1. Basic Information
   1.1 CRIS Number: PHARE 2003/005-551.01.03
   1.2 Title: Institutional Building in the field of anti-discrimination
   1.3 Twinning component: RO03/IB/SO/05
       - title: Institutional Building in the field of anti-discrimination
       - duration: 12 months
       - budget: 0.8 M€
   1.4 Sector: Strengthen Democracy and the rule of Law and Human Rights
   1.5 Location: Romania, Bucharest

2. Objectives
   2.1 Overall Objective:
   To strengthen the capacity of action of the National Council for Combating Discrimination (NCCD) in the
   fields of prevention and sanctioning of discrimination and enhance its impact in the Romanian society.

   2.2 Project purpose:
   To develop NCCD human, material and legal resources and its policy oriented instruments in order to
   improve the capacity of implementation and enforcement of anti-discrimination legislation and to comply
   with international and EU best practices.

   2.3 Accession Partnership and NPAA priority
   The project addresses the following AP/NPAA policy priorities:
   - AP – 3.2. Political criteria: “continue to implement strategy to improve economic and social conditions
     of the Roma; implement measures aimed at fighting discrimination (including within the public
     administration); foster employment opportunities and increase access to education”

   - NPAA – (revised 2002) 2.2.2. Minority rights and protection of minorities
   Short and Medium Term Priorities: Fight against discrimination
   - Organisation and endowment of the National Council for Combating Discrimination (NCCD) (2002);
   - Elaboration and implementation of the National Plan on Combating Discrimination by NCCD (2003-
     2005).

   NPAA Chapter 4.13. Social Policy and Employment, 4.13.4 Fight against Discrimination
   Short - Term Priorities:
   Eliminating all forms of discrimination
   - Setting up, organisation and endowment of the National Council for Combating Discrimination
     (CNCD);
   - Information campaign for the public opinion on European and national anti-discrimination legislation;
   - Romania’s participation in the Community Programme of Action to Combat Discrimination (2001-
     2006).

   Medium -Term Priorities: Eliminating all forms of discrimination
   - Romania’s participation in the Community Programme of Action to Combat Discrimination (2001-
     2006);
   - Personnel training for Ministry of Public Information/Department for Interethnic Relations and CNCD
     on combating discrimination;
   - Implementation of programmes to prevent and combat discrimination;
   - Drawing up and implementation of the National Plan for Combating Discrimination by CNCD.

   2.4 Contribution to National Development Plan
   Not applicable.

   2.5 Cross Border Impact
   Not applicable.
3. Description

3.1. Background and justification:
Though the 1991 Constitution guaranteed the principle of equality, many national and international human rights reports have reported the persistence of discriminatory attitudes, acts and even regulations that not few individuals or groups have been subjected to on the grounds of their origin or social status.

Cases of discrimination against Roma, gays, religious minorities have been reported by NGOs active in protecting human rights but also by international institutions (the European Parliament, the Council of Europe, the European Commission’s Regular Reports on progress toward accession) which have remarked in different manners the need to tackle more effectively the situation of Roma, children, women etc.

In order to repair these shortcomings, in August 31, 2000 the Romanian Government passed Ordinance 137/2000 on preventing and punishing all forms of discrimination. The Ordinance 137 is a significant step forward, establishing a framework for victims of discrimination to seek and obtain redress provided the establishment of a specialised body in combating discrimination.

The official set up of the implementing body (NCCD) took until November 27, 2001 when the Government Decision no. 1194/2001 established the National Council to Combat Discrimination. Since then the Council is responsible for identifying and sanctioning the misdemeanours listed in the Ordinance 137. Finally, it was in July 31, 2002, when the Steering Board of the CNCD was appointed by the Prime Minister's decision no. 139/31.07.2002. However, in December 2002, this structure was altered through a new Governmental Decision 1514 from December 18.

The Romanian National Council for Combating Discrimination is the first specialised body established among the Candidate Countries with the purpose of answering the standards established by the Race Equality Directive. Its duties are both complex and diverse and its institutional capacity needs to strengthen.

NCCD has to cover more than ten grounds of discrimination and its mandate comprises, briefly: monitoring of existing legislation and drafting of new legislation, monitoring of the application of legal provisions in the field, elaboration of studies and researches, as well as the sanctioning power for misdemeanours provided under the Ordinance 137.

The three major general directions for the work of the institution are the prevention of discrimination, the sanctioning of deeds of discrimination and the co-operation with public and private bodies as well as with international organisations.

This mandate is fulfilled by an institutional structure comprising: the President, the Steering Board of 6 members and other 20 employees hired in: the Inspection team, the Legal Department, the Internal Audit office, the Department for Affirmative Policies, the Department for the Ensuring the Observance of Non-discrimination and the Economic and Administrative Department.

NCCD currently faces the need to establish solid grounds within the existing institutional administrative framework as well as to gain legitimacy in its relationship with the stake - holders. Only a few months after its activities started, it is rather clear that the resources to comply with all these duties in the same time are extremely limited.

The professionalisation of the NCCD staff, the effectiveness of the administrative enforcement mechanism as well as the political independence of NCCD are presently the most important issues of concern for the whole range of those affected in one way or another by the provisions of the legal text.

