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# **SOCIOLOGY AND SOCIAL WORK REVIEW**

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# **Homelessness prevention in the context of evictions in Romania**

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## **Abstract**

This paper provides a comprehensive description of the phenomenon of homelessness prevention in the context of evictions in Romania. The article defines and details the type of immovable property in Romania, the type of dwelling, residence, the level of loans and mortgages, and the conditions of eviction. Later, a presentation of the legislation in our country in the field of housing is made, by reviewing the normative acts that regulate this sector. Furthermore, it is detailed the extent of "soft law" measures in relation to evictions in Romania. In the last part of the material are analysed the risk factors and eviction leading to homelessness.

**Keywords:** *housing eviction; homelessness; social housing; poverty; social exclusion.*

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## **1. Housing stock and housing eviction**

Romania's housing sector is characterized by a massive fraction of private ownership (98%) but also by housing shortage affecting mostly the poor population and young people/ families. Up to 2008 Romania recorded very high prices for both old and new built dwellings, high prices of urban private rent. After 2008 even the prices for houses decreased by half, the access to housing for the vast majority of population is still problematic, due to decrease in incomes and consequently difficult access to buy or contract a mortgage loan, or lack of social housing. At the end of 2017 the housing tenure structure in Romania was:

- Social housing/ public property: 1.2%
- Owner occupation: 98.8%, from which:
  - o Market rental housing (official / registered data): 0.4%
  - o Unofficial private rental: 7%

In urban area, 98.2% are owner-occupation, while in rural area 99.5%. The social housing stock is insignificant as comparative with huge social segments in need for support / housing, as we will analyse further on.

There are no official aggregated data about overall number of eviction cases across Romania, mainly because of lack of interest of local authorities and weak capacity of local institutional systems to collect such data. As a consequence, paradoxically the main source of information in this area is mass-media which emphasize various case of (mass) eviction, which almost exclusively are happening in (big) cities but not in rural area. Most eviction cases are due to accumulated debts associated with public utilities – it is the case of families (home owners mostly, but also social rental and very seldom

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private rental) living in block of flats / multistory building. There are also cases of eviction of families which abusively occupied plots of public/ private land, building shacks, as well as dilapidated buildings in big cities.

Two main factors are responsible for evictions: a) poverty and consequently the lack of capacity of affected people to pay for rent/ utilities/ maintain a dwelling and b) deficit of social housing. Urban local authorities have an insignificant stock of social housing, which did not increase in the last 20 years but decreased. Due to the fact that private rental is mostly hidden (even regulated) there are no solid information about eviction in this sector, but it seems that the evicted tenants are sometimes victims of one-sided decision of owners to quit the mutual contract of tenancy. In addition the high cost of public utilities is worsening the situation of some groups. Among the groups with significant housing problems (including evictions) is Roma population.

Access to housing being a fundamental human right, that means every form of denial of this right (not only the non-inclusion of certain provisions and fundamental rights in specific legislation but especially non-intervention by non-developing social programs and measures to eradicate/ diminish homelessness and improve the living conditions of those living in poor conditions) serious harm them, leading to marginalization and social exclusion, the drastic reduction of the capacity of the individuals to be inserted into normal social circuit on their own.

## **2. Housing as a fundamental right**

Even if within Romanian Constitution (2003) the housing as a fundamental right it is not explicit stipulated, there are some Laws and international conventions that Romania signed guaranteeing housing protection & rights. In a FRA/ RAXEN report done in 2009 by Delia Nita (Nita 2009), the protection of the right to adequate housing is described as follows: *“According to the Romanian Constitution, treaties ratified by Parliament become part of the national legislation without the need for further legislation and, when they concern human rights, they take precedence over national legislation unless the national legislation is more favorable. [...] Romania has signed and ratified the European Social Charter but does not recognize the collective complaints procedure. In addition, Romania has not ratified Article 31 of the ESC concerning the right to housing.”* (Nita 2009, p. 6)

Romanian Constitution stipulates only generally the “right to private property” (Romanian Constitution, art. 44) which is *“equally guaranteed and protected by the law, regardless of titular”* but not specifically the right to housing. Also within article 47 regarding the “standard of living” it is stipulated that *“it is compulsory for the State to undertake measures of economic development and social protection, to ensure the citizens’ a decent standard of living”* nominating explicitly that the citizens have the right to pension, paid maternity leave, medical assistance within public units, unemployment allowance and social assistance but not nominating housing.

