unemployment contributions from the employees by the employer and the failure to transfer such contributions within 15 days into the accounts established according to legal regulations in force shall account for an offence and shall be punished by imprisonment from 6 months to 1 year or by fine.

#### ART. 116

The compliance with the obligations related to employment and maintenance of employment undertaken by employers who benefited from subsidies, credits or non-refundable funds from the unemployment budget, as well as from facilities under art. 93, shall be checked by active measure control bodies within county and Bucharest employment agencies, which shall ascertain and enforce, as applicable, the sanction provider for herein.

#### *Law no. 95/2006 regarding the health reform*

No provisions in terms of sanctions if the law is violated

#### *LAW No. 92 as of April 10, 2007 Law on the local public transportation services*

#### Art. 1

(4) The local public passenger and commodity transport service shall be organized by local public administration authorities within relevant regional and administrative jurisdictions, in compliance with the following principles:

- b) equal and non-discriminatory access to the local public transport market for transport operators and authorized carriers;
- m) protection of disadvantaged social categories, by way of refunding transport costs from the local budget;

#### ART. 14

(1) Local public transport services shall be performed by way of a specific technical and urban infrastructure which, together with the means of transport, makes up the local public transport system.

## Annex 3: Lists of 35 KAIs analyzed under EQ2

### ► DIRECT IMPACT (TARGETED KAIs)

N	PO	PA	KAI	Specific Objectives	Relevant areas / topics	Impact on equal opportunities
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N	PO	PA	KAI	Specific Objectives	Relevant areas / topics	Impact on equal opportunities
10.	Regional Operational Programme (ERDF)	3. Improvement of social infrastructure	3.1 Rehabilitation, modernization and equipping of the health services' infrastructure	Improve the quality of medical care assistance and a balanced regional-territorial distribution in order to <b>ensure equal access of the population to health services</b>	Health, well being, social inclusion: access to health and care services	Direct impact
11.	Regional Operational Programme (ERDF)	3. Improvement of social infrastructure	3.2 Rehabilitation, modernization, development and equipping of social services infrastructure	Improve, throughout the country, the quality and capacity of <b>social services infrastructure</b> , in order to ensure equal access for all citizens	Health, well being, social inclusion: social infrastructures	Direct impact
12.	Regional Operational Programme (ERDF)	3. Improvement of social infrastructure	3.4 Rehabilitation, modernization, development and equipping of pre-university, university education and continuous vocational training infrastructure.	Improve <b>education infrastructure, school equipments, accommodation structures</b> for students and the continuous vocational training centres in order to <b>ensure initial and continuous educational process at European standards and the increased participation of the school population and of the adults</b> in the educational process <sup>66</sup>	Education and training: adaption and equipment to facilitate access	Direct impact
13.	SOP Human Resource Development (ESF)	2. Linking life long learning and labour market	2.1 Transition from school to active life	<b>Develop work skills of assisted persons (pupils, students, graduates)</b> in order to facilitate their insertion on the labour market	Employment: enhance labour market participation	Direct impact
14.	SOP Human Resource Development (ESF)	2. Linking life long learning and labour market	2.2 Preventing and correcting early school leaving	<ul style="list-style-type: none"> <li>• Development and increased access to pre-school and school education, "after school" type programs, provision of guiding and counseling, development of relevant curriculum, learner centred teaching, awareness raising campaigns etc.</li> <li>• <b>Development of programs for reintegrating early school leavers in education, second chance education, remedial education, flexible forms of education etc.</b></li> </ul>	Employment: enhance labour market participation	Direct impact
15.	SOP Human Resource Development (ESF)	3. Increasing adaptability of workers and enterprises	3.3 Development of partnerships and encouraging initiatives for social partners and civil society	<b>Support the improvement of capacity of social partners</b> and civil society, i.e. trade unions, employers' organizations, Sectoral Committees, NGOs, <b>Regional Pacts and Local Partnerships for Employment and Social Inclusion</b> and their Permanent Technical Secretariats, other relevant networks in employment and social field <b>to fully contribute to the development of human resources in Romania</b>	Employment: enhance labour market participation	Direct Impact
16.	SOP Human Resource Development (ESF)	5. Promoting active employment measures	5.1 Developing and implementing active employment measures	<b>To make the youths and long-term unemployed flexible in order to meet the changing needs on the labour market.</b>	Employment: enhance labour market participation	Direct impact

<sup>66</sup> Selected in consideration of KAI indicators: "5.000 disadvantaged children benefiting from the rehabilitated / modernized /extended/equipped educational units – pre-university education infrastructure"

N	PO	PA	KAI	Specific Objectives	Relevant areas / topics	Impact on equal opportunities
17.	SOP Human Resource Development (ESF)	5. Promoting active employment measures	5.2 Promoting long term sustainability of rural areas in terms of human resources development and employment	<b>Extracting economically inactive people living in rural areas, who earn their livings from subsistence agriculture activities, performed in their households and orienting them towards non-agricultural sector, i.e. industry and service sectors. Special attention will be given to the youths and women.</b>	Employment: enhance labour market participation	Direct impact
18.	SOP Human Resource Development (ESF)	6. Promoting social inclusion	6.1 Developing social economy	<b>Support entities such as NGOs, social cooperatives, mutual associations, other charity and voluntary organizations, to provide a flexible and sustainable tool that can help communities to achieve their own objectives, such as:</b> <ul style="list-style-type: none"> <li>stimulating job creation and skills development</li> <li>enhancing community capacity for social supports</li> <li>supporting economic growth and neighborhood revitalization</li> <li>protecting the environment</li> <li>mobilizing disadvantaged groups.</li> </ul>	Employment: enhance labour market participation, promote self employment and entrepreneurship.  Health, well being, social inclusion: community level projects	Direct impact
19.	SOP Human Resource Development (ESF)	6. Promoting social inclusion	6.2 Improving the access and participation for vulnerable groups on the labour market	<b>Increase participation and combating social exclusion by motivating people in getting integrated/reintegrated on the labour market, assisting them with effective job search, facilitating access to training and other active labour market measures, including aid to people with health problems, removing unemployment, poverty and inactivity traps.</b>	Employment: enhance labour market participation, avoid discrimination in the labour market  Education and training: adaption and equipment to facilitate access	Direct impact
20.	SOP Human Resource Development (ESF)	6. Promoting social inclusion	6.3 Promoting equal opportunities on the labour market	<b>Eliminate discrimination and discriminatory practices on multiple grounds including ethnic origin, disability or age.</b>	Fundamental rights Employment: avoid discrimination in the labour market	Direct impact
21.	SOP Human Resource Development (ESF)	6. Promoting social inclusion	6.4 Trans-national initiatives on inclusive labour market	<b>Create a more permissive, flexible and inclusive labour market</b> and will cover a broad range of activities as: exchange of information and people between administrations, trainers, stakeholders in labour market and social policies, adaptation and transfer of experience from other countries, studies and assessments, joint actions.	Fundamental rights Employment: enhance labour market participation	Direct impact

► **INDIRECT IMPACT (NON-TARGETED KAIs)**

N	PO	PA	KAI	Specific Objectives	Relevant areas / topics	Impact on equal opportunities
22.	Regional Operational Programme (ERDF)	1. Support to sustainable development of urban growth poles	1.1 Integrated urban development plans: - Growth poles - Urban development poles - Urban centres	Increase the <b>quality of life and to create new jobs</b> in cities and their surrounding areas, by rehabilitating the urban infrastructure, improving services, <b>including social services</b> , as well as by developing business support structures and entrepreneurship	Health, well being, social inclusion: urban development, social infrastructure and security in urban areas.	Indirect impact
23.	SOP Increase of Economic Competitiveness (ERDF)	3. ICT for private and public sectors	3.1 Supporting the ICT use  3.1.1 Support access to broadband and connected services	<b>Access to broadband connections in the market failure areas</b> (e.g. under-served rural and small urban areas) complying with “Guidelines on criteria and modalities of implementation of structural funds in support of electronic communications”	Health, well being, social inclusion: access to and use of ICT technology, communication (in alternative ways)	Indirect impact
24.	SOP Increase of Economic Competitiveness (ERDF)	3. ICT for private and public sectors	3.2 Developing and increasing the efficiency of electronic public services 3.2.1 Support the implementation of e-government solutions and ensuring broadband connection where necessary	Support economic competitiveness and promote <b>interactions between public sector and enterprises/citizens by improving and fully exploit ITC</b> and applications potential.	Health, well being, social inclusion: access to and use of ICT technology, communication (in alternative ways)	Indirect impact
25.	SOP Human Resource Development (ESF)	1. Education and training in support for growth and development of knowledge based society	1.1 Access to quality education and initial VET	<b>Modernization and restructuring of education and initial VET in an integrated approach</b> (actions for the system, support for providers, staff development, development and provision of education and initial VET offers/programs, integrated support services for education and initial VET, such as guiding and counseling, innovative actions in view of supporting access to quality education and initial VET).	Education and training: participation in VET, modernizing education	Indirect impact
26.	SOP Human Resource Development (ESF)	1. Education and training in support for growth and development of knowledge based society	1.2 Quality in higher education	<b>Modernization and restructuring of university education in an integrated approach</b> (actions for the system, support for providers, staff development, development and provision of university offers, innovative actions to support the improvement and development of university education).	Education and training: participation in VET, modernizing education	Indirect impact
27.	SOP Human Resource Development (ESF)	1. Education and training in support for growth and development of knowledge based society	1.3 Human resources development in education and training	<b>Improve initial VET and CVT and qualification of teachers, teaching staff and trainers.</b>	Education and training: participation in VET, modernizing education	Indirect impact

N	PO	PA	KAI	Specific Objectives	Relevant areas / topics	Impact on equal opportunities
28.	SOP Human Resource Development (ESF)	1. Education and training in support for growth and development of knowledge based society	1.4 Quality in CVT	Increase the public and private <b>CVT system's capacity of providing quality services</b> in order to support the raise of participation in training focusing on system development (instruments, tools, methodologies, standards etc.), and quality assurance.	Education and training: participation in VET, modernizing education	Indirect impact
29.	SOP Human Resource Development (ESF)	2. Linking life long learning and labour market	2.3 Access and participation in CVT	Improve the access and participation in CVT programmes, <b>facilitating employee qualification</b>	Employment: adaption and equipment to facilitate access	Indirect impact
30.	SOP Human Resource Development (ESF)	3. Increasing adaptability of workers and enterprises	3.1 Promoting entrepreneurial culture	<b>Make entrepreneurship a career option for everybody</b> , as an important solution for counterbalancing the negative effects of the structural adjustment and industry restructuring process, generating economic and social alternatives and improving the economic status of a significant number of people.	Employment: promote self Employment and entrepreneurship	Indirect impact
31.	SOP Human Resource Development (ESF)	3. Increasing adaptability of workers and enterprises	3.2 Training and support for enterprises and employees to promote adaptability	Create the enterprises' internal capacity to <b>develop their own human resources</b> , including specialized training programmes, focusing on new technologies.	Employment: productivity and quality of work	Indirect impact
32.	SOP Human Resource Development (ESF)	4. Modernization of Public Employment Service	4.1 Strengthening the Public Employment Service capacity to provide employment services	Support activities regarding the capacity strengthen of PES to provide employment services. Will be promoted interventions that will lead to an improved relationship between PES and its clients, and also to an <b>increased access to active employment measures</b> .	Employment: enhance labour market participation	Indirect impact
33.	SOP Human Resource Development (ESF)	4. Modernization of Public Employment Service	4.2 Training of the PES staff	Build up and set up the strategy of CVT of PES in order to increase the quality and efficiency of services provided and to consolidate PES capacity to adapt to the labour market.	Employment: enhance labour market participation	Indirect impact

## ► NON RELEVANT (NON-TARGETED KAIs)

N	PO	PA	KAI
34.	SOP Increase of Economic Competitiveness (ERDF)	1. An innovative and eco-efficient productive system	1.1 Productive and environment friendly investments and preparation for market competition, especially of SMEs
35.	SOP Increase of Economic Competitiveness (ERDF)	3. ICT for private and public sectors	3.3 Sustaining the E-Economy 3.3.2 Support the development of e-commerce systems and other electronic solutions for business
36.	SOP Environment (ERDF, CF)	1. Extension and modernization of water and wastewater systems	1.1 Extension/modernization of water and wastewater systems
37.	SOP Environment (ERDF, CF)	4. Implementation of adequate management systems for nature protection	4.1 Development of infrastructure and management plans to protect biodiversity and Natura 2000
38.	SOP Transport (ERDF, CF)	1. Modernization and development of TEN-T priority axes aiming at sustainable transport system integrated with EU transport networks	1.2 Modernization and development of railway infrastructure along the TEN-T priority axis 22
39.	SOP Transport (ERDF, CF)	4. Technical Assistance	4.1 Support for effective SOP T management, implementation,

N.	PO	PA	KAI
			monitoring, and control
40.	OP Development of Administrative Capacity (ESF)	1. Structural and process improvements of the public policy management cycle	1.2 Strengthen the accountability framework
41.	OP Development of Administrative Capacity (ESF)	1. Structural and process improvements of the public policy management cycle	1.3 Improvement of organizational efficiency
42.	OP Development of Administrative Capacity (ESF)	2. Improved quality and efficiency of the delivery of public services on a decentralized basis	2.2 Improve the quality and efficiency of service delivery
43.	OP Technical Assistance (ERDF)	1. Support to the implementation of Structural Instruments and Coordination of Implementation Plan	1.2 Support for the evaluation
44.	OP Technical Assistance (ERDF)	3. Dissemination of information and promotion of Structural Instruments	3.1 Dissemination of general information and publicity activities regarding the Structural Instruments allocated to Romania

## Annex 4: Check Lists used under EQ2

PROGRAMME LEVEL CHECK-LIST FOR ALL OPS	
ASPECT TO BE CHECKED	FINDING
<b>(1) Programming phase</b>	
1. Is the concept defined, in any way?	
2. If yes, how (copy+paste)	
3. Is this definition based on Romanian/European legislation/both/none?	
4. Is the definition making a distinction between gender equality and non-discrimination, accesibility?	
5. Which areas/topics as identified by the Inception Report are mentioned in the definition/approach etc? Are these mentioned also in the Europe 2020 Strategy? Are there areas/topics used by the document which are not identified in the IR/Europe 2020 Strategy?	
6. Which vulnerable groups as identified by the IR are mentioned in the definition/approach etc? Are these mentioned also in the Europe 2020 Strategy? Are there vulnerable groups used by the document which are not identified in the IR/Europe 2020 Strategy?	
7. Definition of the concept of Equal Opportunities within Guidelines (if any) that were published / distributed during the design phase of the Programme.	
<b>(3) Implementation phase - Project selection</b>	
8. Are there any specific provisions concerning Equal Opportunities principle in relation to the project selection process?	
<b>(4) Implementation phase – Financial management and Control</b>	
9. How is the concept instrumentalized during programme governance system?	
10. How is the concept instrumentalized during programme financial management process?	
<b>(5) Implementation phase – monitoring</b>	
11. Are there any “follow-up” arrangements made for the implementation of this horizontal principle? (the OP and the DCI <u>describe</u> these mechanisms, to be used in the implementation – guides for applicants/progress reports, monitoring – <u>indicators</u> , data collection methodology, and evaluation)	
12. How is the concept instrumentalized during programme implementation (including project monitoring)?	
13. How is the concept instrumentalized during programme monitoring?	
<b>(6) Evaluation</b>	
14. How is the concept instrumentalized during programme evaluation?	
15. Have any of the existing evaluations covered the Equal Opportunities principle? And what were the findings, if any?	
16. Are any evaluations planned in the field of Equal Opportunities based on the contents of the latest multi-annual evaluation plans?	
<b>(8) Partnership principle</b>	
17. How is the concept instrumentalized during programme “partnership” approach?	

<b>KAI LEVEL CHECK-LIST FOR NON-TARGETED KAIS (INDIRECT IMPACT AND NON RELEVANT FOR EO)</b>	
<b>QUESTION</b>	<b>FINDING</b>
<b>(2) Implementation phase – Calls for proposals</b>	
1. Is the concept of equal opportunities explained / defined in the Guidelines for Applicants?	
2. Have information and publicity actions addressed specifically the issues of Equal Opportunities / Vulnerable Groups?	
<b>(3) Implementation phase – Project Selection</b>	
3. How is the equal opportunities principle treated in the assessment process (eligibility criteria, selection criteria)?	
4. What is the weight, if any, of the score assigned to equal opportunities aspects over the maximum possible score?	
5. Are there any internal guidelines for assessors providing indications on how to score equal opportunities issues?	
6. Have training sessions (if any) for project appraisers covered also the scoring of Equal Opportunities issue?	
7. Are there any specific provisions in the contracts with project assessors related to the application of the Equal Opportunities principle?	
<b>(5) Implementation phase – Monitoring</b>	
8. How are equal opportunities principles treated in project monitoring templates?	
9. Are the indicators monitored at project level consistent with those monitored at Programme Level?	
10. Are there any specific reporting requirements related to Equal Opportunities?	
<b>(6) Implementation phase – Project Implementation</b>	
11. Do the project implementation guidelines provide any specific information concerning the implementation of the equal opportunities principle?	
12. Have any manuals / guidelines been produced concerning the application of the Equal Opportunities principle at project level?	

<b>ADDITIONAL KAI LEVEL CHECK-LIST FOR TARGETED KAIS (DIRECT IMPACT)</b>	
<b>ANALYSIS</b>	<b>INFORMATION COLLECTED</b>
1. The objectives and rationale of the KAI are in line with the Programme strategy (as defined in the OP and FID) and with the framework of Equal Opportunities within the evaluation)	Objectives and justification of the KAI
2. The application packages of targeted interventions are coherent with the objectives and justification of the KAI and are complete given the scope of the KAI and the call	- The guidelines contain specific conditions (eligible activities, beneficiaries, partners and target group - Financing request template
3. The monitoring system of the KAI and of the projects takes into account the provisions of the OP and FID	Coherence between KAI indicators and those in the Guidelines for Applicants
4. The assessment and selection process is adequate, in consideration of the provisions for the KAI included in the Application Package of the respective call	Verification of the phases of assessment and selection process and selection criteria
5. The expertise necessary in the assessment and selection process is identified coherently with the needs and the operations financed under the respective KAI	Selection procedure for identifying expertise in the assessment and selection process
6. The template for progress monitoring reports is adequate for physical monitoring of activities and for assessing the performance of the project	The template of the progress report allows for verification of the progress of activities and in the achievement of indicators
7. Support system for beneficiaries in the implementation of the project are coherent with the provisions of the OP/FID/Call for proposals and provide additional guidance concerning eligible activities, target groups and monitoring indicators	Support tools for beneficiaries contain explanation related to activities, target groups, monitoring indicators.



## Annex 5: EQ2.3 Best, faulty practices and benchmarking

### **PHASE 1:**

### **PROGRAMMING OF STRUCTURAL INSTRUMENTS**

## Romanian Best practice: SOP Human Resource Development

### I. Methodology - The path to the best practice

The Programming Phase of SOP HRD is identified as a best practice in the implementation of the principle of equal opportunities in Structural Instruments, fulfilling six out of the seven criteria established to assess the sound integration of the principle:



### II. Overview and description – What the best practice is all about

SOP HRD is one of the 7 Operational Programmes financed under the Convergence Objective of the EU Regional Policy in Romania with a total financial allocation of approximately EUR 4 bn. co-financed by the European Social Fund.

SOP HRD has been designed to address the thematic priority of the National Strategic Reference Framework 2007-2013 "Development and more efficient use of the human capital in Romania".

Coherently with the provisions of art 16 of EC Regulation 1083/2006, SOP HRD aims at mainstreaming the principle of equal opportunities in all the phases of its implementation starting from Programming.

Programming is hereby represented as best practice in consideration of the coherent and linear approach that was adopted in defining the needs of vulnerable groups in Romania and the strategy and measures to address them.

#### **Fulfilment of criteria related to the Context analysis**

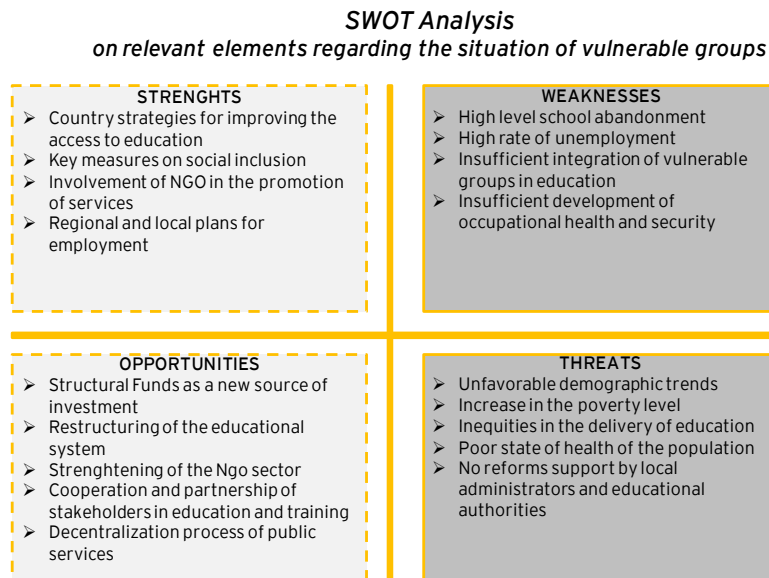
SOP HRD has been developed taking into account European and National strategic guidelines, documents and action plans related to human capital development which have been embedded in the national context through an analysis of the statistical baseline concerning the existing situation on social inclusion, education and employment issues.