In order to develop the human, material and legal resources of NCCD, it is necessary to conduct a thorough analysis of the current situation and to assist in improving NCCD structure, planning and procedures, its partnerships with public and private actors in compliance with the Race Equality Directive (Directive 43/2000) as well as to transfer information on the acquis in this field through trainings, seminars and work-shops and to endow this institution with the basic equipment it still needs in order to fulfil its mandate.
As provided by the Governmental Decision 1194/2001, NCCD is supposed to expand its personnel up to 50 persons and to develop regional offices to cover all the country. In this endeavour NCCD needs both the investment which would allow for the develop of the material resources as well as the transfer of experience from countries which went through a similar experience.

This institution-building project aims at strengthening the capacity of NCCD to fulfil its mandate with clear and consistent plans, with ability to co-ordinate the government strategy in the field, in close co-operation with all the ministries and local authorities and relevant NGOs in the field, and with clear and suitable tools and procedures to undertake its functions of promoting equality practices on the one hand, and sanctioning the discriminatory acts, on the other. The assistance of the twinning activities will feed the ongoing progress NCCD is going through with expertise and know how from the experience of akin bodies that have run similar activities for years in some EU countries.

3.2. Linked activities:
In the past there were no specific Phare projects in the field of anti-discrimination, this being the first project with a national dimension and impact. There are however PHARE projects developed in various areas (Roma, LGBT, women) touching indirectly upon the issue of discrimination.

- Phare Programme RO9803.01 with the aim of improving the Roma situation in Romania through the development of a national strategy targeting this group
- Twinning in the Ministry of Labour and Social Solidarity RO02/IB/SO/01 with the purpose of the establishment of the National Agency for Equal Opportunities for women and men (to be implemented in the period 2003-2005)

Also, other NGO-led projects funded by the EU in the framework of Access Programme and the European Initiative for Democracy and Human Rights were undertaken with strong anti-discrimination elements. Among them, many focused again on tackling the Roma situation: in 1999, Access B7-300-030 (creation of a community centre of Roma people), Access B7-300-075 (assistance for Roma to improve their access to health services), EIDHR B7-700-109 (aiming at preventing conflicts in multicultural communities). And in year 2000, the project MIPI/2001 – 53 which aim was to set up a partnership structure between local authorities and Roma associations/communities with the purpose of raising the level of the Roma access to civil rights and to fight against discrimination.

Several donor agencies supported various NGOs in projects linked to fighting against discrimination and promoting equality. These programmes had been target-oriented and took into consideration the specificity of the needs of various vulnerable groups. Thus, the Open Society Network financed activities of training for the leaders of NGOs working with vulnerable groups and for their lawyers and also provided grants for NGOs willing to ensure legal assistance for the victims of discrimination.

Also within the structure of the Soros Open Network, the Resource Center for Roma Communities organised a campaign for the promotion of Ordinance 137 and disseminated information related to these legal standards in Roma communities. The Open Society Institute – Budapest also funded the programme Towards a Free Romania for Its Lesbian and Gay Citizens, organised by ACCEPT which entailed advocacy, monitoring and litigation on behalf of the victims of discrimination based on sexual orientation.

On a different venue, the Council of Europe appointed a country group in charge with the study of discrimination, of the institutional mechanisms and legal standards linked to anti-discrimination legislation.

3.3. Results:
In the implementation of the twinning arrangement the Beneficiary is committed to work in close partnership with the Member Stare partner and once the results will be accepted to proceed with their implementation without delay:
1. The review and update of the approved organisation chart and the institutional structure;
2. The review and update of the Strategy and respectively the Action Plan, including the procedures of NCCD;
3. Draft and sign protocols with NCCD stake-holders, framed in a clear set of provisions (strategy, rules, protocols, etc.);
4. Sectorial policy paper on promoting equality in order to substantiate the anti-discrimination system, covering at least three identified priorities (the various protected groups and having as well a sectorial approach on topics to be identified during the project implementation);

5. Specialised training packages for NCCD political and technical staff¹ and involving relevant stakeholders in the field of anti-discrimination. The professionalisation should cover: key instruments and techniques for policy-making, legal procedures (investigation, evidentiary, specialised assistance provided for the victims, direct and indirect discrimination as well as multiple discrimination and related intolerance, conflict mediation, affirmative action and public policies), the relation with the civil society, developing systems of early warning and community watch.

6. Draft legislation approved by NCCD to be submitted to the Government and to the Parliament in order to improve the legislation to meet the *acquis* in the field.

7. An interactive web page for NCCD which would provide the continuous access at all information and resources existing at all levels (local, national and international) for persons and institutions interested.

8. The Documentation Center on equality and anti-discrimination working as a department of NCCD open to the general public.