In Romanian law, the right to housing is described and provided by “Housing Law” 114/1996 with subsequent amendments. This act regulates the social, economic, technical and legal aspects of building and usage of dwellings. Also the “Law on preventing and combating social exclusion” 116/2002 stipulates some measures related to housing.

*“Housing Law”* 114/1996 has as base principle stipulating that the “free and unrestricted access to housing is a right of every citizen” [...] as well as “making housing is a major objective of national interest in the long term, of central and local



government." The law is defining adequate dwelling and minimal requirements, social dwelling and categories entitled to obtain one. Social housing either comes from the building of new houses, or from the retrofitting of old houses. Beneficiaries of social housing with a view to renting can be families or persons with a monthly net medium income per person, in the last 12 months, under the medium net income from salary for the whole economy. The rent will not be higher than 10 per cent of the monthly net income (art. 44). The beneficiaries are selected by local authorities according to annually established criteria, and in the order of priority established by the law (Nita 2009: pp. 7-9). The New Civil Code (2014) abrogated the whole section about "Housing rent" (art. 21-33). In art. 25 of the 114 Law it was stipulated that in a renting relationship, the tenant can be evacuated only on the basis of a final court decision. The New Civil Code undertone by 1831 article that if the law does not provide otherwise, the tenant eviction is based a final court decision.

The "Law on preventing and combating social exclusion" 116/2002 has an explicit principle stipulating that the social nature of Romanian State enforces to set up specific measures to avoid degradation of living standard and safeguarding the dignity of all citizens. Also the Law stipulates very clear that its purpose is to ensure an effective access, particularly for young people, to elementary and fundamental rights, such as the right to a job, housing, care, education, and to set up measures to prevent and combat social exclusion and mobilizing institutions with attributions in the field. Articles 13, 14 and 15 are regulating specially the right to housing. The most important law article (31) stipulates that the Government is authorized to establish measures necessary to prevent eviction from housing to disadvantaged people who have debts to the associations of tenants / owners. These measures include revision or improvement of procedure for the sale of housing stock, in order to eliminate the possibility of purchasing homes at a much lower price than that charged on the open market situation caused by financial problems faced by the seller (Law no. 116/2002).

Also the 116 law set up measures in order to prevent eviction by supporting payment of debts (for public utilities & rent) of lodger. Thus, depending on income levels established, Local Councils have the obligation to ensure to marginalized individuals and families access to housing and public services of strict necessity such as water, electricity, gas, heating, etc. In order to harness those interventions the local council may conclude agreements with services providers that agrees to pay part of the debts that have individuals and families.

To our knowledge, protection against forced evictions is not very explicit stipulated in other Romanian legislative acts or for the stipulation of alternative accommodation (even the state authorities doing the eviction consider restoring the legality of a situation).

The new Civil Code regulate the relations between owners and tenants, stipulating a fast and simple special procedure for evacuation of occupants. In that it seeks to eliminate obstacles that might delay the resolution of the dispute as quickly as possible. The special procedure for evacuation/ eviction applies to lodgers of buildings occupied without any right by former tenants or others. The procedure can be used not only by the owner / lessor of leased building but a sub-locator (original tenant) or a transferee and even a person acquiring the building after, widening the range of persons eligible to a quick solution in the case which the abusive lodger refuse to evict the building. Moreover, this procedure can be used by the owner directly against a sub-locator and even if it does not have any direct contractual relations.

The article 807 (debtor evacuation) of the Civil Code stipulates that if the borrower/ debtor occupies the property itself whose revenues are tracked at the request of the creditor, the enforcement court may, according to circumstances, to order the evacuation, in whole or in part, of the property either immediately or within a certain period in order to ensure a better use of its. The whole Title III of the Civil Code it is dedicated to “*Direct forced execution*”, which under art. 887 stipulates that if the debtor's obligation under the Enforcement consists in allowing the possession of a commodity, to hand a commodity or the use thereof, or the discharge of a debtor from a dwelling or from another precincts for the fulfillment of creditors’ rights and debtor does not voluntarily execute its obligation within the period specified in the notice, the lender will require enforcement, which may, in relation to the circumstances of the case and the nature of the obligation runs to notify the court of execution, in order to apply a penalty. Unfortunately the law, through article 888, leaves enough room for forced evictions, due to the situation when at the request of the lender, if warranted an urgent need or it is a threatening from debtor to evade prosecution, the court may order, by signing a declaration of enforcement that the enforcement should be made immediately and without notice.

