

“No Jobs for Roma”: Situation Report on Discrimination against the Roma in Moldova

Equal Rights Trust¹

Introduction

Since 2014, the Equal Rights Trust has been working with a Moldovan human rights organisation, Promo-LEX, with financial support from the European Union, to increase protection from all forms of discrimination in Moldova. As part of this effort, researchers have been documenting patterns of discrimination and inequality in Moldova, with a focus on discrimination against particularly disadvantaged groups. One of these groups is the Roma, who face discrimination in all aspects of their lives in Moldova, including in relation to employment. This situation report highlights this discrimination through discussion of some of the research findings to date.

1. Overview: Discrimination against Roma in Europe

The Roma people are Europe’s largest ethnic minority,² yet despite legal prohibitions of discrimination and policy measures such as the European Union’s (EU) 2011 Framework for National Roma Integration,³ Roma communities remain highly vulnerable to prejudice and social exclusion. The EU Fundamental Rights Agency’s Minority Discrimination Survey in 2009⁴ found that “[t]he Roma emerged as the most discriminated against group surveyed”.⁵ In several EU Member States, unfavourable views of Roma are held by a majority of the population (Italy: 85%, France: 66%, UK: 50%).⁶ Hate speech and crime directed towards Roma are on the rise.⁷

1 The Trust would like to thank Ben Smith for his research and drafting of this situation report and its partner Promo-LEX for conducting the interviews with Roma contained herein.

2 European Commission, “EU and Roma”, 23 September 2015, available at: http://ec.europa.eu/justice/discrimination/roma/index_en.htm.

3 European Commission, *An EU Framework for National Roma Integration: Strategies up to 2020*, 2011.

4 EU Fundamental Rights Agency, *European Union Minorities and Discrimination Survey (EU-MIDIS), Main Results Report*, 2009.

5 *Ibid.*, p. 155.

6 European Commission, *Report on the implementation of the EU Framework for National Roma Integration Strategies*, 2015, p. 9.

7 *Ibid.*

This stigma and prejudice affects Roma people in all aspects of their lives. Across Europe, among other disadvantages, Roma people are more likely to live in poverty, be unemployed, undereducated and have limited access to healthcare and adequate housing than non-Roma. Figures from the World Bank show that employment rates in the Roma community generally fall well behind rates for the non-Roma population, with women particularly badly affected.⁸ Roma communities tend to have much lower educational achievement than the non-Roma population, with data suggesting that only limited numbers of Roma children complete primary school.⁹ The segregation of Roma children in schools is well-documented, and has been the subject of several cases before the European Court of Human Rights.¹⁰ This problem persists, with the European Commission noting in its 2015 report on the implementation of the EU's National Roma Integration Framework that over 20% of Roma children up to the age of 15 in Slovakia and the Czech Republic attend social schools and classes for children with mental disabilities.¹¹ The failure to ensure that Roma communities have access to education acts to perpetuate the cycle of poverty and exclusion. Poverty, poor housing and lack of access to healthcare mean that Roma life expectancy is estimated to be as much as ten years less than the EU average,¹² and the infant mortality rate in Roma communities is estimated to be between two and six times higher than the average, depending on the country.¹³

2. Background: Roma in Moldova

The number of Roma living in Moldova is unclear, but the population is sizeable. The 2004 Moldova census showed 12,271 Roma living in the country, around 0.4% of the country's population.¹⁴ However, the UN Development Programme (UNDP) notes that censuses tend to underestimate the true size of the Roma population,¹⁵ and indeed Roma leaders estimate that there could be as many as 250,000 Roma in Moldova.¹⁶ Any difference between official

8 World Bank, *Roma Inclusion: An Economic Opportunity for Bulgaria, the Czech Republic, Romania and Serbia*, 2010, p. 8.

9 See above, note 3, p. 5, citing Open Society Institute, *International Comparative Data Set on Roma Education*, 2008.

10 See *DH v Czech Republic*, App. No. 57325/00, 13 November 2007; and *Oršuš v Croatia*, App. No. 15766/03, 16 March 2010.