3.4. Activities:

**Component 1 - Twinning:**

In the framework of the twinning project trainings, seminars, traineeships and workshops will be undertaken jointly by the Beneficiary and the MS partner in a common endeavour, as follows:

1. Analysis of documentation improving NCCD structure, planning and procedures, taking into consideration the mission of NCCD and the expectations of the general public and of the third sector,

2. Conducting situation analysis and response analysis and collaborating for the operationalisation of partnership structures launched by NCCD with public and private actors (the inter-ministerial committee, bilateral protocols and agreements, the National Alliance Against Discrimination which currently has more than 40 signatures),

3. Training of the personnel of NCCD and of relevant actors in the field (lawyers, judges, NGO activists etc.). This implies that the 27 members of the NCCD staff will be involved in the training necessary for their responsibilities and representatives of relevant actors will be involved taking into consideration their expertise:*
   
   3.1. national and international legislation on anti-discrimination,
   
   3.2. legal procedures connected with the enforcement of anti-discrimination law (direct and indirect discrimination, multiple discrimination, and related intolerance, inspection, evidentiary, specialised assistance for the victims, mediation etc.),
   
   3.3. development of policies on promoting equality by target groups (ethnic minorities, women, religious groups, LGBT groups, people with mental and physical disabilities, PLAHIV/AIDS etc.) and by areas (education, health, social services, housing and accommodation, access to justice, employment etc.),
   
   3.4. mechanisms of policy development,
   
   3.5. the use of the new technologies for information, education and communication in this field (email, intranet, specialised software etc),
   
   3.6. the use of new technologies for the analysis and interpretation of complaints in order to produce reports and statistical data (adapting specialised software etc.),
   
   3.7. development of co-operation projects,
   
   3.8. development of products, processes, strategy and methodology for combating discrimination, (1,000 brochures and handbooks)

The training curricula and materials should be developed specifically by the PAA and short term experts taking into consideration the specificity of the needs and of the legal context. The applied part of the seminars will include work on the best practices in specific areas and discussions based on the applicability of these practices in the Romanian context.

4. Screening the Romanian legislation with the purpose of identifying the shortcomings and of proposing a draft for the improvement of the legal framework in the field of anti-discrimination,

¹ Currently the personnel of NCCD is of 27 staff members. We used the 29 members as a working assumption.

* The training groups involving NCCD specialised personnel and representatives of the relevant actors involved in the specific area of each training. The selection of the participants at each training will take into consideration the responsibilities and the profile of the participants.
5. Development of awareness training and seminars with the purposes of sensitising various relevant actors and contributing at the exchange of experience and the dissemination of information of the acquis in this field,

6. Developing materials for:
   a. sensitising purposes such as brochures, leaflets, protocols, codes of practice on promoting equality and combating discrimination in various fields, as well as,
   b. for information and education purposes, i.e. CDs and printed documents comprising all national legislation, with international standards, the contacts of relevant international institutions etc.

7. Closing Conference in which NCCD, the PAA, domestic and foreign experts and representatives of ministries, international donor agencies, representatives of the protected groups will be invited to disseminate the results of the project. The workshop will serve to motivate participants to co-operate in the future and to contribute in providing sustainability of the actions undertaken.

8. Set up the Documentation Center in collaboration with the Twinning partner who will advice and help in selecting and purchasing the bibliography and in developing the structure of the web-page.

Component 2 – Investment:
1. Equipment for NCCD. ( supplement with 25 PCs the already existing 19 for the staff, 1 PC for the twinning unit, purchase 20 printers to supplement the existing 5, a general printer for the server, internal and external server, web server, 1 scanner, 5 laptops for the PAA and the twinning team and for the conferences and the field work, license for the software, screen, CDRW, 3 VCRs, 1 projector).

2. Develop the internet connection.

3. Set up a Documentation Center within NCCD and an on-line web page for the dissemination of information (purchasing 4 PCs for the use of the public and of the librarians).

   ▪ Reference criteria: In order to attain the proposed results the transfer of knowledge, standards and best practices from the EU Member States will be the primary tool in the context of the twinning arrangement. This will entail an exercise of harmonising the standards applicable in preventing and combating discrimination, as well as the harmonisation of the strategies to different contexts by taking into consideration the specificity of discrimination for different groups.

   ▪ Schedule: The overall project will last 18 months. The detailed schedule will include: 1 month for the initial/preparation stage for PAA, 16 months of implementation of the project and 1 month for the concluding work/evaluation of the project. The concrete development of the schedule will be realised by taking into consideration the following: 1. The opening of the project, 2. The instalment of the PAA, 3. The evaluation and the closure of the project. A further criterion for the development of the project consists in the risks/conditionalities to be taken into consideration for the smooth implementation of the twinning arrangement.

   ▪ Defining responsibilities: The responsibility for the implementation of the project is a joint responsibility of the Project Leader- Pre-Accession Advisor (PAA) from the EU and the President of NCCD. Each of these partners is liable for the activities assigned through the Twinning Covenant, has complete authority over the material and human resources involved and is the authority in the relation with his/her own staff. A steering committee should meet quarterly or whenever needed through the Twinning Covenant in order to secure the co-ordination of the project.

   ▪ Responsibilities of the Member State: The project leader has the overall responsibility for the involvement of his administration. He/she can however delegate the management and the day to day implementation of the project.

   ▪ Responsibilities of the Commission: the Commission is responsible to cover a part of the expenses for the twinning arrangement amounting to 934.000 euros as detailed in the budget.