Article 895 of the law set up the prosecution terms, specifying who is protected and who is not. No discharge of buildings for housing purposes may be made during December 1<sup>st</sup> - March 1<sup>st</sup> of the following year unless the creditor proves that under the provisions of housing legislation, he and his family do not have available adequate housing or that the debtor and his family have another suitable housing that might move soon. These provisions do not apply in case of evacuation of persons abusively occupying a dwelling without a legal title, and even those who have been evicted for threatening relations of coexistence or disturbs seriously the public harmony. The debtor it is obliged to leave the house in maximum 8 days (art. 896) since he/ she was informed, otherwise will be evicted by force. The Title XI of the Civil Code regulates “*Eviction from buildings abusively occupied*” (art. 1033-1048). The owner of the building which wants to be repossessed will inform the tenant by a written letter and through a legal representative, with minimum 30 days before deadline, that he/ she should leave the building.

The enforcement of evacuation/ execution (article 1044) cannot be suspended. However, in the case of eviction for nonpayment of rent will be possible to suspend enforcement of the judgment under appeal enforcement or appeal exercised by the defendant only if the defendant pays in cash to the creditor, the rent or lease that was required, the amount determined to ensure rent or lease rates due to the request for suspension, and the corresponding rent or lease rates that would become due during the trial process.

There is also a specific stipulation (art. 1048) envisaging the resolution of conflict situations between individuals (owners) living in multistory buildings and owners association.

The mass evictions are phenomena spread quasi-totally in urban area, envisaging mostly Roma citizens which illegally occupied (mostly) private building retroceded to the former owners after 1990. It was, for example, the “Vulturilor Street” eviction case in Bucharest:

*“Over 100 people living in a yard of houses on 50 Vulturilor Street, Bucharest, Romania, were forcefully evicted on Monday, September 15.*

*[...]The land corresponding to Vulturilor 50, with an approximate surface of 2300 square meters, was returned in July 2002 to former (before socialist nationalisation in 50's) owners, on the basis of restitution law 10/2001. In 2002, the owners concluded lease contracts with all former state tenants living in the houses, in accordance with the provisions of Government Emergency Decision 40/1999 concerning the protection of tenants. The new lease contracts were concluded for a period of 5 years. In 2007, the owners sold the land and the litigation rights to the consultancy firm SC New Bridge Partners SRL, managed by a Norwegian citizen. In 2008, the firm brought eviction suits against the tenants. It won in 2009 with the court ordering the eviction of the tenants. The decision was not contested by the latter owing to their lack of any kind of legal expertise and the insufficient funds for hiring a lawyer.*

*Most of the tenants have been living in the Vulturilor yard for 20 years, having been assigned there in the beginning of the 1990s by the state companies for which they worked. Since the 2009 expiry of the new contracts concluded with the owners and up to now, the tenants have been living in those homes without legal documents. Not having the possibility of renting or buying apartments on the market, the majority continued to live in the houses from which they had been told they were going to be evicted.” ( Reclaiming Spaces 2004)*

### **3. Owner-occupied principal primary residences**

In Romania 98.8% of the overall housing stock is private owned. There are some debatable (official) figures (citing EUROSTAT data) regarding the ratio of owner-occupation within the private owned housing stock, respectively the private rented sector, but some other non-official estimations range this around 90%. According to 2011 EUROSTAT data the distribution is: owners - 96.6% of the population of which 0.6% with mortgage; tenants - 1.0% private rented at market value and 2.4% without rent (welfare, etc.) or rent below market value (see also Office for National Statistics 2009, table 2: p. 6).

According with the data of Ministry of Public Finance, about 15%-20% of private owned homes in the big cities are private for rent / rented (even official figure is 0.4%), but only 4% of owners pay their owed taxes (Nasul 2013). According to the Ministry of Public Finance, only 1% of owners declare incomes from rentals, situation which generates a huge tax evasion.

About 44.4% of Romanian population is formed of young people under 35 years old. Most of them are living with their parents because of housing shortage (especially in urban area).

Also according with 2010 Eurostat data, 41.4% of Romanian population is at risk of poverty and social exclusion, while 31% are affected by severe poverty defined as an aggregation of at least four factors, among them *i*) cannot pay on time rent, mortgage or utility bills, *ii*) cannot afford to heat their home adequately, *iii*) cannot handle unexpected basic expenses – situations which leads to a severe risk of housing exclusion and eviction. By 2015 this percent decrease to 37.3%, but Romania is still the second country in UE (after Bulgaria with 41.3%) while the average EU-28 was 23.7%.