Relevant data regarding equal opportunities issues and the socio-economic situation of vulnerable groups were collected through the National Institute of Statistics and analyzed under the 5 pillars of:

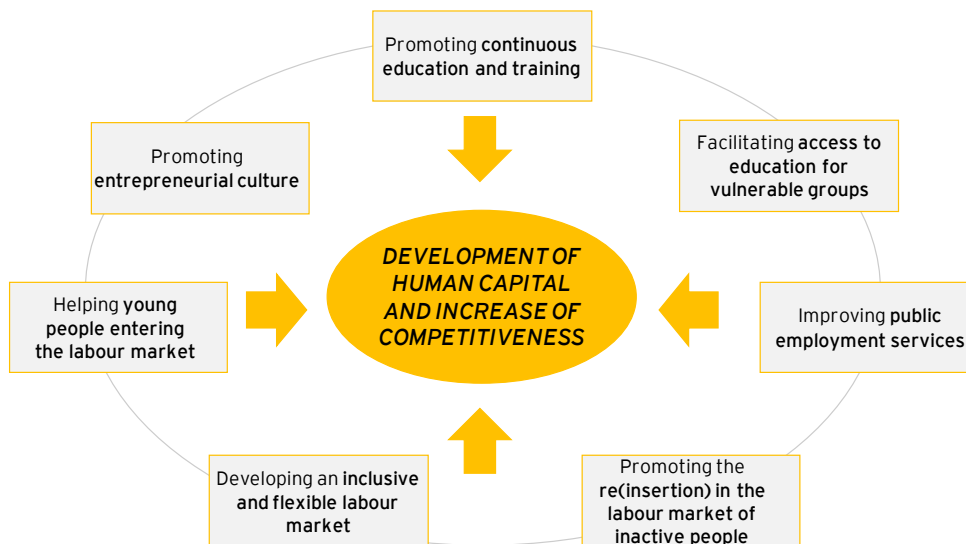
- Education;
- Employment;
- Social inclusion;
- Health;
- Lessons learned from the past.

#### **Fulfilment of criteria related to the Strategy development**

To deepen the knowledge on the current situation, a SWOT analysis was conducted in order to identify the strategic priorities relevant to equal opportunities to be addressed through the Programme. Based on such SWOT – which is represented below - SOP HRD decided to adopt a targeted strategy, whereby areas which have received support “have resulted from the *analysis of weaknesses* of human resources in Romania.



The focus on the weaknesses identified through the SWOT analysis - in particular on those related to equal opportunities and vulnerable groups - is reflected in terms of the specific objectives of the programme, that stem from the **general objective of “development of human capital and increase of competitiveness”**, as shown in the figure beneath:



**Fulfilment of criteria related to the Design of interventions**

In order to implement the specific objectives related to equal opportunities and addressing the conditions of vulnerable groups SOP HRD has adopted:

- **Targeted interventions:** interventions directly addressing vulnerable groups such as for example those aimed at improving access and participation for vulnerable groups on the labour market or the development of social economy. The nine targeted interventions, included in SOP HRD and listed in the table lower down, pertain to the spheres of:

- Employment;
  - Health;
  - Well being;
  - Social inclusion;
  - Education;
  - Training;
  - Fundamental rights;
- **Mainstreaming actions:** actions aimed at integrating the equal opportunities principle in the phases of project selection, monitoring, control and evaluation, thus ensuring that vulnerable groups may benefit of opportunities offered by the Programme even beyond the scope of target interventions.

Both approaches are aimed at ensuring opportunities for disadvantaged groups to access the labour market, retain employment, build vocational capacity through training and qualifications, access public services and improve their quality of life through the intervention of Structural Instruments.

Table 18: targeted KAIs

KAI	Specific Objectives related to Equal Opportunities	Relevant areas / topics
2.1 Transition from school to active life	Develop work skills of assisted persons (pupils, students, graduates) in order to facilitate their insertion on the labour market	Employment: enhance labour market participation
2.2 Preventing and correcting early school leaving	Development of programs for reintegrating early school leavers in education, second chance education, remedial education, flexible forms of education etc.	Employment: enhance labour market participation
3.3 Development of partnerships and encouraging initiatives for social partners and civil society	Support the improvement of capacity of social partners and civil society, i.e. trade unions, employers' organizations, Sectoral Committees, NGOs, Regional Pacts and Local Partnerships for Employment and Social Inclusion and their Permanent Technical Secretariats, other relevant networks in employment and social field to fully contribute to the development of human resources in Romania	Employment: enhance labour market participation
5.1 Developing and implementing active employment measures	To make the youths and long-term unemployed flexible in order to meet the changing needs on the labour market.	Employment: enhance labour market participation
5.2 Promoting long term sustainability of rural areas in terms of human resources development and employment	Extracting economically inactive people living in rural areas, who earn their livings from subsistence agriculture activities, performed in their households and orienting them towards non-agricultural sector, i.e. industry and service sectors. Special attention will be given to the youths and women.	Employment: enhance labour market participation
6.1 Developing social economy	Support entities such as NGOs, social cooperatives, mutual associations, other charity and voluntary organizations, to provide a flexible and sustainable tool that can help communities to achieve their own objectives, such as: <ul style="list-style-type: none"> <li>• stimulating job creation and skills development</li> <li>• enhancing community capacity for social supports</li> <li>• supporting economic growth and neighbourhood revitalization</li> <li>• protecting the environment</li> <li>• mobilizing disadvantaged groups.</li> </ul>	Employment: enhance labour market participation, promote self employment and entrepreneurship.  Health, well being, social inclusion: community level projects
6.2 Improving the access and participation for vulnerable groups on the labour market	Increase participation and combating social exclusion by motivating people in getting integrated/reintegrated on the labour market, assisting them with effective job search, facilitating access to training and other active labour market measures, including aid to people with health problems, removing unemployment, poverty and inactivity traps.	Employment: enhance labour market participation, avoid discrimination in the labour market Education and training: adaption and equipment to facilitate access
6.3 Promoting equal opportunities on the labour market	Eliminate discrimination and discriminatory practices on multiple grounds including ethnic origin, disability or age.	Fundamental rights Employment: avoid discrimination in the labour market
6.4 Trans-national initiatives on inclusive labour market	Create a more permissive, flexible and inclusive labour market and will cover a broad range of activities as: exchange of information and people between administrations, trainers, stakeholders in labour market and social policies, adaptation and transfer of experience from other countries, studies and assessments, joint actions.	Fundamental rights Employment: enhance labour market participation

**Fulfilment of criteria related to the Indicators**

In order to measure the extent to which the programme objectives are achieved, SOP HRD has defined a set of output and result indicators aimed at capturing the specific achievements related to equal opportunities issues and vulnerable groups. For instance the Programme is keeping separate evidence of the number of persons benefiting of assistance in terms of gender, disability, age, or possible institutionalization in corrective institutions.

### **III. *Effects – The difference that counted***

Through substantial efforts, SOP HRD defined a robust and relevant statistical baseline, thanks to which the European and National priorities related to the Romanian human capital have been adapted to the current situation of vulnerable groups. These efforts led to the definition of an effective strategy addressing equal opportunities and the needs of disadvantaged persons, paving the way for the amelioration of their conditions.

### **IV. *Replicability - A lesson for the future***

The replicability of the approach of SOP HRD to Programming is mainly linked to the availability of reliable and updated socio-economic data relevant, both for the Programme as a whole and for the vulnerable groups that may be addressed through its interventions.

Therefore:

1. Addressing the issue in an early stage of programming would allow Managing Authorities to ensure the availability of a sound statistical baseline when defining the Programme specific objectives, in relation to Equal Opportunities and vulnerable groups.
2. Despite the fact that a Programme may not include targeted interventions, mainstreaming of equal opportunities should be considered already in the phase of programming and relevant indicators included in the Operational Programme.
3. These steps can pave the way for pursuing the principle in all phases of programme implementation, setting the conditions for a positive contribution to improving the life of vulnerable groups in the future.

### **V. *Conclusions***

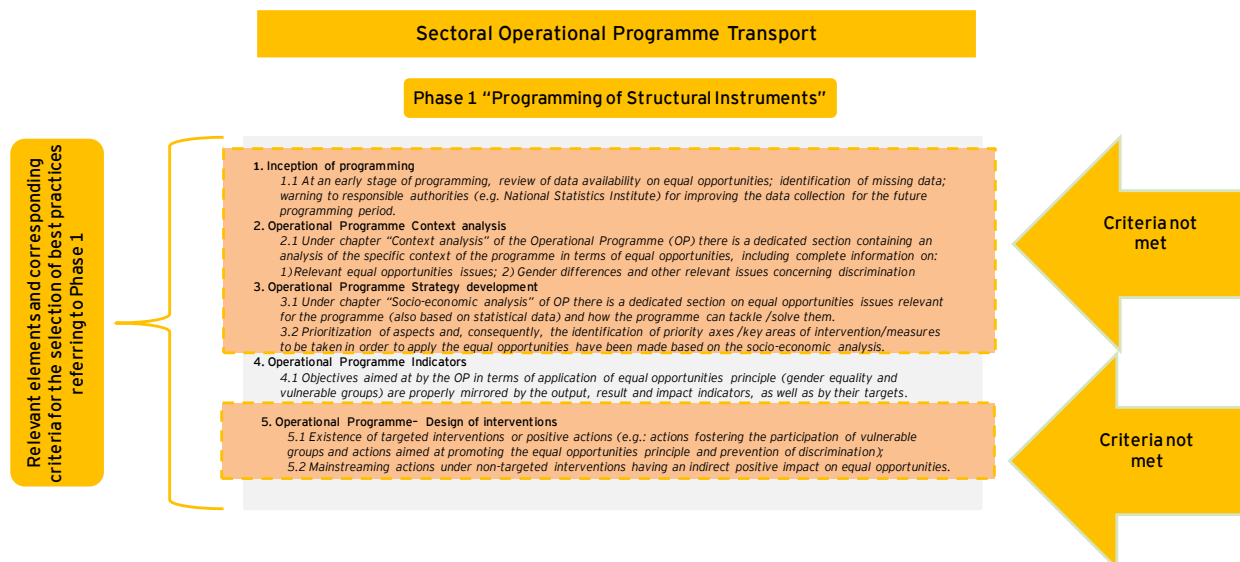
SOP HRD has been identified as a best practice since it disclosed the positive outfalls of the proper approach to mainstreaming the equal opportunities principle in the programming phase.

A proper approach to equal opportunities is possible when data necessary for appropriate analysis and planning are available. Furthermore, SOP HRD teaches that the definition of programmes can give additional coherence and consistency to the interventions financed under Structural Funds.

## Romanian Faulty practice: Sectoral Operational Programme Transport

### I. Methodology - The path to the faulty practice

The Programming Phase of SOP Transport is identified as a bad practice in the implementation of the principle of equal opportunities in Structural Instruments, fulfilling none of the seven criteria established to assess the sound integration of the principle:



### II. Overview and description – What the faulty practice is all about

SOP T distinguishes as a less good practice from the point of view of the application of the equal opportunity and non-discrimination principle in the Programming phase, due to the low level of consideration of these aspects in the context analysis, strategy development and design of interventions.

#### Non Fulfilment of criteria related to Inception of Programming and Context analysis

SOP Transport includes an analysis of the current situation concerning transport infrastructure in Romania, which does not intersect with any issue related to equal opportunities. Despite the fact that it can be agreed that this type of intervention does not have any direct impact on equal opportunities issues or vulnerable groups, the Programme has the capacity to intervene on macro and context variables of the territory that account also for such dimensions.

Taking into account that the general objective of the Programme is to "promote a sustainable transport system in Romania, which will facilitate safe, fast and efficient *movement of persons* and goods with appropriate level of service at European standards, nationally, Europe-wide and *between and within Romanian regions*", the context analysis could have included such data as the level of occupation and unemployment with breakdown by gender and region, indicators of poverty by Region, distribution of the population with disability by Region, i.e. of those variables that may in the long run register a change induced by the Programme intervention.

#### Non Fulfilment of criteria related to Strategy Development

The chapter of SOP T dedicated to the strategy identifies in general terms the coherence with the Lisbon Strategy and with the Community strategic guidelines for cohesion policy in support of growth and jobs for 2007-2013.

The Programme acknowledges that equality opportunities are a major issue affecting the evolution of the economy and the society in Romania and that access to employment opportunities in the transport sector is still characterized by gender disparities. The programme proves awareness on equality matters and mentions measures (without being specific in this sense) for granting equal access to labour for women, Roma and migrants during the construction phases of the SOP T projects (specification made in the FID).

Equal access is envisaged also as regards the MA SOP T human resources policy and under the programme TA PA, as presented in the FID. The text of the OP refers specifically, under PA 2 and in complementarity to ROP, to rural population which would have better access to health services as a result of improved regional infrastructure.

On the other hand the Programme Strategy does not seem to capture the overarching indirect positive contribution to the achievement of equal opportunities that the improvement of transport infrastructure and services may have in terms of removal of barriers to mobility. Better infrastructure can contribute to the increase of competitiveness of productive sectors, accessibility and attractiveness of less developed territories where women, disabled persons and minorities are facing even greater challenges and further promote life-work balance and increase employment opportunities for lower income population.

In synthesis, failing to acknowledge these aspects means not recognizing the possible contribution that the Programme may have in improving the conditions of disadvantaged groups and promoting more generally equal opportunities.

***Non Fulfilment of criteria related to Programme indicators***

Given the nature of the interventions the non fulfilment of these criteria does not have to be considered a bad practice.

***Non Fulfilment of criteria related to Design of interventions***

Given its strategic objectives, SOP Transport does not foresee any targeted intervention addressing vulnerable groups. The Programming document contains a general statement according to which special attention shall be paid in ensuring that actions will be undertaken to keep the equality principle between genders, vulnerable groups such as Roma, the disabled and immigrant population. On the other hand the Programme does not reinforce in any manner aspects related to the physical accessibility to built infrastructure on behalf of disabled persons, not even in terms of respect of the minimum legal requirements.

***III. Conclusions***

The lack of a specific focus on equal opportunities issues in the Programming phase has resulted in a lower level of attention also during the following phases of Programme implementation<sup>67</sup> such as launching of calls for proposals, selection process, monitoring, evaluation, partnership principle.

Despite the fact that the effects of this type of Programme on equal opportunities issues are of indirect nature a more focused approach starting from the Programming phase could have been adopted starting from the aspects of accessibility to built infrastructure.

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<sup>67</sup> This conclusion was drawn after analyzing all 7 phases in the framework of this programme. Despite having a potential impact on particular topics and vulnerable groups, especially disabled, SOP T hasn't considered paying more attention to it in terms of design of interventions, its monitoring, evaluation and reporting.

## EU Best practice:

### ESF National Operational Programme for Convergence Regions “Governance and System Actions”, Italy

The overall objective of the Programme “Governance and System Actions” is to support institutional and governance capacity for the achievement of the European objectives of lifelong learning and occupation and for promoting and strengthening in the national context innovation, quality and integration of education training and labour systems.

One of the specific objectives of this Programme is the “Promotion and strengthening of equal opportunities and combating any form of discrimination” through a dedicated Priority Axis entitled “*Equal Opportunities and non-discrimination*” aimed at capitalizing on one hand upon experiences of the Programming period 2000-2006 concerning equal opportunities between men and women and on the other hand to build based on the priorities set for the new programming period 2007-2013 new paths of intervention, both through mainstreaming actions widening the scope of intervention from gender equality to all the other forms of discrimination, with particular reference to aspects related to learning and employment. The Strategy of this Priority Axis takes into account all community and national guidelines related to the respect of the equal opportunities principle, thus addressing both the scope of intervention of the ESF and the existing cultural barriers.

The Intermediary body appointed for the implementation of this Priority Axis is the Department for Equal Opportunities and Non-discrimination. DPO is a Department of the Presidency of the Council of Ministers of the Italian Government. Among others, it covers a fundamental role with respect to the full exploitation of opportunities and resources provided by European Funds, at national and regional level, in the fields of equal opportunities and non-discrimination.

In accordance with art. 16 of the General Regulation, DPO has assumed two specific objectives. The first one consist in “further pursuing and broadening support processes in the implementation of the equal opportunities principle between men and women in the field of occupation, training and in the socio-economic system” thus resulting in such actions as:

- ▶ implementation and consolidation of system actions concerning monitoring and evaluation under a gender perspective
- ▶ support to gender balance initiatives

The second specific objective consists in “overcoming stereotypes referring to forms of discrimination based on race, ethnic origin, religion, personal beliefs, disabilities, age and sexual orientation” resulting in such actions as:

- ▶ Experimentation of transferability of operational guidelines for carrying out evaluation under a gender perspective and evaluations that are sensitive to other forms of discrimination
- ▶ Implementation and consolidation of system actions concerning monitoring and evaluation under a gender perspective.



**PHASE 2:**

**LAUNCHING OF CALLS FOR PROPOSALS**

## Romanian Best practice: SOP Environment

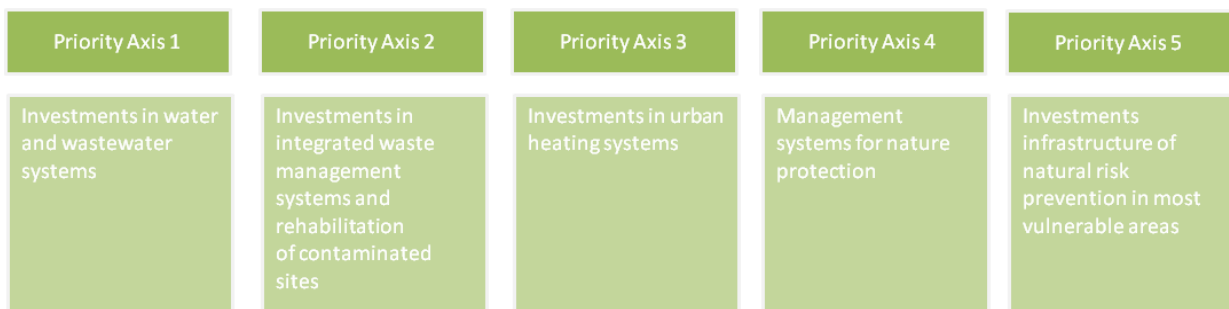
### I. Methodology - The path to the best practice

The Phase of Launching of Calls for Proposals of SOP Environment is identified as a best practice in the implementation of the principle of equal opportunities in Structural Instruments, in particular concerning Information and Publicity activities, fulfilling the 2 respective criteria:



### II. Overview - What the best practice is all about

The Sectoral Operational Programme Environment 2007-2013 is one of the seven Programmes financed under the Convergence Objective of the EU Regional Policy in Romania with a total financial allocation of EUR 4.5 billion. The global objective of the SOP ENV is to **improve the living standards and the environment**, focusing in particular on meeting the environmental acquis by financing:



In order to inform all potential beneficiaries and Romanian citizens about the role of the Programme, the available financing opportunities and the potential benefits that the investments may lead to, the Programme has adopted and implemented a communication plan foreseeing a mix of tools such as a Programme website, dissemination events, publications and the use of media.

In this context, in the year 2011 the MA of SOP Environment deployed a national promotional campaign about the Programme in Romanian language. Such campaign included diffusion activities and the preparation of branding material, in order to evaluate the national impact of the Programme.

Since the results of the above mentioned campaign showed a 34% popularity rate of SOP Environment among the urban population in the age group 18-65, the MA decided to roll-out another campaign, this time **targeting ethnic minorities through the use of dedicated media channels**, with the aim of increasing the level of awareness about the Programme among the general public.

Such new campaign, implemented between March and August 2012, pursued the general objective of “ensuring access to information about SOP Environment, in an equal and non-discriminatory manner in the language of the national minorities for which media channels exist”. Thanks to the launch of this campaign, the wide public got informed - both in Romanian and in the languages of national minorities - on the objectives, importance and priorities of the development and modernization of environmental infrastructures.

### III. Description - How was it done?

First of all, the project consisted in the adaption of the media concepts of the Programme developed within the previous national campaign, into the languages of the ethnic minorities for which dedicated media channels were already present and, therefore, in the development of a media plan.

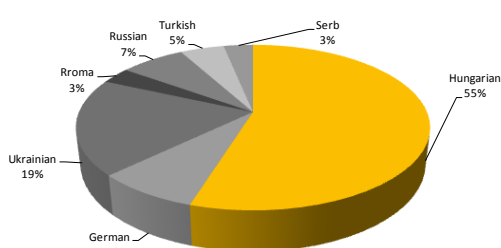
The selected languages were seven:

- ▶ German;
- ▶ Hungarian;
- ▶ Russian;
- ▶ Ukrainian;
- ▶ Turkish
- ▶ Roma;
- ▶ Serbian.

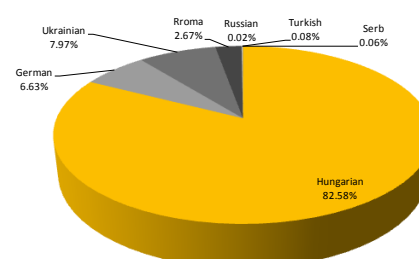
The media plan was rolled out between April and June 2012. In such period a total of 5231 radio spots of the duration of 40 seconds each were broadcasted through 54 radio stations, covering 24 of the 41 Romanian counties. At the same time, the appearances in the press were in total 310 through 30 newspapers, one of which with national coverage.

The distribution of audio and press appearances by ethnic minority, is shown in the following charts:

**Distribution of audio spots by language:**



**Distribution of press spots by language:**








“WE INVEST IN ENVIRONMENT. WE BELIEVE IN THE FUTURE”. So recited the slogan developed within the first promotional campaign (2008 – 2009), which was adopted also in the targeted campaign with the aim of both ensuring the recognition of the Programme and maintaining the powerful visual identity already gained.

Therefore, **the SOP Environment represents a best practice in the phase of Launching of Calls for Proposals, particularly in relation to information and publicity activities targeting vulnerable groups** since:

- ▶ It is the first initiative launched in Romania under Structural Instruments addressing national language minorities;
- ▶ It aims at ensuring free, equal and unrestricted access to information in relation to the financing opportunities available within the Programme.

#### IV. **Effects – The difference that counted**

As shown in the picture below, the implementation of the information campaign of SOP Environment – in conformity to the provisions of art. 16 of Regulation 1083/2006 of the General Regulation related to gender equality and non-discrimination - generated several positive impacts, which will eventually contribute to rebalancing the negative effects of other forms of discrimination affecting disadvantaged categories.

Information campaign of SOP ENVIRONMENT	
Equal and unrestricted access to information	
Equal access to the Programme for all its potential beneficiaries, independently from their belonging to ethnic groups, either minorities or majorities	
Financial assistance granted exclusively on the grounds of selection criteria and quality of the project applications	
Removal of unjustified barriers	
Efficiency and effectiveness of the Programme reached at both national and regional level	

For instance, thanks to the water and waste collection infrastructure financed through the SOP, minority groups may benefit in terms of socio-economic aspects.

