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Policy statement
The Aromanian Community from Romania

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Your Excelency,

We, hereby, would like to bring into your attention the main objectives that represent a milestone for our community existence. Understanding that the action of informing is a critical factor of success for the democratic decision-making process, we would like to emphasize that our main objective is that the Consultative Council for the Minority Convention should include, on the short list of monitoring, the issues of the Aromanian Community from Romania, issues that were often brought into the attention of the Romanian authorities, without beeing proper taken into consideration, thought. We strongly believe into the European Council Fourth Directorate's commitment to serving the common European and universal values. In our vision, this commitment represents, by itself, the necessary premise for our community to preserve and develop its culture, language, history, traditions, cutumes, in harmony with other nationalities, accordingly to the provision of the international and national law. The second very important objective is related to the Romanian Government tacit refuse of registering the Aromanian language into the legal draft of the law that will ratify the European Charter for Regional or Minority Languages, without any legitimate reason.

We understand to motivate our main objective below. We will gradually analyse the evolution of the legal framework both in Europe and Romania, in the past 12 years. Afterwards, a synthetic description of the mission, objectives, vision of the Aromanian Community from Romania will be pointed out. We will end our policy statement by underlining our main actions that were focused on the Romanian authorities.

I. Legal Framework

Taking into consideration the fact that there is no law in Romania for minorities which should establish the general accepted criteria and

procedures of recognition a community as an ethnic minority, we settled as a reference point of our examination the Framework Convention for the Protection of National Minorities, alongside with the Recommendation no. 1333/1997 regarding the Aromanians language and culture. We considered that a concise description of the evolution of the Romanian legal framework, having as a starting point, 1993, would advocate for our pledge.

Timeline--Romanian legal framework

1993

¢ Council for National Minorities (the initial name) was funded through the H.G. (Government Resolution) no. 137 of the 6th of April 1993, as a consultative organism of the Government meant to assure an adequate, modern f r a m e o f d e m o c r a t i c participation of the representatives of the national minorities in taking legislative, administrative and financial decisions concerning them;

1995

¢ signing and ratification of the Convention frame for the protection of national minorities, legal instrument of the European Council;
¢ signing of the European Charta of regional or minority languages from the European Council system;
¢ enforcement of the Education Law no. 84, republished with amendments in 1999;

1996:

¢ signing and ratification of the bilateral treaty with Hungary;

1997:

¢ signing and ratification of the bilateral treaty with Ukraine;
¢ O.U.G. (Government Urgency Ordinance) no. 21/1997 regarding the returning of real estates that used to belong to Jewish communities of Romania;

1998

¢ ratification of the European Charta of local autonomy;
¢ ratification of the Frame Convention for cross-border cooperation;
¢ O.U.G. no. 13/1998 regarding the returning of real estates that used to belong to communities of Romanian national minority citizens;
¢ O.G. no.111/1998 for the amendment of O.U.G no. 21/1997 regarding the returning of real estates that used to belong to Jewish communities of Romania;
¢ O.G. no.112/1998 regarding the returning of real estates that used

to belong to Romanian national minority communities (organizations, religious cults);

¢ H.G. no. 378/1998 regarding the formation of the Assessment Commission in view of founding the State University in Hungarian language;

¢ H.G. no. 459/1998 regarding the forming, organization and operation of the inter-ministerial Committee for National Minorities;

¢ H.G. no. 687/1998 regarding the initiation of the procedure to form the "Petofi-Schiller" State multicultural university in Hungarian and German languages;

¢ H.G. no. 881/1998 for the declaration of the 18th of December as the "Romanian Minority Day";

1999

¢ O.U.G. no. 83/1999 regarding the returning of real estates that used

to belong to the citizens of Romanian national minority communities;

¢ O.G. no. 105/1999 regarding the amendment and completion of the Decree-Law no. 118/1990 regarding the

2000

¢ O.U.G. no. 101/2000 for the amendment and completion of the annex

to the O.U.G. no.21/1997 regarding the returning of real estates that used

to belong to Jewish communities of Romania, as well as of the annex to the

granting of rights to persons persecuted by the dictatorship instated as of

March 6th, 1945 for political reasons, as well as to those deported abroad

or held prisoners (approved and amended by Law no. 189/2000);

¢ O.U.G. no. 165/2000 for the completion of art. 5 of Law no.68/1992

regarding the election of the Chamber of Deputies and of the Senate;

¢ O.G. no. 242/2000 for the amendment of the O.G. 105/1999 regarding

the

granting of rights to persons persecuted by the regimes instated in Romania

as of

September 6th, 1940 until March 6th, 1945, out of ethnic reasons;

¢ O.G. no. 119/2000 for the amendment of the Decree-Law no. 118/1990

regarding the granting of rights to persons persecuted by the dictatorship

instated as of March 6th, 1945 out of political reasons, as well as of those deported abroad or held prisoners;

¢ O.G. no. 121/2000 regarding the foundation of the Institute for Study of National Minorities Problems

2001

¢ H.G. no. 589/2001 regarding the forming of the National Minorities Council;

¢ Law no. 215/ 2001 regarding the local public administration;

2002

¢ O.U.G no. 31/2002 regarding the prohibition of the activity of fascist, racist or xenophobic organizations and symbols, and of promotion of the cult of persons guilty of committing crimes against peace and humankind;

¢ H.G. no. 223/2002 for the amendment and completion of the H.G. no.