Regarding the ratio of owner-occupier with mortgage there are no precise information / figures, but additional data shows that in 2011 12% of population had loans for assets and commodities, while in 2014 this ratio decrease to 9%. Corroborating this information with the fact that in 2012 within total household loans,

loans for consumption was around 37 billion ROL (~ 840 million Euro) and the housing loans totaled 35 billion lei (România Liberă 2012), we can conclude that the ratio of housing loans is around 45-50% of total populations' loans.

Also additional information shows that *“the proportion of outstanding mortgage loans (out of total outstanding loans, excluding outstanding loans to the central government) increased in 2011, to about 15%. The amount of outstanding mortgage loans increased by a robust 13.1 % in 2011, to reach RON 32,832 billion (i.e. 7.6 EUR billion), while it was 29 billion (i.e. 6.8 billion) in 2010. However, this volume represented only 5.5% of GDP by end-2011.”* (Dina 2013) According with the same source, the Residential Mortgage Loans as % GDP was 5.5% in 2011:

Table no. 1. The situation in Romania and EU27 (2010/2011)

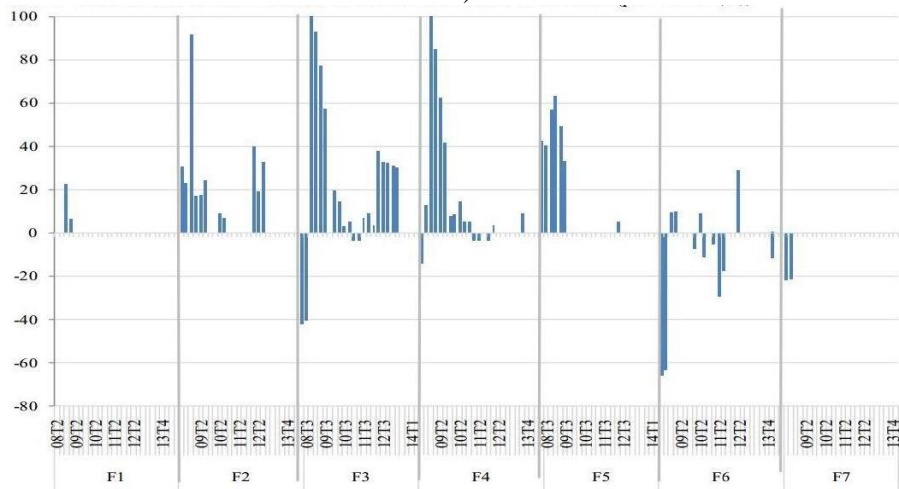
	EU27, 2011	Romania, 2011	Romania, 2010
GDP growth (%)	1.5	2.5	-1.6
Unemployment rate (%)	9.7	7.0	7.3
Inflation	3.1	5.8	6.1
% owner occupied	68.9	97.5	97.7
Residential Mortgage Loans as % GDP	51.7	5.5	5.4
Residential Mortgage Loans per capita, EUR thousands	13.01	0.35	0.32
Total value of Residential Loans, EUR million	6.534.919	7.600	6.800
Annual % house price growth	-1.1	n/a	n/a
Typical mortgage rate (euro area), %	3.49	5.61	5.23
Outstanding covered bonds as % outstanding Residential Lending	24.6	n/a	n/a

In Romania the ratio of very long leases (7 to 100+ years) it is not precisely known, but many of commercial banks from Romania are granting loans for at least 10+ years. An analysis of National Bank of Romania underlined that the housing loans doubled in the total loans granted by the banking system – from 2.93% in 2002 to 5.10% in 2013 (Imopedia Ro 2003).

A synthetic study done monthly by National Bank of Romania since 2008 shows the evolution (2008 – May 2014) of housing loans granted to population (National Bank of Romania 2014). The last report released for May 2014, shows that the standard for granting housing loans became sharper between Trimester 3 / 2008 (08T3) and first trimester of 2014 (14T1) because of various factors (see the following

diagram) among them one very significant is “F5 - Change in share of nonperforming housing loans in the bank's portfolio” (National Bank of Romania 2014, chart 8: p. 10):

Figure no. 1. Factors that contributed to changes in lending standards 2008-2014 (net %)



F1 - The current situation or expected of your bank's capital

F2 - Monetary policy decisions and prudential of the central bank

F3 - Expectations regarding general economic situation

F4 - Expectations of the real estate market (changing likelihood of a fast and sharp increase / decrease of housing prices)