#### V. **Replicability - A lesson for the future**

The promotional campaign in the language of national minorities is a best practice that can be easily replicated in the framework of other Operational Programme, by transposing the existing information and publicity material (e.g. radio spots, websites, brochures) in the languages of ethnic minorities.

One of the lessons learned is represented by the importance of carrying out impact evaluations of communication activities. These evaluations, in fact, can support the better planning of future communication activities as in this case, where the evaluation of national promotional campaign lead to the launching of a targeted communication campaign addressing ethnic minorities. Political support should also be considered as an important success factor in this context.

The translation of promotional campaigns in the language of minorities facilitates access of vulnerable groups to Structural Instruments, thus resulting in a greater awareness and interest in the Programme.

#### VI. **Conclusions**

The removal of the language barriers faced by ethnic minorities concerning the financing opportunities available under SOP Environment is an example of best practice because the initiative:

- ▶ Applies adequately the principle of equal opportunities
- ▶ Ensures equal access to information to all the potential benefits of Structural Instruments.

## **EU Best practice:**

### **Best practice “Equal Opportunities Good Practice Guide: Equality in Practice – Making it work” - Scotland**

The Guide, published by the Scottish ESF Objective 3 Partnership Ltd, has been designed to provide projects with an easy-to-use manual to help ensure that mainstreaming equal opportunities takes place at each stage of project design and delivery, and to share the extensive experience of mainstreaming equal opportunities in projects funded by the European Structural Funds in Scotland.

All projects should incorporate equal opportunities issues as a condition of Structural Funds support and the Guide is intended to show how equality issues can be built into different types of projects and at different stages. It has been designed as a reference manual for project developers and project managers. The Guide is developed into three main sections:

- ▶ A background to the Scottish approach to mainstreaming equal opportunities,
- ▶ A step-by-step guide to how equality issues can be mainstreamed into different types of projects at the design and the delivery stages,
- ▶ Good practice examples and case studies taken from a range of projects.

The Guide provides examples from the five Structural Fund Programmes, and the four Community Initiative Programmes active in Scotland in the period 2000-2006.

The Guide follows project activity through different parts of a life-cycle and shows ways that equal opportunities considerations can be built in - from project development and design, through consultation, delivery, monitoring and evaluation. Examples are given from real projects to reflect the variety of activity funded through the Programmes, and show how equal opportunities can be incorporated into different types of projects.

The Guide is not meant to be just a tick-list for projects. Not all of the practical suggestions on how to address equality issues will be relevant to every project, but the suggestions allow projects to choose which of these may be relevant to their project activity, to their organisation, and to their style of partnership working. This can help develop an approach to mainstreaming equality which is tailored to projects.

The Guide looks at all aspects of project design and project delivery and gives project examples covering:

- ▶ What are some of the equality issues?
- ▶ What would help?
- ▶ Examples of how equal opportunities can be built more effectively into activity from Structural Fund projects.

This Guide takes examples of different types of activity from real projects such as:

- ▶ Business start-up and Business growth, Research and development
- ▶ Community economic development (CED), Rural development, Urban Development
- ▶ Sites and premises and infrastructure, Tourism
- ▶ Training for employed people, Training for non-employed people

Examples show how projects have incorporated equal opportunities issues:

- ▶ Recognition that not all groups and individuals have the same requirements and support needs
- ▶ Flexible delivery of support and training to take account of care and employment responsibilities
- ▶ Early consultation with groups and individuals to deepen understanding of needs and support required
- ▶ Using publicity, marketing, and training materials which use inclusive language and images
- ▶ Addressing accessibility issues, including physical access issues for those with mobility or sensory impairments; and accessible materials
- ▶ Promoting positive messages about equal opportunities
- ▶ Working with partners and employers to develop equal opportunities strategies.

**Best practice “Equal Opportunities Good Practice Guide: Equality in Practice – Making it work” - Scotland**

Source:<http://www.scotland.gov.uk/Topics/Business-Industry/support/17404/StructuralFunds2007-201/HorizontalThemes/EOGuidance>

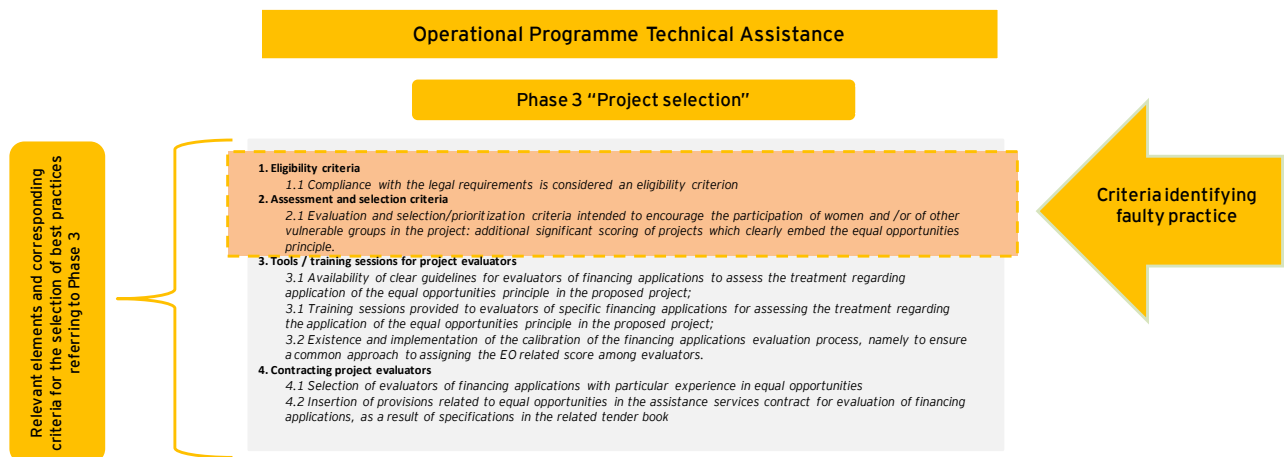
**PHASE 3:**

**PROJECT SELECTION**

## Romanian Faulty practice: Operational Programme Technical Assistance

### I. Methodology - The path to the faulty practice

The Project Selection Phase of OPTA is identified as a bad practice in the implementation of the principle of equal opportunities in Structural Instruments, fulfilling none of the criteria established to assess the sound integration of the principle:



### II. Overview and description – What the faulty practice is all about

OP TA is a programme with high potential impact on the implementation of the principle of equal opportunities and non-discrimination, especially through some of its activities such as horizontal trainings, studies and evaluation, SMIS. OP TA is hereby presented as a faulty practice in relation to the lack of focus on equal opportunities issues in the project selection phase.

#### Non Fulfilment of criteria related to Eligibility and Assessment and Selection (elements 1, 2)

The Framework Implementation Document (FID) of OP TA does not define any selection criteria for the project applications other than the respect of national and community policies and coherence with the Programme Objectives, affirming that the Managing Authority will select applications based on verification lists included in internal Procedures and in the Guidelines for Applicants.

The Guidelines for Applicants however do not include any additional details about eligibility and selection criteria despite those already included in the Operational Programme. As a result, in an equal opportunities perspective, both the eligibility and the selection process are taking into account exclusively the respect of national and community legislation in place.

### III. Conclusions

The lack of specific eligibility and selection criteria related to equal opportunities, limits the potential impact on equal opportunities that OP TA could have specifically in terms of mainstreaming actions. The respect of the minimum legal requirements could be formulated at least in a more explicit manner and the selection process could foresee at least under certain type of operations additional scoring for projects promoting equal opportunities.



## ***European Best practice:***

### **Progress Call For Proposals VP/2012/007: Call For Proposals For Social Policy Experimentations, European Commission: DG Employment, Social Affairs and Inclusion**

PROGRESS is the European Union (EU)'s employment and social solidarity programme set up to provide financial support for the attainment of the EU's objectives in employment, social affairs and equal opportunities. Besides eligibility and selection criteria specific to the calls for proposals it issues (which may contain specific reference to gender or other discrimination), it requires that all activities take into consideration gender mainstreaming, needs of disabled people and equal opportunities for all in the selection and composition of the projects' team. As an example, the clause included in the call VP/2012/007, easily transferable to any programme, reads as follows:

#### *Requirements on how the activities shall be carried out*

The PROGRESS Programme aims to promote gender mainstreaming in all its five policy sections and supported activities. Consequently, the Beneficiary shall take the necessary steps to ensure that:

- ▶ Gender equality issues are taken into account when relevant for the drafting of the proposal by paying attention to the situation and needs of women and men;
- ▶ Implementation of proposed activities includes a perspective informed by a systematic consideration of the gender dimension;
- ▶ Performance monitoring includes the collection and gathering of data disaggregated by sex when needed;
- ▶ Its proposed team and/or staff respects the gender balance at all levels.

Equally, needs of disabled people shall be duly acknowledged and met while implementing the proposed activities. This will ensure in particular that where the Beneficiary organises training sessions and conferences, issues publications or develops dedicated websites, people with disabilities will have equal access to the facilities or the services provided. Finally, the Contracting Authority encourages the Beneficiary to promote equal employment opportunities for all its staff and team. This entails that the Beneficiary is encouraged to foster an appropriate mix of people, whatever their ethnic origin, religion, age, and ability. The Beneficiary will be required to detail in its final activity report the steps and achievements made towards meeting these contractual requirements.

**PHASE 4:**

**FINANCIAL MANAGEMENT AND CONTROL**

## ***European Best practice:***

### **Gender budgeting, Italy**

Gender budgeting experiences have been developed in Italy starting from the year 2000. They have been prevalently realised at local level, municipal and provincial, and in some cases at regional level. There has also been a national level initiative which consisted in the gender analysis of the economic and financial programming of 2008 (State Budget Law 2008). Most of the projects were supported by the ESF.

The local level of experimentation has given rise, since 2002, to “Provinces and Municipalities Network for the dissemination of Gender Budgeting analysis and good practices promoting equal opportunities” which has the task of disseminating gender budgeting model and all those initiatives aiming at reaching equal opportunities and substantive equality between women and men. This institutional network has contributed significantly to the diffusion of gender budgeting experimentation in Italy which now reaches about 60 experiences.

Some of these institutions have promoted gender analysis of budget documents; others, in addition to, and through the analysis, have made proposals for improvements as for the distribution of resources to women; some institutions have implemented these initiatives with a certain regularity over the years; some have elaborated guidelines and training modules on the issue addressed to their councillors, directors and officials; some have defined gender-sensitive indicators of public spending; all of them have promoted actions of awareness and involvement of all the key actors on the theme of gender budgeting.

The competences of local authorities concerned with gender budgeting initiatives have been: territorial planning and programming, the environment, agriculture, manufacturing, public works, vocational training, education, social policies, culture, sport and the internal organization of the same institution. Several of these areas have also experienced modalities of integration between gender budgeting and social budgeting.

In this context, it is interesting to recall the experience coordinated at national level by Isfol since 2002 as a follow up of the action “Use of resources according to a gender perspective in the ESF programming”. After a project involving 3 provinces in the past programming period, the action in 2007-2013 is targeted at Regional Administrations and promotes the internalization of gender dimension in all the phases of implementation of the budgetary procedure starting from the regional budget planning tool. The intent is to start and facilitate a process for making the procedures of planning and economic-financial reporting more transparent and provide forms of more equitable distribution of resources between women and men.

For a selection of experiences, see: <http://www.civit.it/?p=4517>

Sources: [www.pariopportunita.gov.it](http://www.pariopportunita.gov.it); [www.retepariopportunita.it](http://www.retepariopportunita.it); [www.isfol.it](http://www.isfol.it)

**PHASE 5 MONITORING**

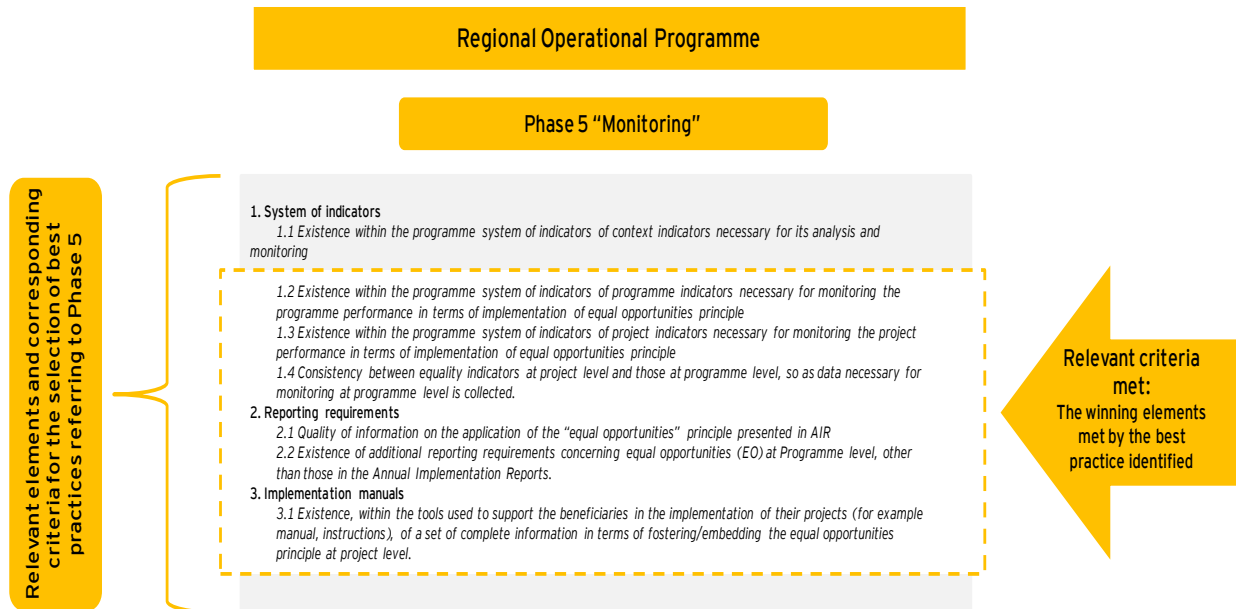
**AND**

**PHASE 6 EVALUATION**

## Romanian Best practice for monitoring: Regional Operational Programme

### I. Methodology - The path to the best practice

The Monitoring Phase of ROP is identified as a best practice in the implementation of the principle of equal opportunities in Structural Instruments, fulfilling six out of the seven criteria established to assess the sound integration of the principle:



### II. Description and overview - What the best practice is all about

ROP is one of the 7 Operational Programmes financed under the Convergence Objective of EU Regional Policy in Romania, with a financial allocation of over EUR 4 billion, its strategic objective being supporting the economic, social, territorially balanced sustainable development of Romanian Regions.

In relation to Equal Opportunities, ROP affirms that its interventions - as well as the implementation system - shall provide for appropriate measures in order to ensure accessibility for beneficiaries, without any discrimination based on sex, racial and ethnic origins, religion, age, disabilities and sexual orientation.

Moreover, this overall objective is also detailed in a number of specific objectives that identify the thematic areas of intervention of the Programme relevant to equal opportunities:

- ▶ Ensuring the balanced participation of men and women in the labour market
- ▶ Ensuring equal opportunities in education and vocational training
- ▶ Encouraging women entrepreneurs
- ▶ Reconciliation between family and professional life
- ▶ Ensuring access to social infrastructure for vulnerable groups
- ▶ Ensuring the balanced participation of men and women in decision-making process
- ▶ Ensuring upgraded equipped infrastructure for pre-university education for disadvantaged children
- ▶ Ensuring students modernized infrastructures for pre- university education

**Fulfilment of criteria related to the system of indicators (criteria 1.2, 1.3 and 1.4)**

In order to ensure an adequate monitoring of the contribution of the Programme to the implementation of the equal opportunities principle, the Managing Authority has included in the system of indicators a set of supplementary ones aimed at capturing the effects produced by financed interventions on vulnerable groups (particularly women, disabled persons and Roma).

<p><b>PA 1:</b> Support to sustainable development of urban growth poles</p>	<p><b>PA 3:</b> Improvement of social infrastructure</p>
<p><b>KAI 1.1:</b> Integrated urban development plans</p> <ul style="list-style-type: none"> <li>▶ Number of jobs created with breakdown by gender, rroma ethnics, people with disabilities</li> <li>▶ Number of benefiting of services provided by rehabilitated/modernized social services detailed by a) children, aged persons, persons with disabilities, drug addicts, ex-convicts, persons that have suffered of abuses; b) rroma people; c) men/women</li> <li>▶ Number of persons reintegrated on the labour market, detailed by men/women, rroma and people with disabilities</li> </ul>	<p><b>KAI 3.1:</b> Rehabilitation, modernisation and equipping of the health services' infrastructure</p> <ul style="list-style-type: none"> <li>▶ Number of men/women that have benefited of medical services offered by rehabilitated/equipped medical units</li> </ul> <p><b>KAI 3.2:</b> Rehabilitation, modernization, development and equipping of social services infrastructure</p> <ul style="list-style-type: none"> <li>▶ Number of persons reintegrated on the labour market, detailed by men/women, rroma and people with disabilities</li> </ul>
<p><b>PA 2:</b> Improvement of regional and local transport infrastructure</p>	<p><b>PA 4:</b> Strengthening the regional and local business environment</p>
<p><b>KAI 2.1:</b> Rehabilitation and modernization of county roads and urban streets network</p> <ul style="list-style-type: none"> <li>▶ Number of jobs created in the project execution period detailed by men/women, rroma</li> </ul>	<p><b>KAI 4.3:</b> Support the development of micro-enterprises</p> <ul style="list-style-type: none"> <li>▶ Number of jobs created in the project execution period detailed by men/women, rroma</li> </ul>

It is important to underline that applicants are required to detail in the financing application the contribution of their projects to the promotion of equal opportunities (which is subject to scoring).

At the same time, they must report progress made in their achievements, which is subject to monitoring by means of periodic reporting on behalf of beneficiaries and during on-site visits.

**Fulfilment of criteria related to Implementation manuals (criterion 3.1):**

The monitoring and implementation of the principle of equal opportunities has been supported through the dissemination of the “Booklet on Equal Opportunities and Non-discrimination”, which contains practical information for the implementation of the equal opportunity principle during the phases of project preparation, implementation, monitoring and evaluation.

**Fulfilment of criteria related to Reporting requirements (criteria 2.1 and 2.2):**

The strong commitment of the Programme in relation to the promotion of Equal Opportunities is reflected in the level of relevant information included in the Annual Implementation Reports (AIR).

The 2011 AIR, for instance, accounts for the active engagement of Programme Stakeholders in relation to Roma issues, in terms of participation to national conferences, consultations with the European Commission and identification of potential courses of action for better approaching the integration of Roma population in the future programming period, transport

It also includes some examples of interventions financed under the Programme and their specific effects, quantified in terms of indicators, on relevant categories of vulnerable groups.

Evidence of the focus of ROP on equal opportunities issues is confirmed by the activities of the Monitoring Committee of the Programme, whose members include organizations representative of vulnerable groups.

To better understand the contribution of the interventions financed so far under the RO to the “National Strategy for Roma people”, during Monitoring Committee meetings specific attention is paid in presenting the results achieved by ROP projects targeting Roma communities.

### **III. Effects – The difference that counted**

**The system of indicators of ROP enables the monitoring of the implementation of the equal opportunities principle from project to Programme Level, with specific attention on women, disabled persons and persons of Roma ethnics.**

The monitoring system as well as the practical guidance provided in the “*Booklet on Equal Opportunities and Non-discrimination*” have paved the premises for the effective application of the principle at beneficiary level, ensuring that disadvantaged groups have access to the infrastructure, goods and services created by the Programme and that they improve overall their quality of life.

### **IV. Replicability - A lesson for the future**

The example provided by ROP shows that the effective monitoring of equal opportunities may be achieved under any Operational Programme by:

1. Defining a set of indicators comprising relevant indicators for equal opportunities that are coherent from Programme to project level;
2. Providing the right tools to beneficiaries in order to ensure the understanding of equal opportunities issues and the related monitoring requirements;
3. Ensuring an active monitoring focused on assistance to beneficiaries in complying with the equal opportunities principle during project implementation;
4. Enhancing the type and quality of relevant information made available to Programme stakeholders both through Annual Implementation Reports and within Monitoring Committees.

Furthermore, it is relevant to ensure a coherent approach between the monitoring of equal opportunities and other key phases of the Programme lifecycle in terms of:

- ▶ Evaluation and scoring of financing applications by specific indicators, output and result indicators;
- ▶ Assisting the beneficiaries in the implementation of such projects;
- ▶ Programming intended for equal opportunities, in particular, based on the analysis of needs;
- ▶ Promotion of successful projects, which will eventually be replicated at the level of other beneficiaries;
- ▶ Ensuring continuity among programming exercises in order to reach sustainability of results.

### **V. Conclusions**

The monitoring system of the Regional Operational Programme is considered a best practice in the structural funds management in Romania by the fact that **it includes a comprehensive system of indicators focused on equal opportunities, disaggregated by gender, ethnic origins, disabilities and age.**

The approach adopted for monitoring equal opportunities

- ▶ is coherent with the overall strategy of the Programme in addressing vulnerable groups;
- ▶ has resulted in the coherent mainstreaming of the principle in different phases of the Programme life-cycle, as well as in an early definition of the targeted approach to be adopted in the new Programming period.

## ***EU Best practice for Monitoring and Evaluation:***

### **ISFOL: Best practice on governance and support to national and regional authorities monitoring and evaluation from an equal opportunities point of view within ESF, Italy**

ISFOL is a public research institute that is entrusted by the Department for Equal Opportunities and Non-discrimination (DPO) with the implementation of specific actions under the Priority Axis “Equal Opportunities and non-discrimination” of the “Governance and System Actions” presented as best practice in Programming. Since 2002, ISFOL **developed an evaluation model** useful to give evidence of the different effects (at the main stages of implementation: realization-result-impact) of public policies on men and women according their conditions (for example: age, marital status, education/degrees, parenthood, presence of other non self-sufficient people, etc.).