11 See above, note 6, p. 10.

12 See above, note 3, p. 6.

13 UN Development Programme (UNDP), *The Roma in Central and Eastern Europe, Avoiding the Dependency Trap*, 2003; Cemlyn, S., Greenfields, M., Burnett, S., Matthews, Z. and Whitwell, C., *Inequalities Experienced by Gypsy and Traveller Communities: A review*, Equality and Human Rights Commission Paper Series, 2009.

14 Cace, S., Cantarji, V., Sali, N. and Alla, M., *Roma in the Republic of Moldova*, UNDP, 2007, p. 32.

15 *Ibid.*, p. 9.

16 *Ibid.*, p. 41.

figures and the actual Roma population is likely explained by reluctance to self-identity as Roma, given the stigma attached to Roma identity in Moldovan society.

The story for the Roma in Moldova is not a happy one. They remain among the most vulnerable to discrimination and exclusion in the country. Anti-Roma sentiment is reportedly very high, with a 2012 survey finding that 49% of Moldovans would not accept a Roma neighbour.¹⁷ Roma are more than twice as likely to live in poverty than non-Roma, with research by the UNDP finding that, in 2005,¹⁸ 59% of Roma lived in absolute poverty¹⁹ and 50% lived in extreme poverty,²⁰ compared to 24% and 19%, respectively, of non-Roma. Roma also face serious problems in accessing education and in educational attainment. Roma adults are more likely than non-Roma adults to be illiterate, for instance, and in general have reached a lower stage of education than non-Roma. The same UNDP research found that a particularly low number – only 4% – of Roma have a higher education.²¹

Roma in Moldova live “predominantly in rural area (sic) and in small towns”²² which can exacerbate poor access to education, employment, and healthcare. Their housing conditions are generally worse than for non-Roma: in 2005, 42% of Roma dwellings did not have a kitchen, compared to 17% of non-Roma; 81% of Roma dwellings did not have a bathroom available, while 51% of non-Roma did.²³ In recent years, poor access to clean water supplies, public transport²⁴ and emergency healthcare services²⁵ have been identified as common problems in these rural areas, further contributing to the vulnerable position of Roma in Moldova.

17 Mihalache, I. and Rusanovschi, S., *Study on the situation of Romani Women and Girls in the Republic of Moldova*, UN Women, 2014, p. 19.

18 See above, note 14, pp. 48–49.

19 This definition of poverty “recognises the need of essential non-food items, like dwelling, clothing, etc. and adds respective expenditures to the food poverty line. This line is also calculated based on the general Household Budget Survey. For 2005, this line was established at the level of 354 lei [\$17.7USD] per person per month”. See above, note 14, p. 48.

20 Extreme poverty is defined by the UNDP as “equivalent to food only consumption basket, necessary for mere survival, i.e. 2282 kcal per person per day. This line is calculated on the basis of the general Household Budget Survey. In 2005 this constituted 279 lei [\$13.95 USD] per person per month”. See above, note 14, p. 48.

21 See above, note 14, p. 61.

22 *Ibid.*, p. 51.

23 *Ibid.*, p. 92.

24 Office for the UN High Commissioner for Human Rights, “Bringing inclusion to Roma communities in Moldova’s rural areas”, 8 April 2013, available at: <http://www.ohchr.org/EN/NewsEvents/Pages/RomaInMoldova.aspx>.

25 European Roma Rights Centre, “Moldovan Romani Organisation Complains About Discrimination by Local Doctor”, 12 June 2007, available at: <http://www.errc.org/article/moldovan-romani-organisation-complains-about-discrimination-by-local-doctor/2828>.

Further, the general problems that Roma people face in Moldova are experienced particularly potently by Roma women, who experience discrimination at the intersection of multiple characteristics, including race, gender, and class. They have lower levels of education, higher rates of unemployment, poorer health, and significantly lower incomes than the wider population, both Roma and non-Roma. In 2011, 45% of Roma women had no formal education (which includes primary education), compared to 33% of Roma men and only 2% of non-Roma women.²⁶ These factors, combined with cultural expectations of the role women should play in the home,²⁷ mean that Roma women and girls can all too easily become trapped in a cycle of poverty and exclusion. Roma women are almost entirely excluded from public life, with virtually no Roma women in elected positions of responsibility anywhere in Moldova.²⁸ In 2015, two Roma women were elected to town councils in Moldova and they were among the first Roma women to stand for election since Moldovan independence in 1991.²⁹ Though 31 of Moldova's 101 MPs are women,³⁰ none of them are Roma. This lack of political representation renders invisible the experiences and needs of Roma women and acts as a barrier to integration of the Roma community.