F5 - Change in share of nonperforming housing loans in the bank's portfolio

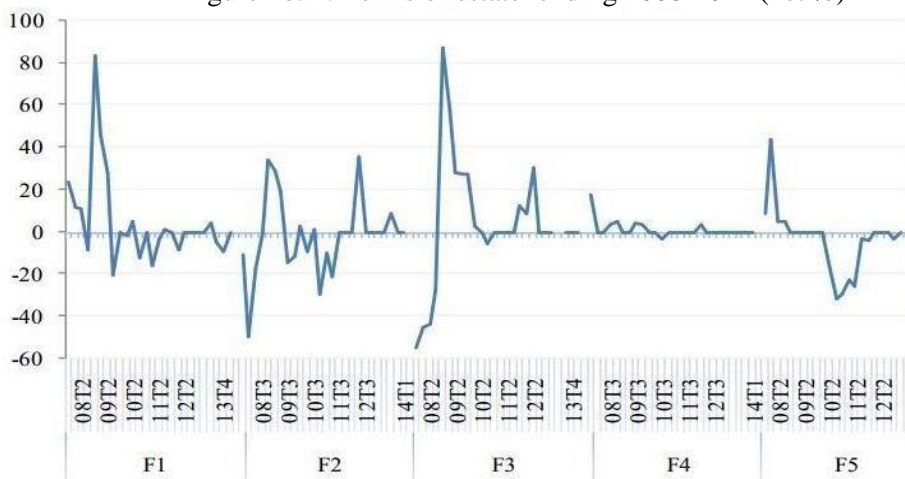
F6 - Changing competition in the banking sector

F6 - Changing competition in the non-banking sector

Note: positive net percentage values indicate a tightening of credit standards.

From the same NBR analysis, we'll see in the next chart that one of the main factors in tightening the credit standards was the increase of “F3 - The maximum ratio of debt service in monthly income” which correlates with increasing in poverty and increase in lack of populations' capacity to pay the monthly loan debt and consecutively in increasing of risk of eviction (National Bank of Romania 2014, chart 9: p. 10):

Figure no. 2: Terms of estate lending 2008-2014 (net %)

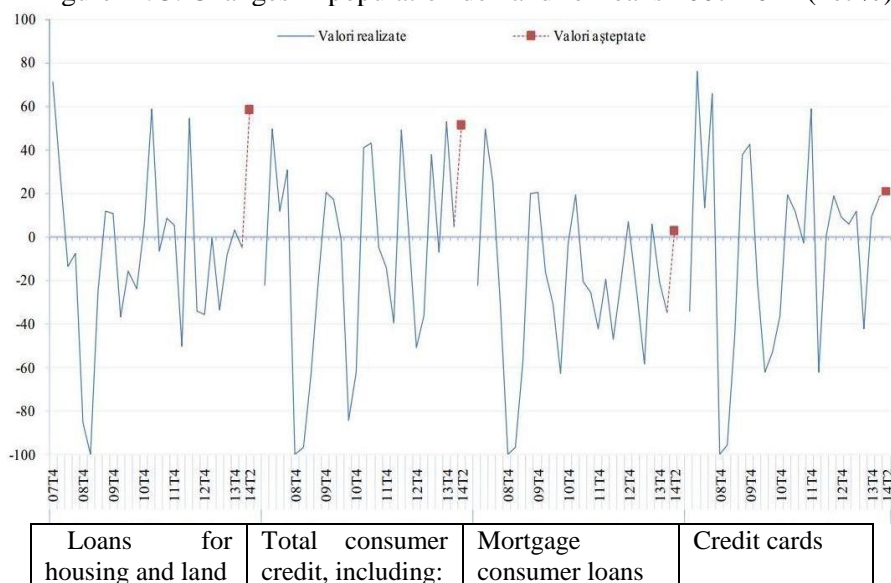


- F1 – The spread of the average interest rate of loans to ROBOR 1M  
 F2 - Maximum loan share of real estate collateral value (Loan To Value - LTV)  
 F3 - The maximum ratio of debt service in monthly income  
 F4 - Maximum maturity  
 F5 - Lending costs, other than interest (charges, etc.).

Note: positive net percentage values indicate a tightening of credit standards.