The field of public policies concerned by the above mentioned model were that of policies co-financed by the ESF, that is to say employment, vocational training and, in general, development of human resources policies. Since then, the model has been disseminated, tested in cooperation with national and regional Authorities, updated and applied.

Research reports and guidelines have been produced and disseminated, concerning equal opportunities mainstreaming as a whole, as well as specific aspects, namely reconciliation of work-family life, gender sensitive **monitoring and evaluation indicators**, gender sensitive assessment of public resources allocation.

DPO and ISFOL are attempting, within ESF 2007-2013 Funds’ opportunities, to exploit the experience gained in the field of gender evaluation in order to extend it to other discriminations. Given the sensitivity of the problems encountered by the different groups at risk of discrimination, ISFOL is coordinating a complex partnership, participated by representatives of these vulnerable groups (NGO’s, Trade Union, Associations) with the aim of analyzing if and how gender specificities differ (or not) from other discriminating specificities and how this may be included in evaluation criteria.

Sources: [www.pariopportunita.gov.it](http://www.pariopportunita.gov.it); [www.retepariopportunita.it](http://www.retepariopportunita.it); [www.isfol.it](http://www.isfol.it)



## **PHASE 7**

### **PARTNERSHIP PRINCIPLE**

## EU Best practice:

### Mainstreaming Integration Act, Finland

Although not directly developed within the Framework of Structural Instruments, the Finnish Equality Act 2004 provides an example of best practices in the mainstreaming of Equal Opportunities in the partnership principle which can be replicated under Structural Instruments.

The Finnish Equality Act 2004 places a general obligation on public authorities to promote equality. This, in essence, requires the mainstreaming of equality considerations on the grounds of age, ethnic and national origin, nationality, language, religion, belief, disability, state of health, sexual orientation, and 'any other status'. In 2009 the Ministry of the Interior piloted this mainstreaming in drawing up a new Integration Act. This was a one-off exercise. Participation was the tool used in this initiative. Screening is also to be used when a long term approach is established.

The objective of non-discrimination/equality mainstreaming of the Integration Act was to ensure that the Act supported good ethnic relations. It also aimed to promote equality for a diversity of immigrants, through positive action and measures to advance their representation at all levels.

The Ministry of the Interior established a broad based steering committee for this mainstreaming. Members were drawn from relevant Ministries, regional and local administrations, non-governmental organisations, equality bodies, social partners and others. Five different sub-groups were established including one on 'Equality and good ethnic relations'. This subgroup involved non-governmental organisations representing people with disabilities, older people, immigrants, and young people. The sub-group:

Prepared guidelines on equality and non-discrimination for the new Act.

Analysed the draft Act from an equality perspective and proposed changes in the draft Act to the steering committee and underlined the importance of appropriate language.

Carried out a gender impact assessment and an equality impact assessment on the new Act.

The tools designed for the project were:

- ▶ **Participation:** The participation of non-governmental organisations is the central tool in this approach to non-discrimination/equality mainstreaming. Nongovernmental organisations provided information, knowledge and analysis to the policy making process through the 'Equality and good ethnic relations' subgroup. Broader consultation to discuss and react to the draft Act was also organised with the general public, nongovernmental organisations, researchers and local authorities.
- ▶ **Screening:** It is envisaged that, in the longer term, screening will be used to assess which pieces of legislation should be subject to this mainstreaming. This screening will be based on assessing if there are inequalities in the policy area or if there are opportunities for promoting equality through the policy area.

As a support tool, the Government is preparing a guide for the equality impact assessment of new legislation. The approach developed for the new Integration Act provides learning for this guide. A guide on gender impact assessment is already available. The participation of the target groups for the Integration Act in the drafting process is key to the success of this approach.

Source: European Commission – Justice; Compendium on Practice Non Discrimination/Equality Mainstreaming, Luxembourg, 2011

[http://ec.europa.eu/justice/discrimination/document/index\\_en.htm](http://ec.europa.eu/justice/discrimination/document/index_en.htm)

## Annex 6: EQ3 Barriers in access to Structural Instruments financing

N.	ELEMENTS REDUCING BARRIERS IN ACCESSING FINANCE ON BEHALF OF VULNERABLE GROUPS	AGE		RELIGION/ BELIEF	SEXUAL ORIENTATIO N	DISABILITY	RACIAL/ ETHNIC ORIGIN
		YOUNG PEOPLE	AGED PEOPLE				
1	<b>INFORMATION AND PUBLICITY ACTIVITIES</b>						
1.1	Findings of Q2, related to the selection criteria of Phase 2 “Calls for proposals”: <ul style="list-style-type: none"> <li>sub-criteria 5 “Launching of calls for proposals – information and publicity”</li> </ul>						
1.2	<b>MEANS USED:</b> information concerning available financing is channeled through a variety of means including both: <ul style="list-style-type: none"> <li>Traditional media: press, television, brochures, handouts, public events (locations ensure accessibility)</li> <li>Web: based on the international web content accessibility guidelines of the W3C</li> </ul>						
1.3	<b>STAKEHOLDERS INVOLVED:</b> information concerning available financing is channeled also through organizations that have strong links with vulnerable groups, e.g.: <ul style="list-style-type: none"> <li>establishing agreements with umbrella organizations of vulnerable groups</li> <li>outsourced media campaign</li> </ul>						
1.4	<b>USE OF LANGUAGE:</b> the language used in information and communication activities takes into account specificities of vulnerable groups, e.g.: <ul style="list-style-type: none"> <li>promotional campaigns in language of minorities</li> <li>use of simple language for providing basic information about available opportunities</li> </ul>						
1.5	<b>REFERENCE TO VULNERABLE GROUPS:</b> the information and publicity campaigns make explicit reference to the pursuit of the equal opportunities principle						
2	<b>CALLS FOR PROPOSALS</b>						
2.1	Findings of Q2, related to the selection criteria of Phase 2 “Calls for proposals”: <ul style="list-style-type: none"> <li>sub-criteria 2 “Explanation of EO principle”</li> <li>sub-criteria 3 “Financing Request – content to be provided”</li> <li>sub-criteria 4 “Monitoring requirements”</li> <li>sub-criteria 6 “Submission mechanism”</li> <li>sub-criteria 7 “Project generation”</li> </ul>						
2.1	<b>USE OF LANGUAGE:</b> the calls for proposals avoid the use of discriminatory language, e.g.: sexist language, use of his/her, language denigrating minorities						
2.2	<b>SUBMISSION MECHANISMS (Operational aspects):</b> the submission mechanisms provide for multiple options serving the needs of all vulnerable groups, including: <ul style="list-style-type: none"> <li>Web based submission</li> <li>Traditional paper-based submission taking into account physical accessibility issues</li> </ul>						
3	<b>PROJECT SELECTION</b>						
3.1	Findings of Q2, related to the selection criteria of Phase 3 “Project selection”						
4	<b>ELEMENTS RELATED TO PROJECT IMPLEMENTATION</b>						
3.1	<b>10% FLEXIBILITY RULE:</b> the implementing provisions provide for the flexibility facility between ERDF and ESF according to Art. 34 (2) of the general regulation, e.g.: <ul style="list-style-type: none"> <li>under ESF Programmes allow eligibility of costs related to infrastructure or equipments</li> <li>under ERDF Programmes allow eligibility of costs related to training of employees with disabilities</li> </ul>						
3.2	<b>FINANCIAL MECHANISMS:</b> there are accompanying measures aimed at easing financial constraints faced by vulnerable groups: <ul style="list-style-type: none"> <li>JEREMIE ESF Initiative, Micro-credit, Guarantees, Ethic Banks</li> </ul>						

## Annex 7: EQ3 Benchmarking from Member States



**GOOD PRACTICES IN REMOVING BARRIERS  
IN INFORMATION AND PUBLICITY ACTIVITIES**

**Barrier removed: Lack of variety of means for information and publicity**

**Best practice: “project MY PORTFOLIO” financed under the EQUAL Community Initiative, Netherlands**

Emmen, a Dutch city undergoing rapid economic change, was coping with a sombre situation: the city's inhabitants were increasingly under pressure to adapt to socio-economic change, meaning that their traditional jobs and life styles were slowly being undermined or disappearing. Those who were 'left behind' were finding themselves increasingly isolated and trapped in deprived neighbourhoods, where the idea of leaving the city to pursue a 'better life' and find new employment was becoming a distant dream. Moreover, this situation was passing from one generation to the other, with young people growing up in districts deprived of a sense of community, social support and reduced job prospects. Furthermore, people's previous negative experiences of learning and periods of unemployment often caused them to stay away from any training courses or educational settings.

Following collaboration in EQUAL Round 1, three organisations put their heads together and brainstormed about potential solutions to Emmen's problems, focusing in particular on the employment and social inclusion potential of ICTs. They came up with the concept of 'My Portfolio Online', offering fun ways of ICT learning which not only promoted the competences and skills of individuals, but also the identity, capacity and social dimension of the community/neighbourhood. This highly innovative project thereby combined social and physical restructuring at local level, framed within the wider employment perspective of EQUAL.

***The digirooms***

An essential element of My Portfolio Online was to create public access points called 'digirooms' where citizens could use technology and where social professionals could offer personal assistance. The digiroom has been developed in such a way as to minimise the barriers for potential users via: a location that is frequented by a wide range of community members (e.g. close to a shopping centre), an interior design that creates a welcoming and relaxed environment, the presence of social workers who are knowledgeable on ICT and its social applications (rather than only the technical side) and a user-friendly software programme. This software programme was developed by the My Portfolio Online partnership specifically to help in the design of websites and web applications.

My Portfolio Online created learning environments that feel safe and fun to be in, which is particularly significant when working with target groups who might have had a negative experience of education. Through their participation in the project, these groups could gain ICT skills and learn how to reach their goals by using these skills. All of this means that the digiroom created a safe bridge for community members to (re)access further education and ultimately gain employment.

Aside from the unemployed, statistics show that the EQUAL project was supporting other disadvantaged groups. Amongst those visiting the digirooms, 60% are women, 30% are disabled and 30% are over 55.

The idea underpinning the programme is transferable to the possibility of creating info-points where publicizing, among others, the chances offered by Structural Funds supported programmes, in a friendly and inclusive environment attractive. Support could be also provided in this environment to assist vulnerable groups in identifying possibilities of participation as target groups into running projects or to support organizations representative of vulnerable groups to develop new applications.

Source: [http://ec.europa.eu/employment\\_social/equal/practical-examples/adapt-07-nl-myport\\_en.cfm](http://ec.europa.eu/employment_social/equal/practical-examples/adapt-07-nl-myport_en.cfm)

## Barrier removed: Limited number of stakeholders involved

### Best practice: The Society Integration Programme of Jelgava, Latvia

Local government has responsibility for a wide range of policy areas in Latvia. Local government society integration commissions which participate in implementing society integration programmes play a role in promoting the integration of minority ethnic groups. This approach has been developed in a number of municipalities with varying degrees of ambition and progress.

The City of Jelgava is one positive example. This integration process enables a mainstreaming of non-discrimination/equality considerations in relation to minority ethnic and religious groups into key areas of local government service provision.

The objectives of this mainstreaming initiative are to promote equality for minority ethnic groups and to prevent ethnic division in Jelgava. The Society Integration Department of Jelgava municipality coordinates the Society Integration Programme and engages with minority ethnic organisations.

**The Society Integration Commission** is a partnership developed to support the preparation and implementation of the Society Integration Programme. This Commission includes municipal and state Institutions and non-governmental organisations.

The Ethnic Minority NGO Association cooperates with the municipality of Jelgava in devising and implementing the Society Integration Programme. This combines seven non-governmental organisations representing Russian, Polish, Ukrainian, Byelorussian, Lithuanian, Jewish and Roma people.

The Society Integration Programme of Jelgava 2008-2013 sets out guidelines and actions to advance integration in a context of ethnic and religious diversity and tries and overcome the fact that public opinion is not well attuned to equality and non-discrimination for marginalised groups.

It promotes:

- ▶ Fostering civic participation by minority ethnic groups.
- ▶ Accessibility of education to minority ethnic groups.
- ▶ Accessibility of cultural services to minority ethnic groups.
- ▶ Accessibility of sporting activities to minority ethnic groups.
- ▶ Social integration.
- ▶ Ethnic and religious diversity.

Minority ethnic organisations attract financial support for projects from the Jelgava Municipality and from other sources including foundations, Ministries and voluntary contributions from their members. This enables their participation in the Society Integration Programme.

Jelgava experience in involving ethnic and religious minorities may be used for modeling stakeholders involvement in order to reduce barriers to participation of those very minorities in European Funds supported programmes and projects.

Source: European Commission – Justice; Compendium on Practice Non Discrimination/Equality Mainstreaming, Luxembourg, 2011

[http://ec.europa.eu/justice/discrimination/document/index\\_en.htm](http://ec.europa.eu/justice/discrimination/document/index_en.htm)

**Barrier removed: Limited number of stakeholders involved**

**Best practice: ESPRIT Global Grant, Italy**

The ESF 2000-2006 Regional Operational Programme, Obj. 3, of the Tuscany Region (Italy) identified in the Global Grant the key financial instrument to foster local development (Measures B1 – E1 – D3) by means of the promotion of the social economy sector. The overall objective of the Global Grant was to develop the social economy in Tuscany and to promote its capacities as a new source of employment for disadvantaged people, removing the obstacles which hinder the socio-labour inclusion of the weakest part of the population.

ESPRIT is a Consortium created in 2003 as the Intermediate Body for the implementation of the ESF Global Grant after a call for tender issued by the Region Tuscany. The consortium is composed of:

- a) the regional departments of two of the largest confederate trade unions in Italy, that is CISL (Italian Confederation of Workers' Trade Unions) and UIL (Italian Workers' Union);
- b) Confcooperative della Toscana (Tuscan Confederation of Cooperative enterprises); it is the regional department of the Confederation of Italian Cooperatives which is the association representing, safeguarding and monitoring the cooperative movement.
- c) Associazione Generale Cooperative Italiane – AGCI (General Association of Italian Cooperatives). It is a non-profit, independent organization created in 1952. Its mission consists in representing, safeguarding and monitoring the 6.200 associated cooperatives representing approximately 263.000 members (data updated in June 2008).
- d) Banca Popolare Etica. Banca Etica has the legal form of a popular banking institute which, according to the Italian law, allows it to operate on a national level, in full respect of its co-operative and solidarity intents.
- e) CEFORCOOP. It is the Centre for Cooperative Studies for Vocational Training, Research and Management Consulting. As a training provider, it is accredited in Tuscany.
- f) Progetto Toscana. Created in 2002 it is a second-level association whose members are NGOs and other organisations with catholic inspiration, working in the fields of social protection and inclusion (education and training, health, social assistance and service, employment).

One of the success factors of the project is represented by the proximity of the Consortium ESPRIT to the potential beneficiaries of the grant scheme and the capacity to network different players working in the territory in the pursuit of common goals (e.g. concerning employment development, social inclusion, balanced and fair competitiveness).

[http://www.esprit.toscana.it/cecily/index.php?option=com\\_docman&task=doc\\_download&gid=16&Itemid=10](http://www.esprit.toscana.it/cecily/index.php?option=com_docman&task=doc_download&gid=16&Itemid=10)

## Barrier removed: use of discriminatory language

### UK Office for Disability Issues' Guide on Delivering Inclusive Communications, UK

The UK Office for Disability Issues prepared a Guide on Delivering Inclusive Communications based on the fact that there are over 10 million disabled people in Britain and that Government communicators must be confident their message will reach everyone. This can be done by ensuring all communications are inclusive and accessible.

The Office for Disability Issues (ODI) aimed at helping government communicators to:

- ▶ involve disabled people from the start of any project
- ▶ make sure disabled people are represented positively
- ▶ create accessible communications
- ▶ access a library of free images
- ▶ deliver accessible online video and podcasts.

The Guide gives simple but precise information on the issues at stake (legal background, perception of disability, language and imagery, ...) and shows how to connect to the Office's dedicated sections in the website, where topics are treated in more depth and further support material is available.

The model, precious for any Governmental activities, could be experimentally transferred to Autorità di gestione, offices and services dealing with EU supported programmes and projects, in order to increase civil servants awareness towards disability and, through appropriate communication, reduce barriers to people with disabilities' access to projects and funds.

<http://odi.dwp.gov.uk/inclusive-communications/index.php>





**GOOD PRACTICES IN REMOVING BARRIERS  
IN INFORMATION AND PUBLICITY ACTIVITIES**

**Barrier: non-application of 10% flexibility rule****Integrated Projects for family-work reconciliation, Regione Marche, Italy**

In the year 2009, the Marche Region in Italy issued a call for proposals, under the Regional ESF Objective 2 Programme 2007-2013, supporting "Integrated Projects Aimed At Ensuring The Reconciliation Of Family And Work Balance". The initiative, based on the experimentation that took place in the 2000-2006 programming period is strongly focused on the promotion of gender equality. The total resources allocated to the call amounted to approximately EUR 5 million and the maximum budget to grant each project amounted to EUR 800.000.

Candidate projects were to strive towards contributing to the improvement of the living conditions of women and men through the promotion of instruments that, with an integrated approach on a given territory, were able to provide concrete answers for the enhancement of time management across the work, family and leisure spheres; even through the development of new services and models of organization that could flexibilize the schedules at work, at daycare services for children, for the elderly, the leisure schedules, the schedules for transportation services and mobility, the schedules for the provision of public services, etc.

Projects should also focus on strategies that would facilitate the coordination between the institutional and social agents involved in the provision of the services in order to achieve an optimal integration and articulation of the interventions throughout the territory. The activities to be funded could be:

- ▶ Action 1 - Launch of new services of public interest or expansion of existing ones, aimed at improving the work-life balance;
- ▶ Action 2 - Launch of innovative projects in the field of planning and reorganization of the territory and of urban and suburban transportation, aimed at improving the quality of life in the cities and in the different territories;
- ▶ Action 3 – Establishment of agreements on work schedules and modalities of work organization aimed at promoting forms of flexibility for the work-life balance of employees.

The 7 projects that were funded included at least one of the above mentioned actions.

The complementarity between funds, in particular the ESF, the ERDF - Priority 4, specific objective "to improve mobility and local public transport in terms of sustainability," used for type 2 actions, has allowed the eligibility of the following types of expenditure:

- ▶ Acquisition of buses, taxis, city cars, bicycles and other light vehicles, characterized by a low level of polluting emissions (electric cars, natural gas, hybrid, powered by biofuels, LPG);
- ▶ Investments on street works for the construction of service or rest areas for such vehicles;
- ▶ Investments on all types of traffic and road signs for the above mentioned vehicles;
- ▶ Investments for the construction of protected cycling and walking paths - home/school, home/work.

Complimentary funding on an issue as important as life-work balance has allowed the extension of activities covering aspects that are usually overlooked in this field (such as those related to mobility), addressing the issues through a systematic approach: first the design & delivery of services, then the evaluation of territorial accessibility, always with the support of both public and private partners.

Source: <http://www.istruzioneformazioneilavoro.marche.it/Notizie/singolaBando.asp?IdN>

## Barriers: availability of financial resources supporting implementation

### ESF Jeremie Fund, Lombardy Region, Italy

ESF ROP Lombardy 2007-2013 provides the use of JEREMIE (3rd axis – social inclusion) in order to deploy innovative instruments for SMEs and non-profit organizations operating in the field of social inclusion and encourage easier access to work for excluded (or at risk of social exclusion) people and their access to credit.

The scheme was set up as a response to the diagnosis that co-operatives and especially social co-operatives are excluded from the credit market – a fact that is aggravated by the financial crisis. Its objective is to improve access to credit for co-operative members, in order to allow them to buy equity in their businesses. It targets social co-operatives as these create employment, especially for disadvantaged people.

JEREMIE provides loans to social cooperative (to associates) the work force of which is made up of at least of 30% of disadvantaged people. The amount loaned depends on number their associates (maximum EUR 4.000 for an associate, up to maximum of EUR 200.000 for an enterprise). One half of the loan becomes a grant in case the associate stays within the social enterprise for more than five years. Access to the funding is managed by local banks and takes place through the so called “counter service procedures” which means that funding is allocated chronologically to all eligible applicant until all funding is exhausted.