   ▪ Responsibilities of the beneficiary: the recipient institution will be responsible for the following:
     a. cover related expenses which are not covered by the EU:
        - Direct and indirect costs of CC administrations, civil servants and national private experts working for the project;
        - Costs for equipment that might be considered as basic;
     b. provide the experts sent the requisite facilities for professional use free of charge:
        - adequately equipped office space,
        - telephone, fax,
        - photocopiers,
        - computers,
- secretarial support,
- access to information,

c. The VAT costs will also have to be covered by the Candidate State as according to the Financial Regulation for EU funding costs for indirect taxes cannot be covered by Community funds.

- **Personnel and infrastructure:**
  - **Candidate country**
  
  A.1. The responsible persons for each Department are: the head of the Legal Department- Madalina Rosu, the head of the Department on Affirmative and Social Policies- Simona Manoliu, the head of the Financial and Accounting Department- Constantin Dinca, the head of the Department for the Insurance of Non-discrimination- Adina Tutara, head of the Inspection team – Ionica Catanescu, the head of the Human Resources Department– Nicoleat Ugrescu. See also Annex on NCCD Staff.
  
  A.2. The NCCD should put at the disposal of its partner all infrastructure required: office, telephone, printer, PC etc.

  - **Member State:**
  
  B.1. Project leader, PAA, short term experts assigned through the Twinning Covenant
  
  B.2. Logistical management and accounting

- **Tasks of the PAA:**

  The task of the PAA will be to assist and advise NCCD in the process of institutional building in the field of anti-discrimination. In the implementation period his/her task will be to support operative activities related to the development of NCCD and to the provision of its efficient presence in the civil society and in raising the awareness of the population as well as in developing the Documentation Center. The PAA will also contribute to organising the training and the activities, ensuring the contribution of the institutions selected in the EU Member States.

  Furthermore, the PAA will also:
  
  - be responsible for the overall supervision of the project implementation
  - keep permanent contact with the national and international non-governmental organisations
  - communicate with the EC Delegation and the relevant Commission services
  - communicate with the Ministry of European Integration
  - provide professional support in developing the related areas
  - organise the preparation of the required studies, be responsible with the development of specialised and personalised curricula
  - communicate and work closely with the Romanian Project Leader, the President of the NCCD

- **Profile of the project leader:**

  The project leader should be a high ranking official in a similar organisation in the Member State with a broad knowledge of all processes in the area of promoting equality and combating discrimination and good leadership skills.

- **Profile of the PAA:**

  - at least 3 years of direct experience in an organisation with similar competences,
  - should have an advanced degree in Political Sciences, Law, International Relations, Sociology or a similar educational background,
  - he/she should have experience in institutional design and re-structuring, institutional management,
  - experience in managing projects dealing with promoting equality and combating discrimination,
  - knowledge of project and change management,
  - knowledge of legal standards,
  - high-level command of English or French language is a mandatory condition and knowledge of Romanian language is also desirable,
  - experience in the field of training/education is an asset,
  - a working knowledge of Romanian realities (previous work experience in Romania would be an advantage) is an asset.

- **Profile of the short – term experts:**
Tasks not directly covered by the PAA will be taken over by short-term experts within the limits of the budget. Different short-term experts will have relevant direct experience in discrimination issues, minority protection, the practice of mainstreaming, monitoring systems, specialised assistance for the victims, inspection, mediation, legislative drafting, equality policies, affirmative action and other fields as established in the needs assessment, as well as a practical knowledge of these issues. The short-term experts should have an experience of at least 3 years in the field.

3.5. Lessons learned:
In Romania there were no Phare projects targeting specifically discrimination that might include relevant lessons in terms of discrimination.

The work of the PAA and of the short-term and medium term experts should take into consideration the findings of the PPF Assessment Report.

4. Institutional Framework

Currently, the National Council for Combating Discrimination (NCCD) is an autonomous organ of the state administration dependant of the Prime Minister and with nation-wide competence on the enforcement of the anti-discrimination legislation, specifically the Law 48/2002 for the approval of the Government Ordinance 137/2000 on preventing and punishing all forms of discrimination.

In the Administrative Capacity Action Plan for Romania, within the AP Priorities related to strengthening administrative & judicial capacity, on human rights and protection of minorities it is set as a priority “to establish and ensure the due functioning of institutions to prevent and combat all forms of discrimination” and that “NCCD will be an administrative structure of central public authority and will have the role to implement the principle of equal treatment between persons as stipulated by the Romanian Constitution, and will be the monitoring supervisor for contravention defined by GO 137/2000.”

NCCD is a very young institution with both its structure and activities still in a process of consolidation.

The institutional framework in which NCCD has to fit in is quite complex due to the fact that though NCCD is inspired by Article 13 of the EU Directive 43/2000 which mandates the establishment of specialised bodies in the promotion of the equality principle on ground of racial and ethnic origin. NCCD has to cover by Law a comprehensive number of grounds of discrimination (more than ten). This will be quite an unique challenge, even more important considering the lack of similar bodies in this field and the subsequent lack of models of reference.

Due to the large number of protected groups whose rights NCCD will have to enforce, there are many institutional actors of reference within the current administrative and institutional structure, taken field by field. The aim of the Council is to become a supra-sectorial body establishing the guidelines and orientations for the governmental policies against discrimination.

Given the various grounds of discrimination, NCCD must develop strategies and partnerships in respect to the many existent administrative bodies: The National Office for Roma and the Inter-Ethnic Relations Department within the Ministry of Public Information; the future Commission for equality between men and women in the Ministry of Labour and Social Solidarity, the whole structure of the National Strategy for the Improvement of the Situation of Roma, among many others.