Also in the last 6 years (2008-2014) it was recorded a significant fluctuation/decrease in housing-related loans request by Romanian population. Increasing risk of loans payment incapacity and eviction, as well as the prudent policy of commercial banks in granting (mortgage) loans led to the situation presented in the next chart (National Bank of Romania 2014, chart 14: p. 12):

Figure nr. 3. Changes in population demand for loans 2007-2014 (net %)



Note: positive net percentage values indicate a tightening of credit standards.

A survey released by NBR among selected decision-makers in 10 commercial banks, focused on the first 3 months of 2014 (National Bank of Romania 2014), showed that the banks are rather skeptical regarding a potential increase in housing loans demand. If most of them (95.7%) consider that there will be any future changes in lending standards and terms of the credit agreement for the purchase of housing and land of your bank in the next three months, not the same situation is for another significant questions: *“Except for the usual seasonal variations, how the demand has change for loans to purchase homes and land in the last three months (based on the number of requests)?”* 36.1% consider that it was moderate smaller.

The increase in lack of populations' capacity to pay the monthly (housing but also for other commodities) loan debt is due to economic recession and significantly decrease in wages & overall income and impoverishment.

According with Governmental sources cited by mass-media (Capital 2013), at the end of 2012, over 100,000 people were in eviction risk after contracting loans and failure to pay the monthly rates. Situation refers to both mortgages and debts contracted in other types of loans. Another category of citizens is threatened by eviction from their homes because of unpaid utility charges. Thus, more than (another) 100,000 homes across the country can be enforced by insolvency firms or debt recovery firms for debts over 10,000 ROL accumulated for non-payment of utility charges. Due to this situation, the ratio of overall loans (both for commodities and housing) granted by banks to population in the first semester of 2012 decreased by 0.6% (following the descendent trend recorded in previous 3 years) as comparative with the same period of 2011, but increasing the ratio of loans granted to business companies by 0.8%. Overall, for the first half year 2012, the loans granted by banks to population had a share of 46.4% in overall loans (România Liberă 2012).

In order to cover & diminish the risk of non-payment for contracted (mortgage) loans and eviction, the Government initiated recently a program (launched on 1<sup>st</sup> July 2014) to support around 0.9 million Romanians (~ 4.5% of population) during 2 years: a citizen with a bank loan, having a monthly income below 1,610 ROL (average net wage) and debts no older than 90 days, will only pay half the rate for two years, and after these two years, the difference of interest that the bank requires the borrower, it will be paid by the State from income tax, but no more than 500 ROL / month. For many analysts this is just a postponement but not an efficient measure for indebted population.

Anyway there are no obligations on bank/ lenders as well as courts to inform state agencies (central / local social offices) of the threat of eviction and there is no obligation of the latter to react. Practically the Government it was/ is informed by the National Bank of Romania which is collecting data from Commercial Banks who are lending mortgages and report data about non-performing (mortgage) credits.

An ample article published in mass-media (Viața Liberă 2013) about 5 effective eviction examples (in Galati City) due to non-payment for utilities shows that in most of the cases the abusive evictions are done with the complicity (or in happy cases non-intervention) of State institutions. But Galati City Hall is also the protagonist of a quite different measure of protection of indebted homeowners that accumulated arrears in payment of utilities (heating) against forced execution and eviction. In 14<sup>th</sup> Feb. 2013 the City Hall issued a decision to cut (and cover) the penalties of indebted homeowners for



heating consumption, with the condition that the accumulated arrears (minus penalties) to be paid until 31<sup>st</sup> of July 2013 (Viața Liberă 2013).

In the case of an evicted debtor for mortgage/ utilities arrears there is no legal entitlement stipulated in order to retain a specific share from the value of sold property. In the case of arrears to utilities, usually the owners association prosecutes the debtor, and following the court decision of forced execution/ eviction of debtor the property is sold, most of the time at less than half of its real market value usually with the complicity of a bailiff. The owners association recovers the indebted money while the debtor receives the difference between the selling prices of property and overdue paid to association. The left over amount of money, in most of the cases it is not enough to buy another (smaller, even shabby) house ... and the road to homelessness it is wide open!