1157/2001 for the approval of the Norms regarding the display of Romanian

national flag, performance of the national anthem and use of Romanian emblem seals;

¢ O.U.G. no. 36/2002 regarding the settlement of the property r i g h

t o f t h e J e w i s h Communities Federation of Romania on cult centers,

cemeteries and other goods destined for the activities of the Jewish Cult;

¢ Law no. 501/2002 regarding the returning of the real estates that

used to belong to religious cults;

¢ Law no. 66/2004 concerning the returning of the real estates that

used to belong to national minority communities.

The Parliamentary Assembly of the Europe Council, by the Recommendation

n.1333/1997 regarding the Aromanians language and culture, expressed its

concern toward the future of the Aromanian language and culture, which are

identity elements of a national minority. In the same time, the

Parliamentary Assembly of the Europe Council, concerned by the critical situation of the Aromanian language and culture which exists for more

than

two millenniums in the Balkan Peninsula, recommends to the Council of Ministers to encourage and invite the states of Balkans where the

Aromanian

live, to support the Aromanians especially in the field of education, religious service, mass-media and support of their cultural

associations.

The recognition of national minorities represents a key element for the application of the Framework Convention, as it stipulates its subjects.

According to art. 3, "any person considered national minority has the right

to choose freely to be treated or not as such."

In Romania, in the absence of a law for the minorities, there were accepted

as national minorities those communities which had organizations and, by

their participation to Parliament's election, succeeded in obtaining a position in the Chamber of Deputies, according to the legal provisions. The Law no. 68/1992 regarding the selection of members for the Chamber of Deputies and Senate guaranteed:

“ free participation for election of all organizations which defined itself as being a minority community's organization “ a position in the Chamber of Deputies for every minority whose organization obtained" at the country's level, a number of votes equal with at least 5% of the medium number of votes valid expressed all-country in order to select a deputy."(art. 4)

The new Law no. 67/2004 regarding the selection of the local public administration authorities defines minorities in art. 7.1 as "that ethnic group which is represented in the Council of National Minorities." In the same manner, the national minorities were defined in Law no. 373/2004 regarding the selection of members for the Chamber of Deputies and Senate (art. 4.1). The laws concerning the elections were modified under the pretext of avoiding the abuse of rights, the apparition of any organization which actually would represent false communities, inexistent in Romania, arguing that in the 2000 elections the representatives of such organizations had become members of The Chamber of Deputies.

We are deeply concerned that the Romanian legal framework in force at the time being formulates an inadequate definition of the national minorities from Romania. Our concern regards the trend of preservation a status quo, accepting the quality of minority community to those which abused their rights in 2000, but denying this quality to other communities, which, although exist, have not participated for the elections or have not obtain a sufficient number of votes. More than that, the recognition of a minority is conditioned to its quality as a member in a Government's consultative body (as the Council of National Minorities is defined by the Government Decision no. 589/2001).

Consequently, some communities, like the Aromanians, face the problem of recognizing its statute: due to a legislation vacuum the organizations cannot obtain the status of national minority.

By approving the Convention, Romania committed to "promote the necessary conditions for the persons who belong to national minorities in order to maintain and develop their culture and to maintain the essential elements of their identity, respectively religion, language, traditions and cultural inheritance" and to abstain from "any practice with an assimilation purpose".

The main reason of our efforts is rooted in the fact that today, only the juridical legitimacy of the identity can perpetuate and fulfill the historical way of relating to the others and to the world of the Aromanians: the calling for traveling, communication, opening to other cultures and spaces

II. Mission and Objectives

II.1 Mission

The Aromanian Community from Romania (ACR) was founded in 1991, as an association, having the status of a juridical Romanian private person, without patrimony reasons, an NGO, as the wish of the Romanian citizens of Aromanian origins to join into an association and to be organized in an institutional frame.

At this moment, the members of ACR counts over 5.000 (out of 27.000 Aromanians officially recorded at the latest census), in five subsidiaries with juridical competence: Bucharest and Constanta, Calarasi, Ialomita, Tulcea districts. The Community has been formed in Romania especially by the immigration of 30.000 Aromanians since 1925. The main reason of the Community is to maintain and develop the Aromanian language, traditions and the whole Aromanian cultural and spiritual specific features.

At the same time, the Community proposes to facilitate the contact and connections with Aromanians who live in the original territory of the Balkan Peninsula, as well as Aromanian Communities from other states.