Moreover, the large number of sectorial fields which must be protected against discrimination (work, health, education, social assistance etc.) puts NCCD in the position to create links with all relevant ministerial departments avoiding any overlap in the use of resources. Furthermore, many of these yet consolidated departments count with a broad territorial structure with presence at regional and local scale, which is an advantage in comparison with the still centralised in Bucharest staff and headquarters of NCCD.

For this purpose NCCD is currently in the process of establishing an inter-ministerial Committee to prevent and combat discrimination, as well as protocols of collaboration with all the relevant ministries concerned. Not few inter-ministerial committees already exist dealing with issues somehow related to NCCD’s mandate. The results of the twinning project will strengthen the partnership structures with other relevant ministries and departments as well as clarify comprehensively the most appropriate role of NCCD within the overall institutional framework.

5. Detailed Budget
The Government co-financing for the twinning activity is an estimated indicative amount and will not be part of the budget of the Twinning Covenant. It provides an indication of the resources in cash or in kind that the beneficiaries will have to mobilise to cover the necessary counterpart expenses arising from the implementation of twinning.

6. Implementation Arrangements

6.1. Implementing Agency

PAO: Head of the Central Finance and Contracts Unit
Ministry of Finance
Address: Str. Mendeleev, No.36-38
Telephone: 40-21-3103772, 40-21-3136630
Fax: 40-21-3153536

6.2. Twinning

Beneficiary: National Council Combating Discrimination,
Contact person: President of NCCD, Cristian Jura
Address: Bd. Nicolae Balcescu, No.35 A, Etj. 5,
Telephone: 40-21-3126579
Fax: 40-21-312.65.78
E-mail: nediscriminare@gov.ro

The PAA, the local assistant and the short term, medium term experts of the twinning institutions will work in the NCCD office. The project leader on the Government side will be the President of the NCCD. NCCD will provide a proper working place including the necessary equipment to the technical team.

6.3. Non-standard aspects

The contract/tender procedures will strictly follow PRAG rules and the rules in the reference manual on twinning projects and DIS manual.

6.4. Contracts

The project will include one twinning and one supply contract. The total value in € of the project is of 934.000 euros: for the twinning component is of 800.000 (which includes technical assistance: Pre-accession advisor, project leader, and various short term experts, the local assistant, interpreters and translators) and the investment component is of 100.000 euros.

7. Implementation Schedule

7.1. Start of tendering/call for proposals

The tender will be open in June 2003

7.2. Start of project activity

Expected date of commencement of first contract/grant scheme: February 2004

7.3 Project Completion

Expected date of last payment under last contract/grant: August 2005.

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<tr>
<th>Component</th>
<th>Start of Tendering</th>
<th>Start of Project Activity</th>
<th>Completion</th>
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<tbody>
<tr>
<td>Twinning</td>
<td>06/ 2003</td>
<td>02/ 2004</td>
<td>05/ 2005</td>
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<tr>
<td>Supply</td>
<td>01/ 2004</td>
<td>09/ 2004</td>
<td>05/ 2005</td>
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</table>
8. Equal Opportunity
The equal participation of men and women will be assured in the project following the form of gender impact. (see also Annex – Gender Impact Form).

9. Environment
Not applicable.

10. Rates of return
Not applicable

11. Investment criteria
11.1 Catalytic effect:
Combatting discrimination and promoting equality is a priority for the accession programme and the institutional development of the NCCD will help in fulfilling this requirement which would otherwise not take place or would take place at a later moment due to the lack of funding available at the national level.

11.2 Co-financing:
The national government will contribute at the institutional development of NCCD. The structure of this project entails as well developing the capacity of NCCD for further fundraising to attract as much co-financing as possible from other sources.

11.3 Additionality:
Not applicable.

11.4 Project readiness and Size:
The readiness of the project is evidenced by the assessment report and the Annexes included. In order to make sure that the project is acceptable, the PPF team conducted a needs assessment exercise carried out through discussions and interviews with Board members and staff of NCCD as well as with other linked institutions (public and private).

11.5 Sustainability:
The project has a investment component which will ensure the sustainability of NCCD on the long term. Once the institutional support for NCCD will be established and functional, the national government will pay for future maintenance and operating costs.

11.6 Compliance with state aids provisions
All investments will respect the state aid provisions of the Europe Agreement should these be applicable to the project.