[http://www.lavoro.regione.lombardia.it/cs/Satellite?c=News&childpagename=DG\\_IFL%2FDetail&cid=1213466935528&packedargs=menu-to-render%3D1213413826531&pagename=DG\\_IFLWrapper](http://www.lavoro.regione.lombardia.it/cs/Satellite?c=News&childpagename=DG_IFL%2FDetail&cid=1213466935528&packedargs=menu-to-render%3D1213413826531&pagename=DG_IFLWrapper)

## Annex 8: EQ4 Check-lists for the identification of best practices

TARGETED KAIs	NON TARGETD KAIS
<b>1. INNOVATIVENESS</b>	
The project possesses an innovative approach to the given issue that differentiates it from the majority of other financed projects (e.g. in terms of originality or added value or intelligent adaption of successful experiences realized in different fields)	Same
<b>2 EXTERNAL CONSISTENCY</b>	
The project is consistent with national strategies addressing vulnerable groups or issues related to equal opportunities.	The project includes operational goals that address also vulnerable groups.
<b>3. INTERNAL CONSISTENCY</b>	
<b>3.1 CONTEXT ANALYSIS</b> <i>The project includes a clear and well motivated analysis of the context it insists on in relation to the condition of vulnerable groups (demographic, economic, social, health-related, ... )</i>	Same
<b>3.2. PROJECT GOALS</b> <i>The project includes a clear and well motivated identification of short-mid- and long-term goals in relation to vulnerable groups (results and impacts) and these are linked explicitly to the context analysis.</i>	Same
<b>3.3 DATA COLLECTION</b> <i>The project includes a clear and feasible proposal of data collection aimed at monitoring the project's advancement and the attainment of goals with specific reference to vulnerable groups.</i>	Same
<b>4. EFFICIENCY</b>	
No irregularities have been detected concerning the use of financial resources and the budget spent is overall in line with the planned one.	Same
<b>5. EFFECTIVENESS</b>	
The operational objectives related to vulnerable groups are substantially achieved as proved by monitoring data.	
<b>6. PARTNERHSIP INVOLVEMENT</b>	
The project involves, where applicable, either in terms of partnership or networking, one or more of the following stakeholders with competences related to vulnerable groups that are relevant and essentials for the project's correct design, implementation and dissemination of results: <ul style="list-style-type: none"> <li>• Public authorities</li> <li>• Agencies</li> <li>• NGOs</li> <li>• Other organizations relevant for vulnerable groups</li> </ul>	Same
<b>7. TRANSFERABILITY</b>	
<b>7.1 TO SAME / SIMILAR TARGETS</b> <i>The results of the project can be transferred to the same or similar target groups (e.g. to other regions or other fields of action or in other administrative levels)</i>	Same
<b>7.2 TO DIFFERENT TARGETS</b> <i>The results of the project can be transferred to different target groups (e.g. in terms of methodology or partnership creation or networking tools or information, dissemination)</i>	Same
<b>8. SUSTAINABILITY</b>	
The project contains a detailed analysis of the way in which results of the project will be sustained after the end of the grant (e.g. prospective replication and follow up / dependence on public funding / potential economic-financial non-public sources).	Same
<b>SUGGEST A PROJECT FOR BEST PRACTICE IN ADDRESSING EQUAL OPPORTUNITIES ISSUES / VULNERABLE GROUPS INDEPENDENTLY FROM THE FULFILLMENT OF THE ABOVE CRITERIA (MARK WITH "X")</b>	Not applicable
<b>9. PREMIALITY MECHANISM</b>	
Not applicable	The project foresees a premiality mechanism to enhance vulnerable group participation in project activities (as target group)

## Annex 8: EQ4 Best practice projects

### **PROJECT “Improving the access of youngsters in prison to training programs and labour market integration throughout and following the execution of their sentence”**

#### **A best practice project dedicated to vulnerable groups**

#### **I. Methodology - The path to the best practice**

This best practice is answers to Evaluation question n.4:

**“What are the specific objectives directed or dedicated to vulnerable groups? Which of the specific projects directed or dedicated to vulnerable groups are identified as (having potential for) good practice?”**

The selection of this best practice was made through the following procedure:

- ▶ Elaboration and validation (by a focus group) of a set of criteria to be met by the good practice candidate projects;
- ▶ Creation of a data base of all targeted interventions financed through the OP 2007-2013 Romania;
- ▶ Evaluation of all candidacies using a survey (that had been elaborated by the Management Authorities) resulting in the selection of 70 potential good practice projects.

The evaluation of the project according to the pre-established criterion revealed that the project “Improving the access of youngsters in prison to training programs and labour market integration throughout and following the execution of their sentence “ was a best practice among projects dedicated to vulnerable groups.

#### **Score received after first survey (maximum score 33 points)**

CRITERION	SCORE (1-3)
INNOVATION: the project proposes an innovative approach with regards to a certain topic, which makes it different from the majority of the financed projects.	3
EXTERNAL CONSISTENCY: the project is aligned with the national strategies that target vulnerable groups or aspects related to equality of chances.	3
CONTEXT ANALYSIS: the project includes a clear and thoroughly justified context analysis, focusing on the conditions of the vulnerable groups in cause.	3
PROJECT OBJECTIVES: the project identifies clearly and with justification the objectives on the short-, medium- and long-term that are related to the vulnerable group and explicitly correlated with the reference context.	3
DATA COLLECTION: the project includes a proposal/methodology for data collection that is clear and achievable, aiming to monitor the progress of the project and of objectives’ realisation, specifically referring to vulnerable groups.	3
EFFECTIVENESS: no irregularities were identified with regards to the utilisation of financial resources, and the budget spent is completely included in the one planned.	3
EFFICIENCY: the operational objectives of the project related to vulnerable groups are mainly reached, as proven by a data monitoring process.	3
PARTNERSHIPS: the project includes, where the case is, in the form of partnership or collaboration, one or more interested actors having relevant competences for the aspects related to vulnerable groups.	3

CRITERION	SCORE (1-3)
TRANSFERABILITY TO SAME TARGET GROUPS / TO SIMILAR TARGET GROUPS: The results of the project can be transferred to similar target groups.	3
TRANSFERABILITY TO OTHER TARGET GROUPS: The results of the project can be transferred to different target groups.	3
SUSTAINABILITY: The project contains a detailed analysis of how the results of the projects will be maintained after the termination of the financial assistance.	3
<b>TOTAL</b>	<b>33</b>

On a second stage of evaluation, after the beneficiaries of the initiative gave direct feedback on the initiative, the project was also selected as one of the top 5 best practice example projects.

**Score obtained based on second survey results (maximum score 33 points)**

CRITERION	SCORE (1-3)
Differentiation from other projects through INNOVATION	3
Accordance to national strategies that refer to vulnerable groups or equal opportunities	3
Clear context analysis, highlighting the conditions of the targeted vulnerable groups	3
Clear and justified objectives and results, explicitly correlated with the reference context	3
Clear and achievable proposal or methodology for data collection, specifically referring to vulnerable groups	3
No irregularities regarding the utilisation of financial resources	3
The operational objectives of the project that relate to vulnerable groups are mainly realised	3
Inclusion of partners who are relevant for the project and who have relevant competences related to vulnerable groups	3
Transferability to the same target groups	3
Transferability of results to the other target groups	3
Sustainability of results after the termination of the financial assistance period	3
<b>TOTAL</b>	<b>33</b>

A case study was then elaborated with the information collected and finally it was presented and discussed during an interview with Cristi Pleșa (Software Project Manager, ANP), Herbert Paulschin (President of CFCECAS) and Nicolae Tătulescu (Director PMT Craiova).

## II. Overview and description of the project

The National Penitentiary Administration – the beneficiary of the project - reports to the Ministry of Justice and is part of the public order and national security system in Romania, that manages the entire network of prisons in the country.

In this project it partnered with:

- ▶ Ministry of Justice, General Administration of Prisons, Austria
- ▶ Austrian Social Worker Association;
- ▶ Craiova Youth Correctional Facility;
- ▶ Tichilești Youth Correctional Facility;
- ▶ Centre for Training and Evaluation in Social Work (CFCECAS).

The overall objective of the project – which refers to Priority axis 6 “Promoting social inclusion”, Key area of intervention 6.2 “Improving the access and participation of vulnerable groups on the labour market” - is to **provide assistance to people in prison to training programs and labour market integration, while they are still serving their sentence and following its execution.**

In order to bring about the planned actions, the project took a holistic approach of the areas involved in the preparation, access and maintenance on the job market of young people, by addressing the following groups:

- ▶ youngsters who are still serving time in prison;
- ▶ staff of youth correctional facilities in Craiova and Tichilești;
- ▶ potential employers of youth who are done serving their sentence;
- ▶ staff which offers social and employment services in the local administrations.

The total budget exceeded 18 million RON, out of which 89% was an EU contribution (more than 16 million) and the length comprised 36 months (from December 2008 to November 2011).

### ***The objectives beneath the project***

The main goal of this project was to **increase the degree of social inclusion of youth in prison by facilitating training programs during their sentence and developing services to support their access and maintenance on the job market after their release from prison.**


In order to reach that ambitious purpose, the project set a series of specific objectives that targeted:

- ▶ ▶ the identification of conditions and services required for improving access to the job market for youth serving custodial sentences;
- ▶ ▶ the creation and implementation of the concepts of training and occupation during the serving of the sentence;
- ▶ ▶ the presence of qualified personnel necessary to implement an inclusive approach regarding access to the job market for those young people;
- ▶ ▶ the promotion of the inclusion of youth serving custodial sentences among both employers and the whole society.

If penitentiaries do not offer enough support for young people to acquire a full set of social and professional skills, problems related to social inclusion and access to labour market may occur after they are done serving their time. The correctional facility holds a great responsibility in creating a context where young people may acquire positive values and change their attitude and conduct.

### ***The context around the project***

Before the start of the project, an analysis was carried out on specific professional qualification and support service that young prisoners may need.



“Work and life experience leads to success when the youngsters can learn from and alongside positive role models. This is the biggest challenge faced by people that work with youth in prison”.  
(The project team)

### Training workshops created in each of the penitentiaries

YCF Craiova	YCF Tichilești
<ul style="list-style-type: none"> <li>▶ cardboard</li> <li>▶ gastronomy - pastry</li> <li>▶ wrought iron</li> </ul>	<ul style="list-style-type: none"> <li>▶ milling</li> <li>▶ bakery</li> <li>▶ carpentry</li> </ul>

The conclusions of the analysis were included in the design of the training courses and vocational counselling services offered by the CFCECAS experts to the youngsters in prison, along with the penitentiary employees.

#### ***The core of the project: activities for the youth serving custodial sentences***

Young people have been involved in professional and social skills training programs that on the one hand could allow them to be prepared to face real work conditions and, on the other, to develop the social skills required to interact efficiently within work teams.

To implement the concept of workshops, the youth correctional facilities of Craiova and Tichilești have created capable teams of employees who, with the help of the youth, have developed (and in some cases renovated) the logistical framework required to conduct the activities.

The young people received career counselling to identify the jobs they want to perform during their training. Support services have been offered to help evaluating their professional development potential, along with social skills improvements and self-marketing services, meant to develop their skills in seeking and accessing employers in order to enter the job market.

The project highlighted the importance for youth correctional facility staff to possess socio-pedagogical skills in order to support the personal, social and professional development of young people serving custodial sentences. Staff training has been done through several modules:

- ▶ Training courses were organized at the two locations to develop the socio-pedagogical skills of the staff who took part in the daily activities;
- ▶ Some of the penitentiary staff was trained as trainers and evaluators of socio-pedagogical skills for the rest of the penitentiary staff that works with youngsters. Following the training courses, CFCECAS has certified the penitentiary staff as vocational counsellors and trainers.

#### ***Activities for potential employers***

Contributions were made to a framework of **cooperation between youth correctional facilities and employers** in order to **identify and promote job opportunities** either during sentence execution for youth in open or semi-open regimes, or after their release from the penitentiary. Both penitentiaries have organised job fairs, where interview simulations with representatives of employers from Craiova and Brăila took place. In those occasions, young people could, on one hand, practice the skills they acquired during self-marketing courses and, on the other, be identified by employers seeking people to hire for their companies.

What is important to underline is the fact that **young people steadily gained confidence**, and began projecting themselves in the future in a positive manner, which is **rarely seen in vulnerable groups**. The beneficiary, with the active involvement of Craiova and Tichilești penitentiary staff, has organised 8 Regional seminars for promoting the employability of youth after the release from prison, one for each development region.

### ***III. Results achieved – the reaching of the objective***

All project indicators were fulfilled by at least 100%, most notably the number and diversity people in the two penitentiaries who received assistance and counselling.

To be more precise, here are listed the facts and figures of the project:

- ▶ 6 workshops were prepared;
- ▶ 36 penitentiary employees underwent professional training courses to become vocational counsellors and trainers;
- ▶ information and experience from the two penitentiaries was disseminated to 40 local public administrations
- ▶ 93 young people received assistance and socio-professional counselling, as opposed to the 50 that were initially planned;

Consequently to the implementation of the project, the number of violent incidents between youngsters dropped from **1/week** for 280 prisoners to **1/3 weeks** for 550 prisoners.



- ▶ 6 internships in Austria were prepared;
- ▶ 8 regional seminars and 2 national conferences were organised.

Thanks to the project, penitentiary employees developed their teaching skills, begun to work with passion and fully understood the importance of their role with respect to the education of young people.

Of relevance is also the fact that this transformation **amplified the potential, activated and capitalized the existing resources**, especially because this was done in an environment doubled by restrictions specific to detention systems, without actually interfering with the current activities of the penitentiaries.

Thanks to the project the atmosphere in penitentiaries is more relaxed, based on mutual trust and not anymore only on obedience. Youth no longer need to see prison staff as somebody to fear but as educators, role models in terms of professionalism and work dedication.

#### **IV. *Being a best practice – The difference that counted***

The project “Improving the access of youngsters in prison to training programs and labour market integration throughout and following the execution of their sentence” is considered a best practice towards vulnerable groups for several reasons:

- ▶ Innovation: The most innovative elements of this project are both the partnership with a similar foreign institution and the creation of activities that succeeded in developing a better living and stimulating environment for prisoners and better working conditions for the penitentiary’s staff;
- ▶ Data collection: The qualitative research methodology realized within the project was developed by specialists with extensive experience in social research. Moreover, to evaluate the impact and the type of change experienced by the people in the target group (both penitentiary staff and youth), personalised feedback questionnaires were designed and filled in;
- ▶ Sustainability: Both the beneficiary and the involved partners gave great importance to sustainability. Some penitentiary employees assumed the roles of multipliers and were trained to become agents of change inside the penitentiary system. To this end, they provided training for the colleagues who could not take part in the project.

Another important outcome of the project is that some representatives of the penitentiary personnel shared their formative experience during regional seminars, where they had the chance to present the work they begun with the youth and spread the voice about the best practice.

As a consequence of taking part in this project, the management of the two youth correctional facilities have changed their mentality and became more eager to implement new similar activities. Furthermore, it must be noted that the training courses, support services and workshop activities are still ongoing.

#### **V. *Conclusions***

The project can be easily replicated in other youth correctional facilities, penitentiary and, with minor alterations, can also be adapted to address adult prisoners needs.

In order to answer the specific personal and professional development needs of youth while they serve their sentences, as well as their social integration after release, **the project:**

- ▶ has combined activities that develop skills, capitalize on potential and include counselling for the development of personalised career paths;
- ▶ has sought the development of cooperation between prisons and employers, trade unions and other relevant actors on the job market ,in order to identify and promote job opportunities for young people during the execution of their sentences and after their release from prison.

*“We make people grow!”* said the slogan of a project partner. Indeed, building constructive interpersonal relationships based on trust and providing a positive outlook are the key to promote a more egalitarian society.

## **PROJECT “Expansion and equipment of the neuropsychiatric recovery and rehabilitation Centre Brâncovenesti”**

### **A best practice project dedicated to vulnerable groups**

#### ***I. Methodology - The path to the best practice***

This is one of the 7 cases of good practice identified in the project „**Evaluation of the manner into which provisions regarding equal opportunities were transposed in the correspondent framework of the Structural Funds in Romania**”, implemented under the coordination of the Evaluation Central Unit of the Ministry of Foreign Affairs of Romania.

This best practice is answers to Evaluation question n.4:

**“What are the specific objectives directed or dedicated to vulnerable groups? Which of the specific projects directed or dedicated to vulnerable groups are identified as (having potential for) good practice?”**

The selection of this best practice was made through the following procedure:

- ▶ Elaboration and validation (by a focus group) of a set of criteria to be met by the good practice candidate projects;
- ▶ Creation of a data base of all targeted interventions financed through the OP 2007-2013 Romania;
- ▶ Evaluation of all candidacies using a survey (that had been elaborated by the Management Authorities) resulting in the selection of 70 potential good practice projects.

The evaluation of the project according to the pre-established criterion revealed that the project “Expansion and equipment of the neuropsychiatric recovery and rehabilitation Centre Brâncovenesti” was a best practice among projects dedicated to vulnerable groups.

#### **Score received after first survey (maximum score 33 points)**

CRITERION	SCORE (1-3)
INNOVATION: the project proposes an innovative approach with regards to a certain topic, which makes it different from the majority of the financed projects.	2
EXTERNAL CONSISTENCY: the project is aligned with the national strategies that target vulnerable groups or aspects related to equality of chances.	3
CONTEXT ANALYSIS: the project includes a clear and thoroughly justified context analysis, focusing on the conditions of the vulnerable groups in cause.	3
PROJECT OBJECTIVES: the project identifies clearly and with justification the objectives on the short-, medium- and long-term that are related to the vulnerable group and explicitly correlated with the reference context.	3
DATA COLLECTION: the project includes a proposal/methodology for data collection that is clear and achievable, aiming to monitor the progress of the project and of objectives’ realisation, specifically referring to vulnerable groups.	2
EFFECTIVENESS: no irregularities were identified with regards to the utilisation of financial resources, and the budget spent is completely included in the one planned.	3
EFFICIENCY: the operational objectives of the project related to vulnerable groups are mainly reached, as proven by a data monitoring process.	3
PARTNERSHIPS: the project includes, where the case is, in the form of partnership or collaboration, one or more interested actors having relevant competences for the aspects related to vulnerable groups.	2
TRANSFERABILITY TO SAME TARGET GROUPS / TO SIMILAR TARGET GROUPS: The results of the project can be transferred to similar target groups.	3
TRANSFERABILITY TO OTHER TARGET GROUPS: The results of the project can be transferred to different target groups.	3

CRITERION	SCORE (1-3)
SUSTAINABILITY: The project contains a detailed analysis of how the results of the projects will be maintained after the termination of the financial assistance.	3
<b>TOTAL</b>	<b>30</b>

The 7 good practice example projects were selected after their beneficiaries offered additional information through a second specific survey.

**Score obtained based on second survey results (maximum score 33 points)**

CRITERION	SCORE (1-3)
Differentiation from other projects through INNOVATION	2
Accordance to national strategies that refer to vulnerable groups or equal opportunities	3
Clear context analysis, highlighting the conditions of the targeted vulnerable groups	2
Clear and justified objectives and results, explicitly correlated with the reference context	3
Clear and achievable proposal or methodology for data collection, specifically referring to vulnerable groups	3
No irregularities regarding the utilisation of financial resources	3
The operational objectives of the project that relate to vulnerable groups are mainly realised	3
Inclusion of partners who are relevant for the project and who have relevant competences related to vulnerable groups	1
Transferability to the same target groups	3
Transferability of results to the other target groups	2
Sustainability of results after the termination of the financial assistance period	3
<b>TOTAL</b>	<b>28</b>

A case study was then elaborated with the information collected and finally it was presented and discussed during an interview with Crina Căliman (Inspector, Programme-Projects Department, DGSACP Mureş) and Pokorny Laszlo (Director, The Neuropsychiatric Recovery and Rehabilitation Centre Brâncovenesti) and following this, the description of the case was finalised.

## **II. Overview and description of the project**

An important component of social protection is represented by the set of social institutions, programs, measures and specialized services that aim at the protection of persons, groups and communities temporarily in difficult conditions due to social, biological, psychological or economic reasons.

The **General Department of Social Care and Child Protection (GDSCCP) Mureş** is the beneficiary of the project and it functions as a local public institution, which aims to identify and solve community social problems related to the protection of children, families, single persons, elderly, disabled and, more in general, any person in need.

Through its activities, the project – that refers to Priority axis 3, “Improvement of social infrastructure”, Key area of intervention 3.2 “Rehabilitation/modernisation/development and equipment of social services infrastructure” - targets adults suffering from psychological and neuropsychological disabilities in Mureş county, in particular those who stay at the Brancovenesti Centre.

The total budget provided for the project exceeded 3 million RON, out of which 78% was a EU contribution (more than 2.7 million) and the length comprised 17 months (from March 2010 to August 2011)

### ***The objectives beneath the project***

The Neuropsychiatric Recovery and Rehabilitation Centre (NRRC) Brâncovenesti holds the mission of promoting and protecting the rights of persons with disabilities who are temporarily or permanently deprived of their family environment, thus requiring protection through specialized services and therapeutic recovery activities, in order to fully reintegrate into society. The centre houses 310 beneficiaries, composed by young people, adults and elderly people with neuropsychiatric problems.

The objective of the project was to **expand and modernize the Neuropsychiatric Recovery and Rehabilitation Centre Brâncovenesti, in order to increase the quality of life for the institutionalized persons and to facilitate their reintegration into the community.** The recovery and rehabilitation of persons have to necessarily be offered under the assistance of specialized personnel and by using modern recovery equipment.



"After being relocated to the new center, beneficiaries seem now willing to be more involved in social activities and the number of crisis diminished significantly".  
(The Director of the centre)

### ***The context around the project***

The project is part of a more complex initiative of the General Department of Social Care and Child Protection Mureş, related to the restructuring of the NRRC Brâncovenesti, by relocating its beneficiaries to 4 new modern facilities.

The need to restructure the facilities was given by the fact that most of the existing premises and equipment from the old castle building were in an improper condition, not meeting the European standards of accommodation and treatment.

### ***The activities related to the project***

The project consisted in building a new annex to one of the existing accommodation facilities of the NRRC Brâncovenesti, so as to **relocate 50 beneficiaries into the modern spaces.**

The new facilities built were properly arranged and equipped to respond to the beneficiaries needs that, in this way, can receive more proper medical and social rehabilitation services (i.e. physiotherapy services, relaxation sessions, involvement in occupational therapy activities, etc) - specific to their type and degree of disability.

In the CRRN Brâncovenesti, rehabilitation of patients is achieved through medication, psychotherapy socialization and occupational therapy. The new centre, with **spacious and modern rooms**, is able to better accommodate these activities: patients have more intimacy and they are spurred on being more creative.

The occupational therapy programs are conducted through **workshops**, such as painting, ceramics, crafts, theater, dance, carpentry and tailoring. Each resident participates in one or two workshops, depending on the skills and preferences. These activities are aiming at **training personal autonomy skills, lessening behavioral disturbances** and, more generally, improving the quality of life of the assisted residents.

### ***III. Results achieved – the reaching of the objective***

The 50 beneficiaries of the centre have benefited of the **increased standard of living and quality of life**, determined by the **improved recovery and rehabilitation services**, now in line with the European standards.

### ***IV. Being a best practice – The difference that counted***

The project can be considered:




- ▶ **Innovative:** by using the new premises and the medical and treatment equipments acquired, the team of specialists from the centre is now able to perform an integrated therapy, through which recovery and rehabilitation of disabled adults can be performed at the maximum potential. The innovation derives also from the occupational therapy activities, leading to increased self-esteem and confidence of patients;
- ▶ **Sustainable:** at the end of each fiscal year the County Council allocates the financial resources needed to cover the current expenses of the centre.

### ***VI. Conclusions***

The activities of the project "Expansion and equipment of the neuropsychiatric recovery and rehabilitation Centre Brâncovești" and the related **work methodology** can be transferred into projects aimed at the same target groups or even similar ones. As a matter of facts, DGASPC Mureș has currently three projects under implementation, which aim at the achievement of the same results using the same methodology for implementation and monitoring.

