

## OSCE

High Commissioner  
on National Minorities

His Excellency  
Mr Teodor Melescanu  
Minister of State, Minister for Foreign Affairs  
of Romania  
BUCHAREST  
Romania

Reference :  
No 413/96/L

The Hague  
26 February 1996

Dear Mr Minister,

Please permit me to express my gratitude to your Government for the way it organised my visit to your country on 14-19 January, which concentrated very much on the Education Law and its implementation and which included meetings with headmasters and teachers in 8 minority schools in Brasov and the county of Covasna. I had ample opportunities to get fully acquainted with the views on the law of both Government and opposition.

Regarding my findings, I have to mention first of all that they confirmed the views I have expressed in a press statement I made on 1 September last year in Bucharest, which I attach for your convenience. Let me underline that I consider especially significant the clarifications and assurances which I received from your Government and which I enumerated in my statement.

On the basis of the conversations I had in January, I should like to add some recommendations.

First of all, I noticed that a considerable number of regulations regarding the implementation of the law are still under preparation. I do realise that this is a complicated process which requires considerable expertise. However, I express the

hope that ways will be found to speed it up. I noticed in my contacts with heads of schools that the absence of a number of implementing regulations causes considerable uncertainty, even more so because the text of the law allows for a considerable flexibility in implementation.

Experience all over the world shows that, after a law has been implemented for some time, unforeseen weaknesses and deficiencies become visible. That certainly applies to a complicated law such as the Romanian Law on Education. I would therefore recommend that a general revision of the Law will be undertaken in the beginning of 1997.

According to article 124 of the Law, university entrance examinations have to be taken in Romania, except for subjects in which university tuition in the mother tongue is provided, such as teacher training and the arts (article 123). On the other hand, under the old system, all university entrance examinations could be taken in the mother tongue. I welcome the decision of your Government to allow the old system to continue for the current school year, and I should like to make a plea for this exemption to be continued for the 1996 university entrance examinations. I would hope, furthermore, that in the framework of a general revision of the Law in 1997 a return to the old system will be made possible.

These were the recommendations I should like to submit to you, Mr Minister. I look forward with great interest to your reply.

Yours sincerely,

[signature]

Max van der Stoep  
OSCE High Commissioner  
on National Minorities

---

*Minsiterul Afacerilor Externe al Romanieri*

Bucharest, 19 April 1996

Dear Mr. High Commissioner,

It gives me great pleasure to write you again, in answer to your letter of 26 February 1996, concerning the conclusions drawn after your recent visit to Romania, early this year.

As you are well aware, 1996 is an election year in Romania, with local elections scheduled to take place in the first week of June and parliamentary and presidential elections programmed during the fall. In this framework, the Romanian authorities, as well as political parties and other associations and organizations, including those of

persons belonging to national minorities, are determined to do their utmost in order to ensure a smooth and democratic unwinding of this electoral process.

In what concerns the Romanian Law on Education, as you have also observed, Mr. High Commissioner, it generally allows a considerable flexibility in its implementation. Indeed, a large part of the practical education regulations have already been finalized and, by the beginning of the 1996/1997 school year, it is expected that the basic framework for the implementation of the law to be in place. Furthermore, given the complexity of this process of adaptation, certain provisions will continue to be applied according to past experience and practice, as is the case of the conditions for university entrance examinations.

As pointed out during your talks in Bucharest, specialists within the Ministry of Education and, generally speaking, the Romanian authorities, are permanently open to the possibility, in keeping with the needs expressed by those directly concerned, to consider ways and means of further improving education conditions in our country. Generally speaking, as you yourself were able to remark during your visits to Romania, Mr. High Commissioner, the Romanian authorities are permanently concerned with making the necessary efforts with a view to ensuring the observance of human rights and fundamental freedoms, including those of persons belonging to national minorities, in agreement with constitutional provisions and the commitments undertaken by Romania in this field.

Expressing once again our deepest consideration for the activity carried out in your capacity as OSCE High Commissioner on National Minorities, please accept, dear Mr. van der Stoep, my very best regards,

Teodor Melascanu  
[signature]  
Minister of State,  
Minister of Foreign Affairs