11.7 Contribution to National Development Plan
Not applicable.

12. Conditionality and sequencing
Unless the following are fulfilled to satisfaction of the EC
1. Allocation of a proper office accessible to all groups for NCCD will determine the use of funds. The contracting process cannot start if this condition is not complied with.
Annexes to project Fiche

1. Logical framework matrix in standard format
2. Detailed implementation chart
3. Contracting and disbursement schedule by quarter for full duration of programme (including disbursement period)
4. List of relevant Laws and Regulations (national and international)
5. List of stake-holders interviewed during the PPF.
6. Detailed budget.
## LOGFRAME PLANNING MATRIX FOR Institutional Building in the Field of Anti-Discrimination

<table>
<thead>
<tr>
<th>Overall objective</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
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</table>
| To strengthen the capacity of action of NCCD and enhance its impact in the Romanian society. | 1. publication of clear procedures, by-laws and policies developed by NCCD  
2. increase the number of adequate complaints received with 100% by the end of the project and decrease of inadequate complaints with 50%  
3. increase of cases assessed and solved by NCCD and of documentation produced with 50% by the end of the project  
4. proposals of amending the legal standards in the field of anti-discrimination in order to comply with the EU norms  
5. organise at least 10 training seminars for the NCCD staff and invited relevant actors | NCCD activity reports and internal records  
PAA periodic reports  
EUC Regular Reports  
stake holders reports  
media coverage overview  
the amendment of existing legislation as published in the Official Gazette |

### Project purpose

To develop NCCD human, material and legal resources and its policy oriented instruments.

<table>
<thead>
<tr>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
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</thead>
</table>
| 1. increase material resources of NCCD 20% by the end of the project  
2. provisions of 4 draft regulations on aspects related to discrimination during the project course  
3. existence of materials concerning NCCD policy oriented instruments | PAA initial reports, progress reports and follow-up reports  
International reports of specialised bodies in promoting equality  
Reports of the NGOs active in combating discrimination. | The Government increases the budget allocation for NCCD  
The political will to adopt and observe regulatory and legal amendments. |
Annex 1: Logframe Matrix for project “Institutional Building in the Field of Anti-Discrimination”

1. Review and update of institutional structure, of strategic planning and NCCD procedures;
2. Functional mechanism of collaboration with the stakeholders framed in a clear set of provisions;
3. A policy framework on promoting equality;
4. Specialised training for NCCD staff and involving relevant actors.
5. Legislative adjustments to meet the acquis in the field.
6. Interactive web page.
7. The Documentation Center on equality and anti-discrimination.

<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Assumptions</th>
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<tbody>
<tr>
<td>Component 1 Twinning</td>
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<tr>
<td>1. Analysis and support in improving NCCD structure, planning and procedures</td>
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<td>2. Ongoing cooperation for the operationalisation of partnership structures</td>
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<td>3. Training of the personnel of NCCD (and relevant actors in the field)</td>
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<td>4. Screening the legislation for proposing an improvement of the</td>
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<td>Ø Twinning covenant (one PAA, short term experts, one local assistant)</td>
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<td>Ø Purchase of equipment, documentary resources and software</td>
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<td>Ø Supply for web design and printing</td>
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<tr>
<td>-Modification of the organisational chart</td>
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<tr>
<td>-By the end of the twinning arrangement, 60 NGOs will collaborate with NCCD with concrete and tangible tasks</td>
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<tr>
<td>-The NCCD background documents available for the public raises up to at least one per protected group</td>
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<tr>
<td>-60 people trained in different fields relevant to action against discrimination</td>
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<tr>
<td>-The interactive web page for the third system, the Legislative, the Executive, the Judiciary, public administration (local and central).</td>
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<tr>
<td>-Acquisition of documentary resources for the Documentation Center amounting to 500 titles by the end of the project</td>
<td></td>
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<tr>
<td>-NCCD activity reports</td>
<td></td>
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<tr>
<td>-PAA quarterly reports</td>
<td></td>
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<tr>
<td>-Lists with the participants at the meetings, conferences and trainings organised</td>
<td></td>
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<tr>
<td>-Protocols of collaboration</td>
<td></td>
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<tr>
<td>-Training reports</td>
<td></td>
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<tr>
<td>-Updated interactive web page</td>
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<tr>
<td>-Annual report on the activity of the Documentation Center</td>
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<tr>
<td>-Purchase receipts and subscriptions, exchange and donations forms</td>
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<tr>
<td>-Political will to carry out the necessary decisions to reshape NCCD.</td>
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<tr>
<td>-Smooth co-operation of all the relevant parties concerned</td>
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<tr>
<td>-Trained staff remains in NCCD.</td>
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</tbody>
</table>

Top-ranking EU expertise is available for transfer to NCCD
Co-funding is provided by the national government
Effective co-operation between NCCD and the PAA and with other institutions who set and use standards against discrimination
<table>
<thead>
<tr>
<th>Component 2 Investment</th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>1. Equipment for NCCD,</td>
<td>Purchase of the necessary equipment</td>
<td></td>
</tr>
<tr>
<td>2. Bibliographical and documentary resources necessary</td>
<td>Update the list of needs identified by the PPF mission</td>
<td>Launch the tendering procedures</td>
</tr>
</tbody>
</table>

**Preconditions**

- Government clarifies the status of NCCD as an independent national agency in the context of the anti-discrimination legislation and reinforces a leading role of NCCD in the field.
- Adoption of regulations providing for alignment of anti-discrimination legislation with EU and international standards.
- Endowment of NCCD with a proper office and the staff necessary to conduct its work.
- The successive governments will acknowledge the importance of supporting NCCD as an independent institution and will provide for its sustainability.
Annex 2: Detailed implementation chart for project “Institutional Building in the Field of Anti-Discrimination”

<table>
<thead>
<tr>
<th>calendar months</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
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</tbody>
</table>

Activities

- **Twinning**
  - D = Design
  - D = Tendering
  - C = Contracting
  - I = Implementation
  - E = Evaluation and closure of the project