In the case of imminent eviction there are some (private) possibilities for arrangements for borrowers. Most of them consist on rescheduling the arrears at a higher cost or the bank pays a firm specialized in recovery of debts which contact the debtor and try to agree upon a new payment schedule. Excepting the law stipulation that during the winter season it is not allowed to do forced evictions it seems that there is no other legal / public support in order to avoid / find a convenient solution for exposed debtor. There is no established minimum income (by law) which the evicted debtor is entitled to retain, not confiscated by the lender. The evicted debtor receives only the difference between the selling price of the sold house and accumulated debt. In many cases the evicted household it is not in poverty (members of family have income from employment and/ or social benefits) but has a bad behaviour / lack of responsibility to pay for their housing consumption (public utilities). In most of the cases the amount of money that remains to the evicted family it is not enough to buy a smaller property, even a studio (in big cities), the only feasible solution being to try to rent a modest house from the private market. In quasi-totality of the cases, at least in the big cities, the evicted household it is not still indebted after the sale of the property

All the potential actors involved in a process of forced eviction (local authorities/ lenders /courts/ bailiffs), not matter what type of tenancy is – owner occupation, private rented or social housing - are obliged to inform the debtor about any legal measures against him, but in most of the cases the (legal) term is too short and their financial/ social situation it is too worse in order to find a solution to prevent eviction. In small towns where the community is small and the cases of evictions are known, social offices are informed (but not formally) about such situations but usually they do not intervene due to lack of social housing or other solutions or apathy. There is no legal obligation to react and if any it is very difficult (impossible) to constraint them.

#### **4. Private rented principal primary residences**

According with Eurostat data the market rental housing is of insignificant volume with only 1% of the stock.

According with the data of Ministry of Public Finance, about 15%-20% of homes (mostly apartments in multistory buildings) in the big cities are rented, but only 4% of owners pay their owed taxes (Nasul 2013) (see the extended information at p. 10 in this report). Most of the owners and tenants rather prefer to have mutual verbal/ non-written agreements about the renting conditions (which mostly refers to monthly payment of rent, utilities, cleaning and maintaining the dwelling and assets in good order – for the tenant, and overall maintenance of the property an annual property tax payment as the duty of the owner). These mutual agreements are made in order to avoid tax payment by



the owner but in this case both of them (tenant and owner) are exposed to various risk, including forced/ unexpected eviction for tenant. That does not mean that owners do not prefer at all to sign an official contract with the tenants and record it to the taxation office but in this case they will increase the monthly rent proportionally with the amount of money that they should pay to the tax system. If the tenant agrees to support the taxation, then they could sign a formal agreement, but in over 90% of the private rental cases the tenants rather prefer insecurity of tenancy to a higher monthly rent.

In a recent study done by the World Bank (Mathema and Dan, 2014), it was underlined that in urban Romania the private rental market it is significantly hidden:

*“The massive privatization of social housing resulted in an excessively high ownership rate on one hand, and to a degeneration of the rental market on the other. Official figures on housing indicate that 98 percent of the housing is privately owned. This, however, does not translate into 98 percent owner-occupied housing. Unofficial figures suggest that the rental market could be as large as 15-20 percent of the total housing stock in large cities like Bucharest. This might be attributed, at least in part, to the pro-tenant rental regulations and tax liability associated with rental units<sup>1</sup>, which has had two unintended effects: (i) ‘informalizing’ the rental market, denying both the tenant and the landlord any legal protection associated with an official contract; (ii) limiting the supply of rental housing, thereby making it much more expensive, and practically out of the reach of the lower income groups. Furthermore, starting January 1, 2014, the New Fiscal Code makes it obligatory for owners to pay 16 percent tax on rent plus contribution to State Health Insurance System (in 2013 this contribution was 5.5 percent); this new tax could further exacerbate the ‘informality’ in the rental market.” (p. 250)*

In Romania there is no difference between “private rented without rental assistance” and “private rented with assistance”. The only difference is made by real estate agencies which could assist the potential tenant to rent a private residence, usually for a commission representing 50% (but could rise up to 100%) from the monthly renting amount agreed with the owner. In fact the assistance done by the real estate agency is mostly limited in finding the residence and fixing a meeting to evaluate the housing conditions, as well as basically juridical and financial assistance. There is any specific law regulating the real estate agencies activities situation which leaves a lot of space for unfair activities and practices. Due to many complaints against real estate

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1 (i) Rent can be set no higher than 25 percent of the tenant’s household income, or 25 percent of National Average Gross Household Income, whichever is lower For individual tenants of restituted buildings and housing for those provided in Article 26 para (1) Government Emergency Ordinance no. 40/1999 whose net monthly income per family member is between average net monthly income in the economy and its double, the maximum rent may not exceed 25% of net monthly income the family. The provisions of Article 31 para. (2) and Article 33 of Government Emergency Ordinance no. 40/1999 apply accordingly. (Law 10/ 2001, Article 15, al. 3);

(ii) Eviction or contract termination due to disputes resulting from disagreements on rent is not permitted;

(iii) Rental income is subject to tax, and rental contracts subject to taxation: The owner is obliged to pay 16% on three-fourths of the value of contract each trimester (every 4 months). For example if you rent a flat for 1000 lei / month, then you have to pay taxes of 16% from 750 lei, which means 120 lei each month or 360 lei every 3 months.

agencies negative practices, some fair agencies made a coalition creating the “Professional Association of Real Estate Agents” with the main purpose to professionalize those specific services (APAIR 2018).