II.2 Objectives:

To the same effect, one main objective is to get help from the public authorities regarding:

¢ the training of Aromanian language teachers and the introduction of the Aromanian language in schools as a mother tongue;

¢ the use of the Aromanian language in the religious service;
access
at mass media and editing books, journals and newspapers in Aromanian
language.

Saving the Aromanian language and culture was mentioned in the
Recommendation no. 1333/1997 of the Council of Europe, the danger of
Aromanian language disappearance is recorded in the UNESCO Red Book.
The
Community demands that these documents must be applied.

In this purpose, ARC declared 2005 as " The year of the Aromanian
culture
and civilization", by mutual agreement with other Aromanian
organizations
and cultural associations from Balkans (i.e. Sofia, Skopje, Elbasan).

The main purpose of the Community, as the Statute is to preserve and
develop the language, the traditions and the spiritual and cultural
Aromanian whole in Romania, as well as on the entire original space
inhabited by the Aromanians. Furthermore, the Community wishes to
facilitate contacts and connections between the Aromanians that live in
different communities within their whole original space in the Balkan
Peninsula, as well as with other Aromanian communities created in other
states.

In order to attain these purposes, the Community's main objectives are:

- a) the exertion - of all Aromanians from Romania - of the rights
and
freedoms established by the Constitution, as well as by the settlements
of
the international organizations of which Romania is a part.
- b) the official acknowledgement of the Aromanians as ethnical
group
speaking a neo-Latin language.
- c) getting support from the public authorities for:
 - learning Aromanian in schools;
 - preparing the teaching staff to teach Aromanian in schools;
 - using Aromanian in churches;
 - access to mass-media, as well as publishing books, magazines
and
newspapers in Aromanian;
 - organizing and creating, based on the real needs of the
Aromanian
population, libraries, museums, churches, culturally-artistic
buildings;
 - organizing conferences, symposiums or other scientific,
cultural or
artistic events, regarding the spiritual patrimony of the Aromanian
population;
- d) organizing territorial subsidiaries.
- e) creating a representative group to which non-governmental
Aromanian
organizations from different countries can adhere.
- f) developing positive attitude and responsible behavior in
society

towards the problem of preserving and cultivating the Aromanians' culture and traditions;

g) contributing to knowing the historical past of the Aromanians and their spreading along time;

h) developing the spirit of association and promotion of their common interests, as well as developing communication between Aromanians everywhere;

i) acquiring and using, under legal terms, financial sources of financial support for creating projects, administrating the funds for unrolling of various programmes.

j) offering technical assistance, expertise, guiding and other services, regarding the Community's purposes, to people and societies;

k) publishing, printing and multiplying the Community's publications and supporting the promotion of original Aromanian literature through books, publications, written and oral press, internet, etc.

l) facilitating and creating transfer activities, as well as activities of knowledge improvement, of education and instruction through short or long-term courses, the organization of meetings, conferences, congresses, symposiums and other similar events;

m) collecting, storing, researching and analyzing socio-cultural data and information regarding the Aromanians;

n) developing the cohesion between communities, localities or areas populated by Aromanians;

o) developing the institutional background, of settlement, of negotiation and approach of the socio-cultural problems that would facilitate communication and good understanding between Aromanians;

p) the harmonization and approach of the members' points of view, as well as adopting common strategies of action, according to the case in discussion, with regard to:

i. supporting and representing their interests in the country:

- at a national level;
- at a local level;
- in their relationships with public authorities;
- in their relationships with different representatives of the business community;
- in their relationships with other structures of the civil society;
- in their relationships with representatives of foreign and international organizations;
- in their relationships with any other persons or societies;

ii. supporting and representing their interests abroad.

iii. collaborating with similar active organizations from other countries or on a regional, european or international level.

q) collaboration and partnership with units of higher educational and of scientific research, in order to fulfil the purposes and the other

objectives mentioned in the Statute.

In order to attain the purposes and achieve the objectives, the Community coordinates the patrimony, creates procedures and various actions, under legal terms, through which: it runs programmes/projects and administrates funds, non-refundable funds also and other similar activities; it develops economical activities and organizes short and long-term courses, seminars, round tables, conferences, congresses; it deals with donations, sponsorships and gives scholarships, contributions, social supports, awards, diplomas, medals, honor titles; it creates groups and organizations with or without patrimonial purpose; it affiliates with organizations and groups that promote the Aromanians' culture and traditions; it draws and uses financial sources and patrimonial resources and gains income under legal terms.

III. Conclusions:

Toward the above mentioned, Messrs, as delegates of the Consultative Committee of the Convention, we kindly ask you to show interest for the critical situation with which the persons belonging to the Aromanian minority face, in the way of recommending to the public authorities to reconsider their official position regarding the claims of the Aromanian Community. The direct consequence of this process will be represented by recognizing de jure of an already existing reality-the Aromanian minority.

Cu deosebita stima,
Costica CANACHEU
Presedintele Consiliului Director,