There are numerous protections against discrimination in Moldovan law which should operate to protect Roma communities. Discrimination on grounds of race and ethnic origin is prohibited by Article 16(2) of the Constitution.³¹ Article 4(1) of the Law on the Rights of Persons Belonging to National Minorities and the Legal Status of their Organisations³² guarantees to national minorities the right to equality before, and equal protection, of the law, while Article 4(2) specifically prohibits all discrimination for reasons of belonging to a national minority. In 2011, the Moldovan government announced the 2011-2015 Action Plan on Roma Inclusion, which sets out several key social inclusion factors, such as education, employment, and access to healthcare, with the view to improving the position of Roma in Moldovan society. However, these legal protections seem to have had little tangible effect on the lives of Roma people so far, as the exploration of employment opportunities for Roma in the next section indicates.

26 See above, note 17, p. 30.

27 *Ibid.*, pp. 58–60.

28 *Ibid.*, p. 15.

29 UN Women, "Blazing trails, first Roma women elected to local council in Moldova", 1 September 2015, available at: <http://www.unwomen.org/en/news/stories/2015/9/roma-women-elected-in-moldova>.

30 UNDP, "Women MPs determined to change the face of politics in Moldova", 30 April 2015, available at <http://www.eurasia.undp.org/content/rbec/en/home/presscenter/articles/2015/04/30/women-mps-determined-to-change-the-face-of-politics-in-moldova.html>.

31 Constitution of the Republic of Moldova.

32 Law No. 382-XV.

3. Employment for Roma in Moldova

For Roma in Moldova, discrimination continues to be a significant barrier to employment. In 2005, 29% of Roma were unemployed, compared to only 12% of the non-Roma population.³³ Statistics released by the UNDP in 2013 (collected in 2011) show that this gap in the unemployment rate remains, alongside a general rise in unemployment, with unemployment in the Roma population at 37%, compared to 20% in the non-Roma population.³⁴ The Roma population also has a much lower “activity rate”³⁵ than the non-Roma population – 27% compared to 43% – meaning that each “active” individual in the Roma population has to support 2.7 “inactive” individuals compared to 1.2 for non-Roma “active” individuals, further contributing to the risk of poverty.³⁶ Low levels of employment for Roma people are linked with several factors, including low educational attainment, poor housing which is often in remote areas, and pervasive discriminatory attitudes towards Roma people.

In August 2015, Equal Rights Trust partner Promo-LEX spoke to four Roma about their experiences of discrimination in accessing employment in Moldova. These testimonies are illustrative of common complaints Promo-LEX hears from Roma about discrimination they face in the employment sphere.

Experiences of overt and serious direct discrimination as a barrier to accessing employment emerged as a common theme in the testimonies. Liudmila Raiu lived in Hîncești with her three children. She is unemployed, and since her husband passed away, she has been facing difficulties in providing for her children. Ms Raiu recalled:

Two months ago I registered with the National Employment Agency, so I could get a job and somehow feed my children. The Agency sent me to one company which did sewing and tailoring, but there were no interviews and the boss of the company said immediately as soon as he saw me that they did not take Roma to work there. This happens very often to Roma. We are told to our faces that “We don’t give jobs to Roma”. The companies take others – Moldovans, Russians – but not Roma. This is very hard for us. How should we raise our children? Become burglars? Or what? It feels very bad to be rejected so often – it is offensive.³⁷

33 See above, note 14, p. 70.

34 Cantarji, V., Vremsî, M., Toartă, T. and Vladicescu, N., *Roma in the Republic of Moldova*, UNDP, 2013, p. 45 (in Romanian).