**The main accomplishment obtained thanks to the project implementation is having contributed to the ongoing reform of protection system for disabled adults** from Mureș County, by **modernizing the health services** offered to people with mental disabilities, who are unable to secure themselves their social needs or to develop their own capacities and skills for social integration.

### Accomplishments of the project

1 social centre modernized, developed and equipped	
50 people with disabilities who received high quality social services	
40 new jobs created in the execution phase	

## PROJECT “MIOS - Integrated occupational measures for the unemployed in the Covasna county” A best practice project dedicated to vulnerable groups

### I. *Methodology - The path to the best practice*

This best practice is answers to Evaluation question n.4:

**“What are the specific objectives directed or dedicated to vulnerable groups? Which of the specific projects directed or dedicated to vulnerable groups are identified as (having potential for) good practice?”**

The selection of this best practice was made through the following procedure:

- ▶ Elaboration and validation (by a focus group) of a set of criteria to be met by the good practice candidate projects;
- ▶ Creation of a data base of all targeted interventions financed through the OP 2007-2013 Romania;
- ▶ Evaluation of all candidacies using a survey (that had been elaborated by the Management Authorities) resulting in the selection of 70 potential good practice projects.

The evaluation of the project according to the pre-established criterion revealed that “MIOS - Integrated occupational measures for the unemployed in the Covasna County” was a best practice among projects dedicated to vulnerable groups.

#### Score received after first survey (maximum score 33 points)

CRITERION	SCORE (1-3)
INNOVATION: the project proposes an innovative approach with regards to a certain topic, which makes it different from the majority of the financed projects.	3
EXTERNAL CONSISTENCY: the project is aligned with the national strategies that target vulnerable groups or aspects related to equality of chances.	3
CONTEXT ANALYSIS: the project includes a clear and thoroughly justified context analysis, focusing on the conditions of the vulnerable groups in cause.	3
PROJECT OBJECTIVES: the project identifies clearly and with justification the objectives on the short-, medium- and long-term that are related to the vulnerable group and explicitly correlated with the reference context.	2
DATA COLLECTION: the project includes a proposal/methodology for data collection that is clear and achievable, aiming to monitor the progress of the project and of objectives’ realisation, specifically referring to vulnerable groups.	2
EFFECTIVENESS: no irregularities were identified with regards to the utilisation of financial resources, and the budget spent is completely included in the one planned.	3
EFFICIENCY: the operational objectives of the project related to vulnerable groups are mainly reached, as proven by a data monitoring process.	2
PARTNERSHIPS: the project includes, where the case is, in the form of partnership or collaboration, one or more interested actors having relevant competences for the aspects related to vulnerable groups.	2
TRANSFERABILITY TO SAME TARGET GROUPS / TO SIMILAR TARGET GROUPS: The results of the project can be transferred to similar target groups.	3
TRANSFERABILITY TO OTHER TARGET GROUPS: The results of the project can be transferred to different target groups.	2

CRITERION	SCORE (1-3)
SUSTAINABILITY: The project contains a detailed analysis of how the results of the projects will be maintained after the termination of the financial assistance.	3
<b>TOTAL</b>	<b>28</b>

On a second stage of evaluation, after the beneficiaries of the initiative gave direct feedback on the initiative, the project was also selected as one of the top 5 best practice example projects.

**Score obtained based on second survey results (maximum score 33 points)**

CRITERION	SCORE (1-3)
Differentiation from other projects through INNOVATION	3
Accordance to national strategies that refer to vulnerable groups or equal opportunities	3
Clear context analysis, highlighting the conditions of the targeted vulnerable groups	3
Clear and justified objectives and results, explicitly correlated with the reference context	2
Clear and achievable proposal or methodology for data collection, specifically referring to vulnerable groups	2
No irregularities regarding the utilisation of financial resources	3
The operational objectives of the project that relate to vulnerable groups are mainly realised	2
Inclusion of partners who are relevant for the project and who have relevant competences related to vulnerable groups	2
Transferability to the same target groups	3
Transferability of results to the other target groups	2
Sustainability of results after the termination of the financial assistance period	3
<b>TOTAL</b>	<b>28</b>

A case study was then elaborated with the information collected and finally it was presented and discussed at an interview with Monica Păltineanu (Project Coordinator).

## **II. Overview and description of the project**

Brahms International is an authorized training supplier that organises over 40 types of introductory, qualification and specialization courses. Since the company holds significant experience in the field it has exploited these opportunities, both as beneficiary as well as partner and consultant.

### ***The objectives beneath the project***

The overall goal of the project – referring to Priority axis 5 “Promoting active employment measures” and Key area of intervention 5.1 “Developing and implementing active employment measures” - has been the **increase of the employment rate** for the long-term unemployed, the unemployed, the young unemployed, job-seekers and inactive people from the county of Covasna.

The total budget exceeded 2 million RON, out of which 84% was EU contribution (more than 1.8 million) and the length comprised 16 months (from November 2010 to February 2012).

In order to elevate the employment level an integrated program of active employment measures was implemented. The beneficiary has therefore implemented an integrated set of activities resulted from an extensive analysis of the project’s context that has contributed to the empowerment and training of its participants. It also facilitated their integration into the labour market, thus ensuring non-discrimination based on gender, age, ethnicity or disability.

### ***The context around the project***

An essential stage in ensuring the success of the project is the analysis of the county’s labour market that can allow the identification of the needs and constraints that the target group faces and, at the same time, of the professional skills requested in the job offers. The study was carried out by questioning the companies with potential openings from the county of Covasna and, based on this, the schedule and content of the training activities was formed.

### ***The core of the project: selection, information, orientation and professional counselling for the targeted group***

This stage consists of a series of -activities held in Sf. Gheorghe, Covasna and Baraolt, locations that report a significant number of unemployed persons. The project initially defined the content and perimeter of the training activities and, subsequently, identified the participants within the target group through a strong advertising campaign which used multiple media channels such as posters, flyers, brochures, press releases, local radio and television ads.

The designated target group - composed by 1,310 participants - guaranteed the right balance in terms of gender, age, nationality and health conditions.


The selected participants took part in various sessions that:

- ▶ included trainings in job-seeking techniques
- ▶ offered a professional counselling path
- ▶ informed them on the evolution of occupation and the labour market

Those who took part in the training activities obtained qualifications recognized nationwide, but what really made the difference was the **acquisition of mobile laboratories**, necessary for the courses that required specific equipment. Thanks to that, not only all participants (including those living in remote rural areas) had the possibility to participate but also project costs were optimized.

### ***Mediation for obtaining a job***

A very important aspect that was taken into account was the communication between job seekers and job providers. It has been tried to facilitate contacts between companies that may need persons with those skills gained by the participants of the training courses. Such activity was finalised at the organisation of a job fair for the people of the target group.



In July 2010, the unemployment rate in the county of Covasna reached the height of 11.33%, transforming it into the region with the highest unemployment rate.



### III. Results achieved – the reaching of the objective

All project indicators were achieved, a remarkable fact being the number of people who benefitted from professional counselling really high. The important result is that a significant number of people have obtained a job by the time the project was finalised.

One of the most important long term effects that the MIOS project have achieved is the fact that it changed people’s mentality, helping them regain their self-confidence as well as the respect of their families and communities.

### IV. Replicability - A lesson for the future

The MIOS project activities can be easily replicated if the necessary resources are available at either local, regional or institutional level. Based on how the activities are organised and approached, they can be transferred to another target groups in another region/area/county without any particular modification:

- ▶ Concerning the professional counselling, evaluation instruments should be adjusted while the methods are kept. The way the training activities are developed ensures maximum transferability with insignificant adjustments of the training program at the participants’ request;
- ▶ The innovative approach of fulfilling the training programs by using mobile laboratories has created the possibility of organising training classes without the necessity of further rehabilitation and equipping measures;
- ▶ The project structure allows orientation towards other activity sectors by adapting the training courses with equal chances of success, as the project has contributed to consolidating knowledge and examples of best practice that permit the development of other similar activities.

<b>Innovation</b>	The mobile laboratories were installed as the training program required in the training locations chosen depending on the participants’ residences. In this way they didn’t need to commute to other locations, as the training experts went to each training location.
<b>Data collection</b>	All project partners had quality management systems certified ISO 9001:2008 and this circumstance guaranteed of high-quality and efficient management. Furthermore, the project implementation team performed weekly analyses on the activity implementation stages and project indicators.
<b>Sustainability</b>	AJOFM Covasna monitored for 3 months from the end of the project the people who were employed following project activities, for 6 months those who benefitted from information, professional counselling and mediation and for a period of 12 months the people who graduated in a training program.
<b>Mainstreaming</b>	The project promoted both equal opportunity and non-discrimination practices on all stages of conception, implementation and on all activities. Since many people were of Hungarian nationality, the project implementation team included Hungarian speaking experts.

### VI. Conclusions

The MIOS project has developed and applied an integrated program of active measures of employment based on a wide and structured analysis of the labour market in the county of Covasna. By participating in the project activities, **people in the target group have maximized their chances of obtaining a job, gained trust, developed skills and abilities that match the economical transformation of the labour market.**

Therefore, the facts and figures of the project are the following:

- ▶ 1310 people part of the target group, instead of the 625 planned;
- ▶ 7.095 hours of professional training provided;
- ▶ 660 people benefitted from mediation services, rather than the 420 planned;
- ▶ 1.115 people benefitted from professional counselling, rather than the 500 planned;
- ▶ 430 of the 448 people taking part in the training courses have obtained certificates;
- ▶ 99 people obtained a job by the time the project was finalised, rather than the 42 planned.

*“MIOS – Get involved in this project and unemployment can turn into history”.*

**PROJECT “SHELTERS FOR MOTHERS & CHILDREN IN EMERGENCY”**  
*Development of shelters for children in emergency centres through the construction of modular shelters for them and their mothers*  
**A best practice project dedicated to vulnerable groups**

**I. Methodology - The path to the best practice**

This best practice is answers to Evaluation question n.4:

**“What are the specific objectives directed or dedicated to vulnerable groups? Which of the specific projects directed or dedicated to vulnerable groups are identified as (having potential for) good practice?”**

The selection of this best practice was made through the following procedure:

- ▶ Elaboration and validation (by a focus group) of a set of criteria to be met by the good practice candidate projects;
- ▶ Creation of a data base of all targeted interventions financed through the OP 2007-2013 Romania;
- ▶ Evaluation of all candidacies using a survey (that had been elaborated by the Management Authorities) resulting in the selection of 70 potential good practice projects.

The evaluation of the project according to the pre-established criterion revealed that “Shelters for Children in Emergency” was a best practice among projects dedicated to vulnerable groups.

**Score received after first survey (maximum score 33 points)**

CRITERION	SCORE (1-3)
INNOVATION: the project proposes an innovative approach with regards to a certain topic, which makes it different from the majority of the financed projects.	2
EXTERNAL CONSISTENCY: the project is aligned with the national strategies that target vulnerable groups or aspects related to equality of chances.	3
CONTEXT ANALYSIS: the project includes a clear and thoroughly justified context analysis, focusing on the conditions of the vulnerable groups in cause.	3
PROJECT OBJECTIVES: the project identifies clearly and with justification the objectives on the short-, medium- and long-term that are related to the vulnerable group and explicitly correlated with the reference context.	2
DATA COLLECTION: the project includes a proposal/methodology for data collection that is clear and achievable, aiming to monitor the progress of the project and of objectives’ realisation, specifically referring to vulnerable groups.	3
EFFECTIVENESS: no irregularities were identified with regards to the utilisation of financial resources, and the budget spent is completely included in the one planned.	3
EFFICIENCY: the operational objectives of the project related to vulnerable groups are mainly reached, as proven by a data monitoring process.	2

CRITERION	SCORE (1-3)
PARTNERSHIPS: the project includes, where the case is, in the form of partnership or collaboration, one or more interested actors having relevant competences for the aspects related to vulnerable groups.	3
TRANSFERABILITY TO SAME TARGET GROUPS / TO SIMILAR TARGET GROUPS: The results of the project can be transferred to similar target groups.	2
TRANSFERABILITY TO OTHER TARGET GROUPS: The results of the project can be transferred to different target groups.	3
SUSTAINABILITY: The project contains a detailed analysis of how the results of the projects will be maintained after the termination of the financial assistance.	3
<b>TOTAL</b>	<b>29</b>

On a second stage of evaluation, after the beneficiaries of the initiative gave direct feedback on the initiative, the project was also selected as one of the top 5 best practice example projects.

**Score obtained based on second survey results (maximum score 33 points)**

CRITERION	SCORE (1-3)
Differentiation from other projects through INNOVATION	2
Accordance to national strategies that refer to vulnerable groups or equal opportunities	3
Clear context analysis, highlighting the conditions of the targeted vulnerable groups	3
Clear and justified objectives and results, explicitly correlated with the reference context	2
Clear and achievable proposal or methodology for data collection, specifically referring to vulnerable groups	3
No irregularities regarding the utilisation of financial resources	3
The operational objectives of the project that relate to vulnerable groups are mainly realised	2
Inclusion of partners who are relevant for the project and who have relevant competences related to vulnerable groups	3
Transferability to the same target groups	2
Transferability of results to the other target groups	3
Sustainability of results after the termination of the financial assistance period	3
<b>TOTAL</b>	<b>29</b>

A case study was then elaborated with the information collected and finally it was presented and discussed at an interview with Mrs. Mihaela Ristea (Director of Child Protection Department, DGSACP Constanța), Ms. Cioroiu Luminița (Project Manager) and Mr. Marian Ristea (Project Coordinator).

## **II. Overview & Description - What the best practice is all about**

The General Directorate of Social Care and Child Protection, Constanța (D.G. S.A. C.P.) is responsible for the supply of social assistance services in the county. At a national level, each county and district has a similar institution. The main competencies of the GD are child protection and protection of institutionalised or non-institutionalised handicapped people.

The project addresses the risk of separation of children in need and their mothers by avoiding the offering of help exclusively to the children. Therefore, the initiative comprises the construction of a new building to offer accommodation and counselling to mothers in critical financial situations with their children. The professionals involved are set to provide high quality social assistance leading to the solution of the original problems that motivated the need of protection of the children in the first place, in particular by helping the mothers to reintegrate in society.

With a total budget exceeding the 2.2 million RON, of which 65% was contributed by the EU (more than 1.5 million RON), the project made part of a broader social initiative of the GDSACP aiming at providing protected households for people with disabilities, victims of domestic violence and young people in situations of risk of social exclusion. However, the social need of building specific facilities for the accommodation of mothers with such characteristics and their children was only identified in 2007, when an increasing number of requests were made by the mothers of children that were apt to enter the emergency centres. The project began in December 2009 and was finished in May 2011.

The building dedicated to the Urgent Shelter for Mothers in critical financial situations was constructed as an annex to the already existing Shelter for Children in Emergency Centre. With a total surface of 212.22m<sup>2</sup>, the annex has the capacity to accommodate 16 people in 8 bedrooms, each with an individual toilet. It also has 2 kitchen spaces, 1 medical office, 1 psychological office, 1 administrator office, 1 administrative staff office, a storage space, 2 waiting rooms, 3 toilets for the staff and 1 laundry area.

Since the inauguration of the annex, the main services provided by the multidisciplinary staff of 30 that serves the Centre have included: shelter and temporary accommodation, medical care, emotional support and psychological counselling, information and orientation sessions, family and community reintegration. Mothers with their children may stay at the centre for 90 days during which they are supported to learn how to take better care of their children, how to take care of a household and how to find a job to reenter society in the best possible way. Moreover, counselling is not only available for themselves and the children, but also for their relatives—all under the approach of family reintegration and emotional & relational intervention.

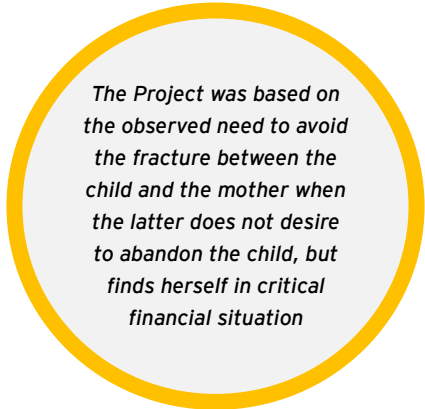
## **III. Effects – The difference that counted**

The final interview with the project implementation team and the administrator of the Centre revealed the high level of success of the initiative. The annex has been continuously running at its maximum capacity, with high ratios of reintegration. In fact, in 2012 the Centre hosted a total of 49 children, of whom 46 left the Centre by the end of the year and, among them, 35 were reintegrated in their families. 2011 saw similar results: the Centre accommodated 25 children, of whom 19 left the centre by the end of the year and, among them, 12 were reintegrated in their families.

## **IV. Replicability - A lesson for the future**

The key factors to success of “Shelters for Children in Emergency” have been:

- ▶ Innovation: the project is innovative by nature, pioneer at a national level by addressing not only children in need, but also their mothers facilitating their reintegration so that they can regain the possibility to take care of their children on their own.
- ▶ Data collection: the Office for Monitoring, Statistics, Strategies, Programmes & Projects has made periodic activity reports for the annex of the Centre dedicated to the mothers with children, facilitating the improvement of activities as the project was implemented.



- ▶ **Sustainability:** all fixed costs of the Centre are covered by the Local Council of Constanța, as regulated by the decision HCJ 137/03.04.2008. However, the Centre has also established a series of partnerships for the provision of all their services—for example, with the “Mihail Koiciu” school, where the children staying at the Centre can go to study.

Considering that there is a General Directorate of Social Care and Child Protection in every county of Romania and the way in which the activities of the project are organised, the initiative presents great possibilities of replication at a local, regional and national level. On the other hand, the social needs that are addressed by the Shelter don't have territorial boundaries. In fact, the model could certainly be transferred to other target groups than mothers and children in critical situations.

The project implementation team, however, identified one key barrier for replicability, namely: the lack of funding available at other regional directorates for the protection of this target group.

## **V. Conclusions**

The implementation of the “Shelter for Children in Emergency” project enhanced the capacity of the Constanța community to reintegrate better mothers and children in critical financial situations. Experience shows that the activities offered by the Centre have had a positive impact in the lives of the mothers and children who live there. The project could certainly be replicated at a national level, if proper funding is allocated.

**PROJECT “ESTHR – EQUAL OPPORTUNITIES FOR WOMEN IN ROMANIA”**  
*Integrated set of actions for developing the role of women in the Romanian society*  
**A best practice project dedicated to vulnerable groups**

**I. Methodology - The path to the best practice**

This best practice is answers to Evaluation question n.4:

**“What are the specific objectives directed or dedicated to vulnerable groups? Which of the specific projects directed or dedicated to vulnerable groups are identified as (having potential for) good practice?”**

The selection of this best practice was made through the following procedure:

- ▶ Elaboration and validation (by a focus group) of a set of criteria to be met by the good practice candidate projects;
- ▶ Creation of a data base of all targeted interventions financed through the OP 2007-2013 Romania;
- ▶ Evaluation of all candidacies using a survey (that had been elaborated by the Management Authorities) resulting in the selection of 70 potential good practice projects.

The evaluation of the project according to the pre-established criterion revealed that “ESTHR” was a best practice among projects dedicated to vulnerable groups.

**Score received after first survey (maximum score 33 points)**

CRITERION	SCORE (1-3)
INNOVATION: the project proposes an innovative approach with regards to a certain topic, which makes it different from the majority of the financed projects.	3
EXTERNAL CONSISTENCY: the project is aligned with the national strategies that target vulnerable groups or aspects related to equality of chances.	3
CONTEXT ANALYSIS: the project includes a clear and thoroughly justified context analysis, focusing on the conditions of the vulnerable groups in cause.	3
PROJECT OBJECTIVES: the project identifies clearly and with justification the objectives on the short-, medium- and long-term that are related to the vulnerable group and explicitly correlated with the reference context.	3
DATA COLLECTION: the project includes a proposal/methodology for data collection that is clear and achievable, aiming to monitor the progress of the project and of objectives’ realisation, specifically referring to vulnerable groups.	3
EFFECTIVENESS: no irregularities were identified with regards to the utilisation of financial resources, and the budget spent is completely included in the one planned.	2
EFFICIENCY: the operational objectives of the project related to vulnerable groups are mainly reached, as proven by a data monitoring process.	3
PARTNERSHIPS: the project includes, where the case is, in the form of partnership or collaboration, one or more	3

CRITERION	SCORE (1-3)
interested actors having relevant competences for the aspects related to vulnerable groups.	
TRANSFERABILITY TO SAME TARGET GROUPS / TO SIMILAR TARGET GROUPS: The results of the project can be transferred to similar target groups.	3
TRANSFERABILITY TO OTHER TARGET GROUPS: The results of the project can be transferred to different target groups.	2
SUSTAINABILITY: The project contains a detailed analysis of how the results of the projects will be maintained after the termination of the financial assistance.	2
<b>TOTAL</b>	<b>30</b>

On a second stage of evaluation, after the beneficiaries of the initiative gave direct feedback on the initiative, the project was also selected as one of the top 5 best practice example projects.

**Score obtained based on second survey results (maximum score 33 points)**

CRITERION	SCORE (1-3)
Differentiation from other projects through INNOVATION	3
Accordance to national strategies that refer to vulnerable groups or equal opportunities	3
Clear context analysis, highlighting the conditions of the targeted vulnerable groups	2
Clear and justified objectives and results, explicitly correlated with the reference context	3
Clear and achievable proposal or methodology for data collection, specifically referring to vulnerable groups	3
No irregularities regarding the utilisation of financial resources	3
The operational objectives of the project that relate to vulnerable groups are mainly realised	3
Inclusion of partners who are relevant for the project and who have relevant competences related to vulnerable groups	3
Transferability to the same target groups	3
Transferability of results to the other target groups	3
Sustainability of results after the termination of the financial assistance period	3
<b>TOTAL</b>	<b>32</b>

A case study was then elaborated with the information collected and finally it was presented and discussed at an interview with Ms. Mariana Kniesner (Vice-President of BNS and Project Manager).

## II. Overview & Description - What the best practice is all about

The project was led by the National Trade Union Bloc (BNS), one of the five major trade union confederations in Romania that was established more than 18 years ago and has extensive experience in the implementation of social projects. The Organization of Women (OFem), a department of the BNS was the direct promoter of this project. OFem is mainly composed by representatives of women's organizations and federations affiliated to the BNS. OFem's strategic mission is the promotion of equality between women and men in both the labour market and in society in general.