- **Supply**
  - D = Design
  - D = Tendering
  - C = Contracting
  - I = Implementation
  - E = Evaluation and closure of the project
Annex 3: Cumulative contracting and disbursement schedule for project “Institutional Building in the Field of Anti-Discrimination”

CUMULATIVE CONTRACTING AND DISBURSEMENT SCHEDULE (MEUR)

<table>
<thead>
<tr>
<th></th>
<th>31/03/03</th>
<th>30/06/03</th>
<th>30/09/03</th>
<th>31/12/03</th>
<th>31/03/04</th>
<th>30/06/04</th>
<th>30/09/04</th>
<th>31/12/04</th>
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<th>30/09/05</th>
<th>31/12/05</th>
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<tbody>
<tr>
<td>CONTRACTED</td>
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<tr>
<td>DISBURSEMENT</td>
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<td>0.65</td>
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<td>0.9</td>
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</table>

NB:  
1. All contracting should normally be completed within 6-12 months and must be completed within 24 months of signature of the FM.  
2. All disbursements must be completed within 36 months of signature of the FM.
ANNEX 4
List of relevant Laws and Regulations

Directly applicable sources:

1. Romanian Constitution
2. Anti-discrimination legislation
   2.1 Ordinance No. 137/2000
   2.2 Governmental Decision No. 1194/2001
   2.3 Law 48/2002
   2.4 Governmental Decision No. 1514/2002
   2.5 NCCD Internal regulation
   2.6 NCCD Procedural rules
3. Equal opportunity legislation
   3.1. Law 202/2002 – equal opportunity
   3.2. Governmental decision 1273/2002 – the National Commission for Equal Opportunity
4. Civil Code
5. Civil Procedure Code
7. Law 180/2002
8. Ordinance 2/2001

Specific sources on protected vulnerable groups

1. Roma
2. Ethnic and national minorities
   2.2. Governmental Decision 589/2001 - National Council for National Minorities
   2.3. Law 68/1992 on the elections for the Chamber of Deputies and for the Senate
   2.4. Law 70/1991 on local elections
3. Religious minorities
   3.1. Decree Law 177/1948 on the regime of the cults in the Popular Republic of Romania
4. Women
   4.2. Trafficking in persons – Law 678/2001
   4.4. Law 120/1997 – paid leave for raising the children under the age of two
5. Children
   5.1. Law 61/1993 – state support for children
   5.3. National Strategy for the Protection of the rights of the child
   5.4. Law 119/1997 – state support – alocatia
   5.5. Emergency Ordinance 26/1997 - protection of specific categories of minors
   5.6. Governmental Decision 380/2000 on the National Plan for the Children living on the streets
   5.7. Emergency Ordinance 192/1999 on the National Agency for the Protection of the Child
6. People living with or affected by HIV/AIDS
   6.1. Law 584/2002 on the regime of HIV/AIDS
   6.2. Governmental Decision 285/2002
   6.3. Law 34/1998 on the protection of persons with disabilities

7. Drug users
   7.1. Law 143/2000 – combating the traffic of drugs and use of drugs

8. Pensioners and elder people
   8.1. Law 19/2000 – national pension system and other social rights
   8.2. Law 16/2000 – National Council for Elder People
   8.3. L338/2002 – right to pensions and other social rights

9. Persons with disabilities
   9.1. Law 519/2002 – special protection and work for persons with disabilities
   9.2. Law 34/1998 – subventions for NGOs working for persons with disabilities

10. Refugees and asylum seekers
    10.1. Law 264/2002 on the status of refugees
    10.2. Ordinance 102/2000 on the status of refugees
    10.3. Law 192/1999 citizenship

11. Poverty and unemployed
    11.1. Law 116/2002 – preventing and combating social marginalization
    11.2. Law 76/2002 – assistance for unemployed
    11.3. Law 705/2001 – national system of social assistance
    11.4. Law 416/2001 – minimum income guaranteed by the State and Emergency Ordinance 121/2002
    11.5. Law 19/2000 – public system of pensions and other social rights
    11.6. Law 65/1997 – social protection of unemployed
    11.7. Law 67/1995 – social assistance
    11.8. Law 1/1991 – social protection of unemployed and their professional reinsertion

Specific sources for protected fields

1. Employment and profession
   1.1. Labor code
   1.2. Law 76/2002 – assistance for unemployed

2. Access to education
   2.1. Law 84/1995 – education
   2.2. Governmental Decision 23/2001

3. Right to personal dignity
   3.1. Decision of the NAC 80/2002 – human dignity
   3.2. Ordinance 31/2002 - xenophobia

4. Access to social security
   4.1. Law 100/1998
   4.2. Law 145/1997
   4.3. Law 34/1998
   4.4. Law 67/1995
   4.5. Law 416/ 2001

5. Language
   5.1. Governmental Decision 23/2001
   5.2. Governmental Decision 1206/2001
Sources for relevant actors

1. NGOs
   1.1. Ordinance 26/2000
   1.2. Ordinance 37/2002

2. Ombudsman
   2.1. Law 35/1997
   2.2. Law 125/1998

3. Central public administration
   3.1. Ministry of Public Information – Governmental Decision 13/2001
   3.2. Ministry of Justice
   3.3. Law 215/2001 on Public administration
   3.4. Emergency Ordinance 22/1997 on public administration
   3.5. Governmental Decision 1206/2001 on the enforcement of the right of persons belonging to national minorities to use their mother tongue in local public administration
ANNEX 5
INTERVIEWS with the STAKE-HOLDERS:

I. POLITICAL PARTIES IN PARLIAMENT
1. Parliamentary Group of Democratic Party – Chamber of Deputies
2. Parliamentary Group of Democratic Party – Senate
3. Parliamentary Group of UDMR (Democratic Union of the Hungarians) - Chamber of Deputies
4. Parliamentary Group of UDMR (Democratic Union of the Hungarians) – Senate
5. Parliamentary Group of Liberal Party – Chamber of Deputies
6. Parliamentary Group of National Minorities - Chamber of Deputies
7. Parliamentary Group of Romania Mare Party - Chamber of Deputies
8. Human Rights and Minorities Commission – Senate
9. President of the Armenian minority – Chamber of Deputies
10. Member of Parliamentary Group of National Minorities – minority of Czechs and Slovaks - Chamber of Deputies
11. FDRG – Democratic Federation of Germans

II. MINISTERIES
1. Ministry of Public Information – Department for Interethnic Relations, Ministry of Labour and Social Solidarity
2. Ministry of Justice
3. Ministry of Health and Family
4. Ministry of Internal Affairs
5. Ministry of Public Information – National Office for Roma people
6. Ministry of Health and Family – Secretary of State for Handicapped Persons
7. Ministry of Education and Research
8. Ministry of Culture and Cults – State Secretariat of Religions
9. Ministry of Public Administration
10. Secretary of State for Public Policies

III. PUBLIC ADMINISTRATION
1. Association of Towns in Romania
2. Federation of Local Authorities of Romania

IV. TRADE-UNIONS
1. CNSLR Fratia
2. Cartel Alfa
3. Blocul National Sindical

V. INTERNATIONAL ORGANIZATIONS
1. UNICEF
2. UNAIDS
3. UNHCR
4. OIM
5. Delegation of the European Commission

VI. INSTITUTIONS
1. Lawyers’ Union
2. National Authority for the Protection of Child
3. National Council of Audiovisual
4. National Union of Magistrates from Romania

VII. NGOs
A. HUMAN RIGHTS
1. APADOR- Helsinki Comittee România
2. GRADO
3. FSD
4. Center of Juridical Resources
B. ROMA MINORITIES
1. RomaniCRISS
2. Together Agency
3. Roma Center for Public Policy
4. SATRA/ASTRA
5. Roma Christian Center
6. FEDER – Ethnic Foundation for Economic Development of Roma
7. Center of Resources for Roma Communities

C. RELIGIOUS MINORITIES
1. Jehova’s Witnesses
2. Methodist Christian Association
3. General Association of United Romanians

D. WOMEN NGOs
1. ANA Feminist Society of Analisys
2. Romanian Association of women in ass-media, art and business ARIADNA
3. European Movement of România
4. Equal Opportunities for Women – SEF Iasi
5. PROCEP - Women Association from Timisoara

E. NGOs for HIV/AIDS PEOPLE
1. HAR
2. ARAS
3. UNOPA

F. SEXUAL MINORITIES
1. Attitude
2. ACCEPT

G. NGOs FOR CHILDREN
1. “Save the children” Association
2. Health Aid Romania

H. NGOs FOR YOUTH
1. ELSA – European Association of Law Students

I. NGOs FOR HANDICAPPED PEOPLE
1. National Union of Handicapped People

J. Businessmen
1. Romanian Businessmen Association

K. NCCD STAFF (27 persons)
## ANNEX 6 - DETAILED BUDGET

<table>
<thead>
<tr>
<th>EC</th>
<th>National Co-financing</th>
<th>TOTAL</th>
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<tbody>
<tr>
<td>%</td>
<td>%</td>
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</table>

### Twinning

1. Costs arising from the preparation of the covenant: 6,000
2. Pre-accession Advisor (salary, travel and accommodation): 150,000
3. Project leader (travel and per diem): 10,000
4. Local Assistant (salary): 35,000
5. Short term experts (3) and flat rate compensation: 186,000
6. Auditor /year: 2,350
7. Translation of documents and reports: 10,000
8. Interpretation costs: 5,000
9. Exchange of experience (participation at international seminars): 50,000
10. Training and capacity building (travel, documentary materials and required equipment): 250,000
11. Support for the development of the library and database of the Center, elaboration of the software of the Documentation Center and of the web page of NCCD (on-line): 47,500
12. Documentation generated for information and visibility: 30,500

### Investment Component

1. Equipment
   - Computers (30 items): 30,000
   - Printers (20 items): 16,000
   - Scanner (1 item): 1,500
   - Laptop (5 items): 15,000
   - Projector (1 item): 5,000
   - Computer licences/soft: 10,000
   - VCR (3 items): 1,500
   - NCCD web site: 11,000
   - Servers (internal, external): 10,000
   - Vehicles 2: 14,000
   - Consumables for NCCD: 17,650

3. Unexpected expenses: 20,000

**TOTAL**: 900,000