35 The active population, as defined by the UNDP includes working people, the unemployed who are seeking work, and students. See above, note 14, p. 70

36 See above, note 14, p. 70.

37 Promo-LEX interview with Liudmila Raiu, Hîncești, Moldova, August 2015.

Grigore Zapescu is a young lawyer from Sireți village, Strășeni district. He recounted his experiences of discrimination when trying to get a job to cover his expenses during his studies:

Towards the end of 2012 when I was a second year student, I was trying to find a job, not in my area of expertise, but a simple job to cover my expenses. I found a job on the internet – a restaurant was looking for waiters. The restaurant asked simply for young people willing to work. They did not require any experience in the field and they were offering training. I called the restaurant and I was invited in for the interview. My friend, who is not Roma, was also invited for an interview.

As we got there, we were immediately led to the HR office, the lady had a strange look on her face. I had the impression she was wondering who I was and what was I doing there. I introduced myself and explained that I was there to interview for the advertised job. She asked me to fill in a form which I did and she asked me a few questions. However, while I was answering, she did not listen to me and instead she was taking a phone call. I asked some questions about the job including the working hours, but although she was looking at me it was clear she was not paying attention to me. She told me I would be contacted within a week whilst hurrying me out of the door, explaining she was busy. After I left the office, my friend went in for his interview. He told me that he was accepted on the spot and was asked to attend the training the next day at 11.00 am.

My friend is not Roma, he is blond, whereas my appearance is Roma. We talked about it and concluded that it was discrimination. At that moment I realised how bad and offended one feels when one is treated differently. There was no requirement for experience in the field, and I was simply chased away.

The main barrier to Roma people being employed, as far as I have seen and as far as I know, is the general way that people perceive the Roma. People have a negative opinion about Roma from the very beginning due to their preconceived ideas and stereotypes. Uninformed people are judgmental and act in a discriminatory manner.³⁸

Mr Zapescu decided to challenge his treatment under Moldova's anti-discrimination law and is currently awaiting a decision from the Supreme Court. If it is successful, his case could provide an important precedent.

Victoria lives in Hîncești with her husband and baby.

Last year, we were given a paper at the unemployment office and we went to a walnut company, to pick the kernel out. When we went there, they said they cannot

38 Promo-LEX interview with Grigore Zapescu, Hîncești, Moldova, August 2015.

hire us. My husband was supposed to work as a freight handler and I was supposed to pick the walnut kernel out. The head of the company turned me down and told me and my husband to our faces that he was not going to hire us because we were Roma. I asked them whether Roma aren't humans as well. And they said that they won't hire us. They did hire Moldovans, though. Then I returned to the unemployment office. They told me to look for a job elsewhere. I asked where else can I look for one? I told them there was no other place I could go to. And that was it.³⁹

Vladimir lives in Hîncești with his family.

I went to another place in the neighbourhood, and I was told again that there were no vacancies, although there were. I think they did not hire me because I am of Roma ethnicity. Aren't we humans as well? Were we brought up in the wild? What if one is a Gypsy, and another is a Jew, aren't we all humans? Something must be done. They turned me down wherever I went. Everybody told me they would call when there are vacancies available, but nobody ever called.⁴⁰

Insufficient education is identified as a major barrier to Roma access to employment by the UNDP⁴¹ and by the EU.⁴² Statistics shows that, in 2005, 21% of adult Roma in Moldova were illiterate, compared to only 2% of the non-Roma population.⁴³ Further, 34% of adult Roma had only a primary-level education, 35% had only a secondary education (including vocational or incomplete education), and only 3% of Roma had a higher education. By contrast, the majority (83%) of the non-Roma population had a secondary education, and 38% have a higher education.⁴⁴ There are also significant gaps between current school enrolment rates for Roma and non-Roma children. Though primary and secondary education (up to age 15) are compulsory in Moldova, only 69% of Roma children were enrolled in primary education and 45% in secondary education, compared to a 94% enrolment rate in both primary and secondary education in the non-Roma population.⁴⁵ This failure to ensure that Roma children are educated is a major barrier to breaking the cycle of poverty and disadvantage that perpetuates the vulnerable position of the Roma people in Moldova.

I have no education because we were never told we should have one where I came from. The studying and the reading make it difficult. There are Roma who can read and Roma who can't. How can the unemployment office find them a job if they can't

39 Promo-LEX interview with Victoria, Hîncești, Moldova, August 2015.

40 Promo-LEX interview with Vladimir, Hîncești, Moldova, August 2015.

41 See above, note 14, p. 59.

42 See above, note 3.

43 See above, note 14, p. 60.

44 *Ibid.*, p. 61.