The implementation of the ESTHR project BNS made a partnership with the ABN Consortio in Italy: a non-profit organization that develops and implements integrated strategies for achieving objectives related to promotion and social integration of disadvantaged people. The partnership allowed for a transfer of knowledge in terms of methods and best practices in the field of equal opportunities and social economy, in particular from the Italian authorities operating in the Umbria region. Throughout the implementation of the project, BNS also cooperated with numerous local public and non-governmental organizations.

The overall objective of the project was to promote and develop the principle of equal opportunities in the Romanian society by eliminating gender discriminatory practices in the labour market. The main lines of action of the project were the following:

- A. Identifying the nature of gender discrimination at the local level;
- B. Promoting equal opportunities in the Romanian public administration;
- C. Creating new jobs and personal development of women;
- D. Creating a nationwide network of Gender Committees.


With a total budget that exceeded the 9.7 million RON, of which 87% were contributed by the EU (more than 8.4 million RON), the project had a 3 year duration, from 2008 to 2011. The first stage of development of the initiative consisted on a survey given to a population sample of 101,000 individuals from different regions in Romania. **The initial objective was to identify the gender-based discrimination trends in each geographic area in order to assess whether or not it had a socio-territorial character.** The results of the survey were published in paper and on-line (<http://www.egalitadedesansa.ro>).

The research revealed that:

- ▶ Frequently, regardless of the social or economic status of the respondents, age and health were identified as reasons for female discrimination;
- ▶ In general, women proved to be extremely reluctant to communicate the situations where they felt discriminated or harassed at work;
- ▶ Very few companies in Romania have internal regulations regarding female discrimination at the workplace and even where there are such regulations, employees are not always aware of their existence and, in some cases, such rules are not clear enough or not sufficiently explained or promoted.

The second phase of the project consisted in **promoting equal opportunities in the Romanian public administration.**

To this end, a **"Guide of good practices in terms of equal opportunities and combating discrimination in society and on the labour market"** was elaborated by a team of professionals that was mainly composed by women. The Guide presents a set of recommendations addressed to institutions and directly to women to promote the elimination of gender discrimination in the public sector. The paper can be found online at the project's website: <http://www.egalitadedesansa.ro>. Another set of activities related to this line of action involved the organization of seminars and conferences attended by managers from several public entities and from the public employment services, as well as politicians and representatives of the civil society. Furthermore, a campaign promoting equal opportunities was launched through the creation of a layout broadcasted by the national press, a radio spot, a TV spot and a website that was monitored on a daily basis ([www.egalitadedesansa.ro](http://www.egalitadedesansa.ro)).



*The overall objective of the project was to promote and develop the principle of equal opportunities in the Romanian society by eliminating gender discriminatory practices in the labour market*

Since the inauguration of the annex, the main services provided by the multidisciplinary staff of 30 that serves the Centre have included:

- ▶ Shelter and temporary accommodation,



- ▶ Medical care,
- ▶ Emotional support and psychological counselling,
- ▶ Information and orientation sessions,
- ▶ Family and community reintegration.

Mothers with their children may stay at the centre for 90 days during which they are supported to learn how to take better care of their children, how to take care of a household and how to find a job to reenter society in the best possible way. Moreover, counselling is not only available for themselves and the children, but also for their relatives—all under the approach of family reintegration and emotional & relational intervention.

In the field of creating **new jobs and personal development for women**, 8 Points of Equal Opportunities (PES) were defined in Bucharest, Braila, Iasi, Oradea, Pitesti, Tg. Jiu, Timisoara and Sibiu. The PES points aimed at advising victims of discrimination and offered entrepreneurial advice to women interested in opening their own businesses. The number of women counselled on this subject exceeded the initial target. Additionally, through this line of action a business plan competition was held to help women start their own businesses. Participants received entrepreneurial consulting services within the Points of Equal Opportunities for designing their business plan and for subsequent implementation. Each of the 40 winning proposals received a grant of 20.000 RON.

Last but not least, the objective of **creating a nationwide network of Gender Committees** was pursued by establishing 8 regional Gender Committees and a national Gender Committee, inserted into the statute of the National Trade Union Bloc. The Committees had consultative competences and participated in negotiating collective agreements, national employment contracts and industry contracts to defend women's interests. 68,361 women joined the committee's network. Their main tasks consisted in proposing changes for new labour legislation.

### **III. Effects – The difference that counted**

Even after the completion of the project all Gender Committees continue their work, regularly hosting activities such as roundtables, conferences and seminars to disseminate information and raise awareness about their work and about the Points of Equal Opportunities. Their activity contributes to the sustainability of project results, representing a network of formal structures recognized nationally. Gender Committees and PES are collaborating with the National Council for Combating Discrimination, which has both an informational and practical intake, offering recommendations for the settlement of discrimination cases.

### **IV. Replicability - A lesson for the future**

The key factors to success of "Shelters for Children in Emergency" have been:

- ▶ **Innovation:** derives primarily from the partnership structure created for the project: a trade union, representative at national level, and a transnational partner, with expertise in relation to discrimination. An innovative element created through this project is represented by the Points of Equality and Gender Committees, strategic structures for the project, unique by their design, by their role and coverage.
- ▶ **Sustainability:** in order to ensure the sustainability and continuity of the positive impact of the project, BNS continues to financially support the work of the Points of Equality and of Gender Committees, which are integrated into the organizational structure of the Union. These structures are still carrying out awareness & counselling activities regarding equal opportunities and the promotion of good practices, although the implementation of the project has been completed.

The project presents a high level of replicability as it could also be addressed to women who are not necessarily members of a union trade, but who face discrimination problems in the labour market. The project provides transferability towards people from other vulnerable groups - young or old. Among the results, the Points of Equality and the activity of Committees of Gender can be easily transferred and the data obtained from the research conducted under the project may be used to start other projects.

## **V. Conclusions**

ESTHR is a project that is vital for the evolution of the Romanian labour market and significantly relevant for the development of women's role in the Romanian society. It has helped and continues to help counteract gender discrimination. The project's relevance to the actual needs of the target group and the ability and expertise of BNS, as well as its international partner, regarding the scope of the project and the implementation of nation-wide initiatives benefiting from European funding, are considered to be key success factors of the initiative.

As a result of the project, there have been established centres for counselling and for the dissemination of information on both equal opportunities and economic issues. There were and still are offered practical solutions for women who want to access a successful career in public institutions or for those who want to start their own business. Although the project implementation is completed, the effects are still present through the activity of the Committees of Gender and of the Points of Equality, which are receiving financial support from BNS.

## PROJECT “EMPOWERING RROMANI WOMEN ON THE LABOUR MARKET”

### A best practice project dedicated to vulnerable groups

#### I. *Methodology - The path to the best practice*

This best practice is answers to Evaluation question n.4:

**“What are the specific objectives directed or dedicated to vulnerable groups? Which of the specific projects directed or dedicated to vulnerable groups are identified as (having potential for) good practice?”**

The selection of this best practice was made through the following procedure:

- ▶ Elaboration and validation (by a focus group) of a set of criteria to be met by the good practice candidate projects;
- ▶ Creation of a data base of all targeted interventions financed through the OP 2007-2013 Romania;
- ▶ Evaluation of all candidacies using a survey (that had been elaborated by the Management Authorities) resulting in the selection of 70 potential good practice projects.

The evaluation of the project according to the pre-established criterion revealed that “Empowering Rromani Women On The Labour Market” was a best practice among projects dedicated to vulnerable groups.

#### Score received after first survey (maximum score 33 points)

CRITERION	SCORE (1-3)
INNOVATION: the project proposes an innovative approach with regards to a certain topic, which makes it different from the majority of the financed projects.	3
EXTERNAL CONSISTENCY: the project is aligned with the national strategies that target vulnerable groups or aspects related to equality of chances.	3
CONTEXT ANALYSIS: the project includes a clear and thoroughly justified context analysis, focusing on the conditions of the vulnerable groups in cause.	3
PROJECT OBJECTIVES: the project identifies clearly and with justification the objectives on the short-, medium- and long-term that are related to the vulnerable group and explicitly correlated with the reference context.	2
DATA COLLECTION: the project includes a proposal/methodology for data collection that is clear and achievable, aiming to monitor the progress of the project and of objectives’ realisation, specifically referring to vulnerable groups.	3
EFFECTIVENESS: no irregularities were identified with regards to the utilisation of financial resources, and the budget spent is completely included in the one planned.	3
EFFICIENCY: the operational objectives of the project related to vulnerable groups are mainly reached, as proven by a data monitoring process.	3
PARTNERSHIPS: the project includes, where the case is, in the form of partnership or collaboration, one or more interested actors having relevant competences for the aspects related to vulnerable groups.	3

CRITERION	SCORE (1-3)
TRANSFERABILITY TO SAME TARGET GROUPS / TO SIMILAR TARGET GROUPS: The results of the project can be transferred to similar target groups.	3
TRANSFERABILITY TO OTHER TARGET GROUPS: The results of the project can be transferred to different target groups.	3
SUSTAINABILITY: The project contains a detailed analysis of how the results of the projects will be maintained after the termination of the financial assistance.	3
<b>TOTAL</b>	<b>32</b>

On a second stage of evaluation, after the beneficiaries of the initiative gave direct feedback on the initiative, the project was also selected as one of the top 5 best practice example projects.

**Score obtained based on second survey results (maximum score 33 points)**

CRITERION	SCORE (1-3)
Differentiation from other projects through INNOVATION	3
Accordance to national strategies that refer to vulnerable groups or equal opportunities	3
Clear context analysis, highlighting the conditions of the targeted vulnerable groups	3
Clear and justified objectives and results, explicitly correlated with the reference context	2
Clear and achievable proposal or methodology for data collection, specifically referring to vulnerable groups	3
No irregularities regarding the utilisation of financial resources	3
The operational objectives of the project that relate to vulnerable groups are mainly realised	3
Inclusion of partners who are relevant for the project and who have relevant competences related to vulnerable groups	3
Transferability to the same target groups	3
Transferability of results to the other target groups	3
Sustainability of results after the termination of the financial assistance period	3
<b>TOTAL</b>	<b>32</b>

A case study was then elaborated with the information collected and finally it was presented and discussed at an interview with Mr. Gelu Duminičă (Executive Director of the initiative).

## II. Overview & Description - What the best practice is all about

Founded in 1999, the “Together” Agency for Community Development has the mission of keeping and affirming the Roma people’s culture through activities such as research, documentation, dissemination, development and implementation of social policies in benefit of the ethnic group. The Agency also contributes to develop the Rromani communities at a civil, social, political and economical level through the creation of partnerships with private, public, national and international associations specialized in researching and implementing social schemes for the collective.

With a total budget that exceeded the 4.4 million RON, of which 83% were contributed by the EU (more than 3.7 million RON), the project had a 2 year duration, from October 2010 to September 2012.

The project aimed at changing how the Roma people are generally perceived by the Romanian society by promoting equal opportunities on the labour market, especially for Rromani women. In order to achieve such goal, the project foresaw a series of lines of action which targeted:



- 1 The development of a national research study for the better understanding of the challenges Rromani women face on the labour market and the ways in which such challenges are considered through social dialog
- 2 The training of a significant number of Union leaders, representatives of NGOs and other relevant institutions in the field of mobilizing and participatory management, in order for them to develop their capacity to promote the interests of Rroma women
- 3 Rising the level of information and awareness regarding the rights to which employees in vulnerable, marginal positions on the labor market are entitled to
- 4 The creation of a campaign for counteracting stereotypes and promoting role models, in order to increase the visibility of Rromani women/vulnerable groups and highlight their contribution to economic and social life

The first line of action was accomplished through the drafting of the study “**Roma women on the labour market: interests, union representation and participation**” by the National Scientific Research Institute for Labour and Social Protection. The study was meant to reveal if and where the common interests of Rromani employees could converge with those of other vulnerable employee groups, in order to establish how these interests could be reflected on the agenda of trade unions.

The study revealed that the issues Rromani women face in the labour market are generally similar to the ones faced by employees with low income, low education levels and with fixed term or part-time contracts. The issues that concern them the most are: salary rights (unpaid overtime hours, lower pay than other employees on similar positions), work environment and safety, the lack of promotion opportunities and discrimination/differential treatment by their co-workers. According to the study, such issues could be reflected in the agenda of Trade Unions, which in Romania are institutions with a rather high negotiating power. The results of the study can be found at the project’s website: [www.privestemaasacumsunt.ro](http://www.privestemaasacumsunt.ro).

In regards to the second line of action, the initiative included the organization of mobilizing and participatory management courses and the “See me as I am” project competition. The idea was to develop prevention and improvement mechanisms to reduce the various forms of discrimination, discouragement and exclusion of underprivileged groups on the Romanian labour market. 80 social actors participated in the courses to gain the knowledge and tools necessary for the vindication of the rights of Rromani women and other vulnerable groups on

the labour market. The training was delivered in 4 modules of licensed contents. Almost all the trainees actually implemented the public involvement projects they proposed during the course within the communities/organizations they represented, thus competing in the “See me as I am” competition. The 20 best implemented public participation projects received awards at the end of the course. Among the best actions were raising awareness events, local studies, campaigns for child clothing and toys donations organized by Romani women and a lobbying campaign for the construction of a fountain.

The third line of action proposed by the initiative was addressed by nominating 30 experts on the promotion of equal opportunities at the local level. The network of experts that was formed was then prepped during a 3 day session on how to organize multiplying events.

During the network meetings, 31 partnership agreements were signed with local public authorities and other non-governmental organizations with relevant competencies in working with vulnerable groups. In addition, the National Council for Combating Discrimination endorsed the network, as well as the approach proposed, by designating people to be a part of it. The members of the inter-professional network developed the “**Strategy for promoting equal opportunity and the non-discrimination of vulnerable groups on the labour market**”, available at the project’s website. The strategy envisions increasing the underprivileged groups’ access to education, professional training and economic activities, increasing protection against discrimination and the efficient implementation of European legislation in this matter.

The draft of the strategy designed in the framework of the project was further developed by the Romanian Ministry of Labour, Family and Social Protection and put under public debate, following that the amendment and addendum procedures of the strategy to be performed by the Ministry along with other relevant public institutions.

Last but not least, the fourth line of action was materialized through the launch of a publicity campaign organized to counteract the stereotypes of Roma women at the workplace and to disseminate success stories of this collective. The campaign acquired high levels of visibility through conferences, TV and radio ads and articles published on the national and local press about Romani women role models.

The most successful events of the campaign were the “Living Library”, at which Romani women role models shared their life story with the participants, and the “Which one?” events, where people passing by were informed on the campaign and then were also asked to guess out of 2 women which one they thought was of Roma ethnicity.

### III. **Effects – The difference that counted**

All project indicators were achieved and some of them exceeded the initial expectations of participation.

#### Key project indicators

The initial study was based on <b>800</b> questionnaires filled out by Roma and non Roma employees and trade union leaders, compared to the 500 planned	<b>58</b> multiplying events were organized, as opposed to the 40 planned in all of the country’s counties, during a 3 month span	<b>31</b> protocols were signed with local and central authorities who commit to equal opportunity on the labour market
<b>30</b> trade union representatives, <b>30</b> NGO representatives and <b>20</b> from public institutions’ departments of equal opportunity were trained	Over <b>1.500</b> people were informed on the rights they are entitled to at the workplace, of which 948 were women and 452 men	<b>33</b> Romani women were introduced as community roles models in the national and local press
<b>30</b> experts, <b>12</b> from trade unions, <b>12</b> from NGOs and <b>6</b> from public institutions, promoted equal chance through multiplying events	<b>4</b> meetings with the members of the inter-professional network were organized, attended by <b>182</b> participants	<b>2</b> ads were created which aired on the TV and radio <b>260</b> times

Furthermore, a guide for trade union organizations was elaborated for the promotion of equal opportunities for vulnerable groups/minorities through social dialog. The guide provided European best practice examples on promoting the interests of minority women, recommendations, work tools and lessons learned.

## V. **Replicability - A lesson for the future**

The main keys to success of the project were identified as follows:

- ▶ **Innovation:** in Romania, as in the rest of Europe the image of the Roma group is quite negative. However, projects like these show that innovation can shape the labour market. The social marketing campaign against the stereotyping of Rromani women at the workplace was the first of its kind in Romania and has led to the increase their visibility on the job market nationwide.
- ▶ **Monitoring:** continuous monitoring has supported the management team in evaluating project progress and identifying quick solutions to the difficulties that occurred throughout the implementation phase. Monitoring was done both through periodical visits in the field, discussions with the personnel involved, as well as through questionnaires for the evaluation of the awareness campaign's impact and of the multiplying events.
- ▶ **Sustainability:** even after the project was finalized, the "Together" Agency continues to ensure, along with its partners, the constant operation of the inter-professional network



This project is an best practice example because it brought trade unions into the heart of the promotion mechanisms of inclusion and social cohesion for the improvement of multiple forms of discrimination, discouragement and exclusion of disadvantaged groups on the job market.

## V. **Conclusions**

This initiative has improved the position of Rromani women on the job market through a complex approach that has taken into account the consolidation of union structure capabilities, of institutions relevant in the field and of the civil society. The creation of a viable partnership between these structures and the accomplishment of a transfer of knowledge from them to the vulnerable groups on the labour market were vital throughout the development of all activities.

However, there is still a long way to finally get rid of discrimination. Several surveys done by the National Council for Combating Discrimination revealed that Rromani employees, especially women, are at the top of the list when it comes to discriminating practices at the workplace. The "Empowering Roma women on the labour market" addressed these problems in order to show all relevant social parties that priority should be given to professional aptitude, not to religious affiliation, minority, sexual orientation, etc. Letting go of discrimination in the workplace will continue to depend on the involvement of social parties, on the multiplying agents trained during the project but also on the political will to fight against it.

## PROJECT “WORKSHOPS FOR SOCIO-PROFESSIONAL INSERTION OF HOMELESS ADULTS”

### A best practice project dedicated to vulnerable groups

#### I. *Methodology - The path to the best practice*

This best practice is answers to Evaluation question n.4:

**“What are the specific objectives directed or dedicated to vulnerable groups? Which of the specific projects directed or dedicated to vulnerable groups are identified as (having potential for) good practice?”**

The selection of this best practice was made through the following procedure:

- ▶ Elaboration and validation (by a focus group) of a set of criteria to be met by the good practice candidate projects;
- ▶ Creation of a data base of all targeted interventions financed through the OP 2007-2013 Romania;
- ▶ Evaluation of all candidacies using a survey (that had been elaborated by the Management Authorities) resulting in the selection of 70 potential good practice projects.

The evaluation of the project according to the pre-established criterion revealed that “Empowering Workshops for Socio-Professional Insertion” was a best practice among projects dedicated to vulnerable groups.

#### Score received after first survey (maximum score 33 points)

CRITERION	SCORE (1-3)
INNOVATION: the project proposes an innovative approach with regards to a certain topic, which makes it different from the majority of the financed projects.	3
EXTERNAL CONSISTENCY: the project is aligned with the national strategies that target vulnerable groups or aspects related to equality of chances.	3
CONTEXT ANALYSIS: the project includes a clear and thoroughly justified context analysis, focusing on the conditions of the vulnerable groups in cause.	3
PROJECT OBJECTIVES: the project identifies clearly and with justification the objectives on the short-, medium- and long-term that are related to the vulnerable group and explicitly correlated with the reference context.	3
DATA COLLECTION: the project includes a proposal/methodology for data collection that is clear and achievable, aiming to monitor the progress of the project and of objectives’ realisation, specifically referring to vulnerable groups.	3
EFFECTIVENESS: no irregularities were identified with regards to the utilisation of financial resources, and the budget spent is completely included in the one planned.	3
EFFICIENCY: the operational objectives of the project related to vulnerable groups are mainly reached, as proven by a data monitoring process.	3
PARTNERSHIPS: the project includes, where the case is, in the form of partnership or collaboration, one or more	3



CRITERION	SCORE (1-3)
interested actors having relevant competences for the aspects related to vulnerable groups.	
TRANSFERABILITY TO SAME TARGET GROUPS / TO SIMILAR TARGET GROUPS: The results of the project can be transferred to similar target groups.	3
TRANSFERABILITY TO OTHER TARGET GROUPS: The results of the project can be transferred to different target groups.	3
SUSTAINABILITY: The project contains a detailed analysis of how the results of the projects will be maintained after the termination of the financial assistance.	3
<b>TOTAL</b>	<b>33</b>

On a second stage of evaluation, after the beneficiaries of the initiative gave direct feedback on the initiative, the project was also selected as one of the top 5 best practice example projects.

**Score obtained based on second survey results (maximum score 33 points)**

CRITERION	SCORE (1-3)
Differentiation from other projects through INNOVATION	3
Accordance to national strategies that refer to vulnerable groups or equal opportunities	3
Clear context analysis, highlighting the conditions of the targeted vulnerable groups	3
Clear and justified objectives and results, explicitly correlated with the reference context	3
Clear and achievable proposal or methodology for data collection, specifically referring to vulnerable groups	3
No irregularities regarding the utilisation of financial resources	3
The operational objectives of the project that relate to vulnerable groups are mainly realised	3
Inclusion of partners who are relevant for the project and who have relevant competences related to vulnerable groups	3
Transferability to the same target groups	3
Transferability of results to the other target groups	3
Sustainability of results after the termination of the financial assistance period	2

CRITERION	SCORE (1-3)
<b>TOTAL</b>	<b>32</b>

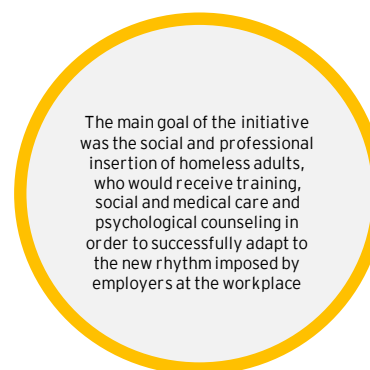
A case study was then elaborated with the information collected and finally it was presented and discussed at an interview with Mrs. Simona Nicolae (Executive Director of the Samusocial Association).

## II. Overview & Description - What the best practice is all about

Samusocial is an assistance methodology for the most marginalised segment of population that was created by French Dr. Xavier Emmanuelli. After founding Médecins Sans Frontières and Samusocial Paris in 1993, in 2001 he established Samusocial International in order to develop this system of assistance throughout the world. There are presently 10 Samusocial branches based on 4 continents.

Samusocial Romania led the implementation of the “Workshops for Socio-Professional Insertion of Homeless Adults” project with a total budget that exceeded the 4.7 million RON, of which 72% were contributed by the EU (more than 3.4 million RON), from January 2009 to December 2011.

The main goal of the initiative was the social and professional insertion of homeless adults, who would receive training, social and medical care and psychological counselling in order to successfully adapt to the new rhythm imposed by employers at the workplace. The idea was to offer homeless adults life alternatives on the medium and long term to reintegrate socially and professionally instead of singular short term aids. The main activities performed consisted on:



Selecting people in the target group	Going out into the field, the association's mobile teams (a day team, a night team and a team including psychiatrists) identified homeless adults and directed them to the Samusocial Day Center, to be registered in the association's database and to get specialized help. There they received medical care, information and counseling for socio-professional insertion.
Psychological counseling and training for better adaptation	After the medical check-up and initial counseling, people able and willing to work and have a home entered a well-structured psychological counseling programme. The team psychologists offered specialized support to the homeless adults, which was often the basis for their motivation to re-launch themselves in the struggle for socio-professional reintegration.
Developing the insertion workshop	The Workshops without Frontiers partner was responsible for the management and operation of the insertion workshop, facilitating access to professional networks of recyclers and the signing of agreements with big companies and institutions that would sponsor the workshop with used IT equipment.
Employment during the workshop	Certain people in the target group were recommended for employment in the socio-professional insertion workshop. If they passed the interview phase, they were employed legally for at least 6 months, with the chance of renewal. Along with financial labour rights, workshop employees were given clothing, food and accommodation.
Accountability and involvement campaigns	Campaigns of community awareness, accountability and involvement into the social inclusion process were conducted yearly, as well as several events addressed to NGOs active in the field of social economy, local authorities and ministry representatives. The message of the campaign reached the wider audience through numerous media appearances.

Some of the people were employed during the insertion workshop, where they dismantled or repaired and revalued computers, sports and paramedical equipment, which were then either sold for recycling or donated. Thus the project contributed to the development of the social economy and at the same time promoted waste reduction and environmental protection.

Additionally, throughout the insertion process, new employees took part in professional training courses according to their previous work experience. When this wasn't possible, specialization courses were suggested matching jobs currently in demand on the labour market.

To meet the entire series of problems that prevent homeless adults from obtaining a job, social workers focused on the following courses of action:

- ▶ Obtaining identification papers and civil status documents;
- ▶ Creating employment files for the adults (recovering study diplomas and employment record books);
- ▶ Actively seeking jobs in the media and online and mediating the relationship between people in the target group and potential employers;
- ▶ Helping the people with their housing problems (e.g. Temporary shelters, social motels, rental housing, family reintegration) etc.

During the first months of the project, an insertion workshop for the recycling of IT equipment was opened. In the workshop dismembered IT equipment and the components were then sold to recycling companies or donated to kindergartens, schools and foundations which support education and integration projects for disadvantaged children. During the project a smaller tailoring workshop was introduced, where women would make cloth bags.

During the insertion workshop participants continued on their route to reintegration and self-esteem restoration. Aside from the social and psychological counselling that was offered throughout the entire employment in the workshop, new employees developed their ICT skills. The professional training included courses for heating system technician, plumbing and gas engineer, electrician.

During employment and after graduating the (re)qualification courses, project social workers supported the participants in identifying an adequate job. In addition, they benefited from extra-professional, socio-cultural activities meant to create group cohesion and relationships different from that at the workplace. Activities included project partner events, NGO fairs, expositions as well as ample actions like the renovation of a kindergarten, renovation of a school camp and building a playground. These complex activities were developed alongside people from the target group that were still in the preliminary stage of employment in the workshop, in order to test their work adaptability, motivation and ability to work in a team.

### **III. Effects – The difference that counted**

All project indicators were met, most notably the number of social and medical interventions accomplished and the number of jobs obtained in the real economy:

#### **Key project indicators**

<b>20</b> social economy specialists were trained through <b>495</b> hours of training	<b>1.751</b> homeless adults received information and professional counselling	<b>31</b> participants were employed during the insertion workshop and received professional qualifications
<b>17.036</b> social interventions and <b>7.820</b> medical interventions to improve the lives of homeless people	<b>501</b> homeless adults received evaluation and psychological counselling for professional reinsertion	<b>64</b> jobs obtained in the real economy

Even more important than these quantitative aspects is the fact that the project offered a second chance to a great number of homeless adults, where this group is so vulnerable generally compared to society mentalities and particularly compared to the job market, as well as difficult though the nature of its own degradation. Thus, people who have been living for years on the streets with thought for nothing more than survival have begun to regain their self-esteem, to anchor themselves into the future and to reintegrate into society through work.

### Success stories of participants from the socio-professional insertion workshop

*Doru, aged 60, has been in the Samusocial records since January of 2009. After 38 years living in Boston, USA he was repatriated following divorce. He came to the association's office asking for support in obtaining identity papers, shelter and a job, in a precarious physical and emotional state. After following all the steps he was hired into the insertion workshop. A short while after finalizing the project contract (May of 2010) he obtained a job at an ecological car wash. He presently lives in a social motel and works at the same car wash.*

*Radu, aged 56, has been in the Samusocial records since November of 2010. In 2000 he and his wife were evacuated from the apartment where they lived due to accumulating large tenant debts. When he presented himself at the Samusocial centre he was in a depressive mood, without hope of finding a job after repeatedly being refused in interviews due to his age and vulnerable physical state. Radu adapted very well to the workshop conditions, becoming a key member of the team. With the money he earned, he rented a one room apartment along with his wife. He presently works legally as a plumber.*

#### IV. Replicability - A lesson for the future

The key factors of success of this project were:

- ▶ **Innovation:** the insertion workshop was a unique project in Romania that offered a real chance to homeless people. The project came with a viable solution for cleaning the city streets, as a complementary alternative to the traditional social assistance. The project team adapted well to the new needs coming from matching the labour market demands with the already existent abilities and skills in the case of some of the employees in the workshop.
- ▶ **Monitoring:** as part of its daily activities, Samusocial Association monitored the evolution of the project participants, their professional and medical path. Social workers communicated periodically with the people supported by the association in their process of socio-professional reintegration, and sometimes with their employers.
- ▶ **Sustainability:** all the project activities continued after its conclusion. As the revenues obtained from recycling the materials in the workshop are small, the associations Samusocial and Workshops without Frontiers are financed by private companies to develop continuously new projects, very similar to this one and to support in this way thousands of people belonging to vulnerable groups.

The insertion workshop is based on the concept of social economy, used as a tool for the social and professional reintegration of people going through difficult life situations. Although in this project the insertion workshops had as target group homeless adults, this concept can be easily replicated in the case of other vulnerable groups (e.g. Roma people with disabilities), with small modifications so to address the specific technological and professional training needs of the beneficiaries. Actually, the insertion workshops of Workshops without Frontiers have as employees people from various social environments and groups, promoting in this way equal opportunity in society and on the labour market.

#### V. Conclusions

Making its debut in Romania and based on the experience of Workshops without Frontiers France, the project consisted in hiring homeless adults in socio-professional insertion workshops with the purpose of offering them an incentive in the recovery of social life, by regaining confidence and self-esteem.

The insertion workshop integrated three areas:

- ▶ **The social** – offering jobs and ensuring a shelter;
- ▶ **The economic** – job security and certainty of a monthly salary, and
- ▶ **The ecological** – recycling used computers and protecting the environment. The project is an example of human solidarity and sustainable development.

## Annex 9: Glossary of areas/topics relevant for equal opportunities

### *Glossary related to areas and topics relevant for discrimination based on gender (Table 3):*

Areas / Topics	References from EU relevant documents and relevant provisions
<b>Education and Training</b>	
Gender gap in learning of basic skills	<p><b>Flagship Initiative "An agenda for new skills and jobs":</b>                      Modernization of labour markets and empowerment of people by developing their skills throughout the lifecycle with a view to increase labour participation and better matching between labour supply and demand, including through labour mobility.</p>
	<p><b>Strategy for Equality 2010-2015:</b>                      Promotion of gender equality in education and training related initiatives particularly through initiatives aimed at tackling early school leaving, promotion of women adult learning and scientific career choices and reduction of the 'digital divide'.</p>
Participation of women in vocational education and training	<p><b>Flagship Initiative "An agenda for new skills and jobs":</b>                      Employers should be encouraged to co-invest and participate in the activities of education and training institutions, particularly in higher education and vocational education and training; these partnerships can develop and update skills profiles, multidisciplinary curricula and qualifications, and facilitate the provision of work-based learning, from apprenticeships to industrial PhDs.</p>
Participation of women in lifelong learning	<p><b>Flagship Initiative "An agenda for new skills and jobs":</b>                      Improving access to lifelong learning, supporting people move to high-value added sectors and expanding occupations such as those emerging from 'sustainable growth' policies, equal opportunities policy and legislation, and 'white' jobs. More flexible learning pathways can facilitate transitions between the phases of work and learning, including through modularisation of learning programmes. These pathways should also allow for the validation of non-formal and informal learning and be based on learning outcomes, as well as the integration of learning and career guidance systems.</p>
Gender gaps in graduate in science and technology (S&T)	<p><b>Flagship Initiative "An agenda for new skills and jobs":</b>                      Improving access to lifelong learning: more investment should be undertaken to increase the number of graduates in science, technology (S&amp;T) engineering and maths (STEM) so as to create the right conditions to deploy key enabling technologies, essential in the R&amp;D and innovation strategies of industry and services.</p>
Gender gaps in tertiary education	<p><b>EU 2020 Strategy:</b>                      Increase the share of the population aged 30-34 having completed tertiary education from 31% to at least 40%.</p>
<b>Economic independence</b>	
Gender gap in employment participation	<p><b>EU 2020 Strategy:</b>                      The employment rate of the population aged 20-64 should increase from the current 69% to at least 75%, including through the greater involvement of women, older workers and the better integration of migrants in the work force.</p>
	<p><b>Strategy for Equality 2010-2015:</b>                      75% labour participation target for women and men</p>

Gender pay gap	<p><b>Flagship Initiative "An agenda for new skills and jobs":</b> In 2012, the Commission will review the effectiveness of EU legislation in the area of information and consultation of workers, as well as EU directives on parttime work and fixed-term contracts and their impact on female participation in employment and the equal pay.</p> <p><b>Strategy for Equality 2010-2015:</b> The Commission will:</p> <ul style="list-style-type: none"> <li>▶ explore possible ways to improve the transparency of pay as well as the impact on equal pay of arrangements such as part-time work and fixed-term contracts.</li> <li>▶ support equal pay initiatives at the workplace such as equality labels, ‘charters’, and awards, as well as the development of tools for employers to correct unjustified gender pay gaps.</li> <li>▶ Institute a European Equal Pay Day to be held each year to increase awareness on how much longer women need to work than men to earn the same.</li> </ul>
Occupational segregation (both vertical /horizontal)	<p><b>Strategy for Equality 2010-2015:</b> Encourage women to enter non-traditional professions and combat the ‘glass ceiling’</p>
Self employment and entrepreneurship	<p><b>Flagship Initiative "An agenda for new skills and jobs":</b> Policies to exploit key sources of job creation and to promote entrepreneurship and self-employment are also essential to increase employment rates. Entrepreneurship should become a more widespread means of creating jobs, as well as fighting social exclusion. Member States should develop entrepreneurship in school curricula to create a critical mass of entrepreneurship teachers, and to promote cross-border universities and research centres’ collaborations in the area of innovation and entrepreneurship.</p> <p><b>Strategy for Equality 2010-2015:</b> The implementation of the revised directive on self-employed women should remove a major barrier to female entrepreneurship. Young women should also benefit from the growing emphasis on entrepreneurship as one of the basic skills that schools should teach all pupils, as foreseen in the Youth on the Move flagship initiative</p>
Reconciliation work and family life (quality care for children, elderly and dependents, parental leave, etc)	<p><b>Flagship Initiative: "An Agenda for new skills and jobs":</b> At national level Member States will need to implement their national pathways for flexicurity, as agreed by the European Council, to reduce labour market segmentation and facilitate transitions as well as facilitating the reconciliation of work and family life.</p> <p><b>Strategy for Equality 2010-2015:</b> Report on MS performance on family care, assess the gaps in family-related leave, define further measures</p>
<b>Health, well being, environment</b>	
Access to health and care services	<p><b>Flagship Initiative "European Platform against Poverty":</b> At national level, Member States will need to fully deploy their social security and pension systems to ensure adequate income support and access to health care.</p>
Access by specific groups (migrant women, elderly women, minorities, etc.)	<p><b>Flagship Initiative "European platform against poverty":</b> Ensuring social and territorial cohesion such that the benefits of growth and jobs are widely shared and people experiencing poverty and social exclusion are enabled to live in dignity and take an active part in society.</p>

	<p><b>EU 2020 Strategy:</b>                  Reduction of health inequalities: A major effort will be needed to combat poverty and social exclusion and reduce health inequalities to ensure that everybody can benefit from growth. Equally important will be our ability to meet the challenge of promoting a healthy and active ageing population to allow for social cohesion and higher productivity.</p> <p><b>Strategy for Equality 2010-2015:</b>                  There is a strong need to provide early support to migrant women and monitor the effect of such assistance. Making them more aware of their rights and facilitating their integration and access to education and health care is crucial.</p>
Specific health issues of women groups (elderly women, abused women, etc.)	<p><b>Flagship Initiative "An Agenda for new skills and jobs":</b>                  At national level, Member States will need to promote new forms of work-life balance and active ageing policies and to increase gender equality.</p> <p><b>Strategy for Equality 2010-2015:</b>                  Monitor gender issues in the field of health</p>
Public transport	Public transportation options should take into account travel patterns of women, physical barriers, personal security barriers and affordability.
Transport and social infrastructures in rural areas	<p><b>Cohesion policy 2007-2013:</b>                  Convergence priority: investments in health and social infrastructure which contribute to regional and local development and increasing the quality of life.</p>
Social infrastructures and security in urban areas	
Women's double burden (reconciliation, unpaid work)	Support good quality, available and affordable child and elderly care facilities; a variety of paid leave options that should be taken by both parents; recognition of the role of fathers with regard to childrearing; flexible working time arrangements and reduce or extend one's working time and sound investments on services of public interest.
'Green jobs'	<p><b>Strategy for Equality 2010-2015:</b>                  Encourage women to enter in green and innovative sector</p>

*Glossary related to areas and topics relevant for discrimination based on grounds other than gender (Table 5):*

AREAS / TOPICS	References from EU relevant documents and relevant provisions
<b>Education and Training</b>	
Learning of basic skills	<p><b>Flagship Initiative "An agenda for new skills and jobs":</b>                  To modernise labour markets and empower people by developing their skills throughout the lifecycle with a view to increase labour participation and better match labour supply and demand, including through labour mobility.</p>
Participation in vocational education and training	<p><b>Flagship Initiative "An Agenda for new skills and jobs":</b>                  At EU level, the Commission will work to give a strong impetus to the strategic framework for cooperation in education and training involving all stakeholders. This should notably result in the implementation of life-long learning principles (in cooperation with Member States, social partners, experts) including through flexible learning pathways between different education and training sectors and levels and by reinforcing the attractiveness of vocational education and training.</p>
Participation in lifelong learning	
Reduce early school leaving	<p><b>EU 2020 Strategy:</b>                  Reduce the share of early school leavers to 10% from the current 15%</p>
Adaptation and equipment to facilitate access	<p><b>Flagship Initiative "European Platform against Poverty":</b>                  At EU level, the Commission will work to design and implement programmes to promote social innovation for the most vulnerable, in particular by providing innovative education, training, and employment opportunities for deprived communities, to fight discrimination</p>

Modernising education	(e.g. disabled), and to develop a new agenda for migrants' integration to enable them to take full advantage of their potential.
Encourage mobility	<b>Flagship initiative "Youth on the move":</b> The aim is to enhance the performance and international attractiveness of Europe's higher education institutions and raise the overall quality of all levels of education and training in the EU, combining both excellence and equity, by promoting student mobility and trainees' mobility, and improve the employment situation of young people.
Attain tertiary education level	<b>EU 2020 Strategy:</b> Increase the share of the population aged 30-34 having completed tertiary education from 31% to at least 40%.
<b>Employment</b>	
Enhance labour market participation	Modernise labour markets and empower people by developing their skills throughout the lifecycle with a view to increase labour participation and better match labour supply and demand, including through labour mobility. Enable many more people with disabilities to earn their living on the open labour market.
Productivity and quality of work	<b>EU 2020 Strategy:</b> Faced with intense pressure on export markets and for a growing range of inputs we must improve our competitiveness vis- à-vis our main trading partners through higher productivity.
Avoid discrimination in labour market (accessing and progressing)	<b>Flagship Initiative "European Platform against Poverty":</b> At EU level, the Commission will work to design and implement programmes to promote social innovation for the most vulnerable, in particular by providing innovative education, training, and employment opportunities for deprived communities, to fight discrimination (e.g. disabled), and to develop a new agenda for migrants' integration to enable them to take full advantage of their potential.
Promote diversity management	Recognizing in employment the value of diversity and include in business women and men of different ages, abilities, ethnic origin, religion or sexual orientation
Promote self employment and entrepreneurship	<b>Flagship Initiative "An agenda for new skills and jobs":</b> Policies to exploit key sources of job creation and to promote entrepreneurship and self-employment are also essential to increase employment rates. Entrepreneurship should become a more widespread means of creating jobs, as well as fighting social exclusion. Member States should develop entrepreneurship in school curricula to create a critical mass of entrepreneurship teachers, and to promote cross-border universities and research centres' collaborations in the area of innovation and entrepreneurship.
Adaptation and equipment to facilitate access	<b>Flagship Initiative "An agenda for new skills and jobs":</b> Adopting targeted approaches for the more vulnerable workers, particularly the low skilled, unemployed, younger and older workers, disabled people, people with mental disorders, or minority groups such as migrants and the Roma: Public Employment Services (PES) should provide career guidance and well-targeted and adapted training and work-experience programmes. Specific priority should also be given to i) the skills upgrading of older workers who are particularly vulnerable to economic restructuring, ii) re-skilling of parents returning to work after a period taking care of family dependants and iii) re-skilling of blue collar workers with a view to a transition towards green-collar jobs.
Job creations in specific sector (social economy)	Support social enterprises Combining social and societal purpose with an entrepreneurial spirit of the private sector. Social enterprises devote their activities and reinvest their surpluses to achieving a wider social or community objective either in their members' or a wider interest.
Support to school – work transition	Ease the way into employment through, for example, personal advice, additional training, and work placements.
<b>Health, well being, social inclusion</b>	



Access to health services and by specific groups	Reduction of health inequalities and improved healthcare access for all, including high need groups and areas. ☒ Measures to develop innovative, efficient and sustainable health systems, including fostering structural change – shift from the hospital-centred model to community-based care in social and health care, i.e. de-institutionalisation.
Specific health issues	
Access and supply of goods and services	Ensure accessibility to goods, services including public services and assistive devices for people with disabilities.
Communication (in alternative ways)	Ensure compliance of public websites with web accessibility standards and television broadcasts providing few subtitled and audio-described programmes
Active ageing	<b>Flagship Initiative "An Agenda for new skills and jobs":</b> At national level, Member States will need to promote new forms of work-life balance and active ageing policies and to increase gender equality
Access to and use of ICT technology	<b>EU 2020 Strategy:</b> Given the transversal role of digital competences across the economy, the Digital Agenda for Europe is an essential catalyst that can help provide the right digital competences for workers and job-seekers, with targeted efforts to promote basic digital literacy for those with least competences such as the elderly, less-educated persons or SMEs employees but also to promote specialised and advanced ICT competences for those holding specific job profiles such as ICT practitioners.
Housing	<b>Flagship Initiative "European Platform against Poverty":</b> Homelessness and housing deprivation are perhaps the most extreme examples of poverty and social exclusion in society today. Although access to affordable accommodation is a fundamental need and right, guaranteeing this right still represents a significant challenge in a several Member States. Developing appropriate and integrated responses, both to prevent and tackle homelessness, shall remain an important element of the EU's social inclusion strategy. Close the gap between the share of Roma with access to housing and to public utilities (such as water, electricity and gas) and that of the rest of the population
Access to social protection system	Over the last ten years, Member States have worked together and shared experiences on the functioning and the reform of their social protection systems. They have defined common objectives and agreed on indicators along which to orient their policies for social inclusion, for the reform of pension systems and in the field of healthcare and long-term care. The Social OMC has supported mutual learning, promoted stakeholders' involvement, deepened the understanding of old and new social risks, and has brought to the fore the challenges that call for new approaches and solutions. Europe 2020 will give new impetus and relevance to this work and help developing tailored policies and actions to fight poverty and social exclusion.
Participation in social life/ empowerment	Achieve full participation of people with disabilities in society by enabling them to enjoy all the benefits of EU citizenship; removing administrative and attitudinal barriers to full and equal participation; providing quality community-based services, including access to personal assistance
<b>Fundamental Rights</b>	
Discrimination- based violence and human trafficking	<b>Strategy for Equality 2010-2015:</b> The EU guidelines on violence against women and girls and combating all forms of discrimination against them provide guidance for conducting political dialogue and for taking action, where appropriate, in individual cases of women's rights violation. The EU will continue to use its development policies to promote gender equality and women's empowerment.
Representation in decision making positions	<b>Cohesion policy 2007-2013:</b> In the context of its effort in favour of economic and social cohesion, the Community, at all stages of implementation of the Funds, has as its goals to eliminate inequalities and to promote equality between men and women as enshrined in Articles 2 and 3 of the Treaty, as well as combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

## Annex 10: Inventory of targeted projects

Extract and inventory in electronic format.