45 *Ibid.*

read? You must do something, read, and submit that document. (...) I don't know what to do about it. I went to a music school, hoping to work as a watchman or something, but I got turned down. I went to a car service centre and asked them to give me a job because I am going through hard times and have nothing to feed my three children with. They said they were sorry, and that I was illiterate and a Roma.⁴⁶

It is difficult for some Roma to get their children into schools. I know of a family who find it very difficult. They are fined by the police. They don't have clothes to dress their children in. I hope in the future that we will be able to find jobs, so that we can get our children into school.⁴⁷

The low education levels prevalent in the Roma community result in a lack of professional qualifications and skills, which in turn restricts many Roma to low-skilled, low-salary jobs. Roma who are excluded from the formal labour market are often reliant on low-paid, precarious daily or temporary work. The insecurity of this work acts to perpetuate the cycle of poverty that many Roma live in: they are unable to develop a career, or even transferable job skills, and therefore cannot access higher-paid and formal employment.

I would go for one-day jobs, but I was never legally hired. I would go and ask people if there was any work for me to do. I would work a day, bringing my own food, for 150 lei (\$7.5 USD). If you find a one-day job, then you can earn something, and if you don't find one then you don't earn. If a company happens to have work to do you go and do it, and if it doesn't then you don't go. When we go to sell at the market, the police chase us away. They do not let anyone sell.⁴⁸

Several of the interviewees expressed frustration at the lack of adequate assistance from state authorities. Legal prohibitions of discrimination and policy which should ensure the rights of Roma to equal participation in Moldovan society have yet to create positive change for many Roma in Moldova.

Roma should be helped to gain skills and to get work, but this does not happen. We want to be useful so that we can get a job and have something for our children and be like everyone else, but if people won't help, what should we do? Our children grow and need different things. But we are Roma and no one will employ us. They hate us and call us names. I would like to work to be a tailor, something that our children could do as well, but when I have tried to get a job I am simply told that I am Roma and the company doesn't employ Roma.⁴⁹

46 Promo-LEX interview with Vladimir, Hîncești, Moldova, August 2015.

47 Promo-LEX interview with Victoria, Hîncești, Moldova, August 2015.

48 *Ibid.*

49 Promo-LEX interview with Liudmila Raiu, Hîncești, Moldova, August 2015.

None of my friends and acquaintances work legally. Nobody hires Roma. My friends, acquaintances and relatives face the same problems. Sometimes they go for one-day jobs, but they stay at home the rest of the time. What should we feed our children with? Grass? Leaves? Should we steal? What should I do? Should I steal and then go to jail and eat the prison walls?

People must be put to work and not allowed to do stupid things and end up in jail, leaving their children orphans. And now, these girls have been turned down by the unemployment office during the past few days, turned down for the next three or four months. How can they find clothes for their children? The girls have no clothes to put on. How can they go to school? Should they go to school with the hoe on their backs? They have nothing else to do but stay at home with the children. They are not allowed to sell anything at the Market, but sometimes they find one-day jobs. This is how they keep going.

The State does not care about the Roma people. Instead of supporting them, the State breaks them down. The mayor of Hîncești doesn't do anything, he only makes the police chase us away. The Mayor must take some measures, increase the monthly social assistance payment. 200–300 lei (US\$10–15) is not money. Jobs must be created.⁵⁰

Conclusion

The testimonies gathered by Promo-LEX expose the serious difficulties that Roma in Moldova face when accessing employment. Statistics from the UN, the EU and other bodies, show that this is not an isolated problem affecting only a limited section of the Roma population, but a deeply embedded, systemic problem that affects Roma across the country. Legal and policy protections have led to limited positive change in the everyday lives of Roma people. Concerted efforts must be made to ensure enforcement of anti-discrimination protections, and a more rigorous approach to combatting the social problem of discrimination against Roma is needed. Any such approach needs to address all aspects of life for Roma to adequately address discrimination in accessing employment – many Roma are trapped in a cycle where poor access to education and training limits potential to participate in the labour market, embedding poverty in families and communities. Committed action is necessary to break this cycle.

50 Promo-LEX interview with Vladimir, Hîncești, Moldova, August 2015.