There are no official (and un-official/ estimated) data about legal/ illegal evictions from private rented housing sector which is less known, due to the fact that private rental sector is an uncharted sector of the housing market (see above ambiguous figures about share of rental market in Romania). This conclusion rose up also within discussions with representatives of Ministries and real estate agencies. The most significant measure to protect the tenants for forced eviction (as well as owners from abusive occupancy) is to set up in specific legislation an incentive and/or constraints / sanctions in order to legalize most of the private rental contracts. Without a legal renting contract the tenants are exposed to the risk of being abusively evicted by the owners.

The most significant deficiencies are related to inconsistency / ambiguity and discretionary protection for owners against tenants of some legislative acts. Even the New Civil Code (updated in 2014) attempted to unify most of the normative acts (related to housing) there are still many exemptions, as signalized by a Court in 2012<sup>2</sup>. Also there are no obligations on landlords/ owners/ to inform social offices of the threat of eviction, but only the tenant.

Another major problem is related to protection against eviction of Roma citizens, but also all the very poor. As Mathema & Dan (2014: p. 231) underlined:

*“Inability to pay rent is another problem attributed to low income levels of the Roma, and is predominant mainly in urban areas. Some 54 percent of urban Roma report to have difficulty paying rent, versus 39 percent of rural Roma, and a higher share of urban Roma face the risk of eviction (Regional Roma Survey, 2011). In this, they are not alone: other poor non-Roma in comparable income brackets also face similar challenges with respect to housing and infrastructure, and the vast majority of the Romanian population, including lower-middle income households, cannot afford market-based housing in urban areas.”*

The legal procedures and processes leading to evictions from private rented housing and the mandatory and discretionary grounds for eviction are the same as in the owner-occupied sector. In the case of official recorded tenancy contracts it is easier to follow the legal procedure (described previously in the owner-occupation sector analysis). In the case of mutual arrangements the same legislation applies but the procedure it is much more discretionary and biased most of the times in disadvantage of tenants. Even in this potential risk situation of non-formal and unprotected mutual agreements the stability, affordability and flexibility of rental housing sectors it is not adversely affected. Its development is only limited by the availability of private housing stock for renting (in big cities it is a shortage) and by the income availability of potential tenants.

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2. In a case covering evacuation, being in the state court, the court of appeal made known to Constitutional Court the unconstitutionality of art. 14 of Government Emergency Ordinance no. 40/1999 on the protection of tenants and fixing the rent for the space for housing, art. 23 of the Housing Law no. 114/1996, and of art. 480, 1429 and 1436 of the Civil Code. <http://tribunaeconomica.ro/blog/?p=423> .

In case of non-formal renting, of course that there is no minimum income which the evicted debtor is entitled to retain. A different situation could apply in conditions of existence of a recorded legal renting contract, when – for example – the tenants paid the rent in advance, for 6 months let's say, and after 2-3 months he wants / it is forced by various circumstances to leave the house; he/ she it is obliged to announce the owner with 30 days prior of living (if not written otherwise in the contract) and get back the remaining amount of money.

According with the law Government Emergency Ordinance 40 / 1999, art. 14/5, re-issued within the New Civil Code, art 1809, 1816, 1824), in the case that the contract it is not renewed, the tenants it is obliged to leave the property within 60 days since the contract was cancelled. Some more ambiguity it is introduced by art. 1429 from Civil Code which stipulates that a tenancy set up for a certain period of time will be closed naturally as the renting term goes by, without the requirement of a prior information of the tenant. Even the owner is constrained by the law (OUG 40/ 1999, art. 14/2) to refuse renewing the renting contract only for very specific reasons<sup>3</sup>, in practice the situation is slightly different.

As good practices in this area, should be mentioned the better harmonisation of legislation<sup>4</sup> in this field (but still insufficient), as well as creation of a “Professional Association of Real Estate Agents”.

### **5. Social/ public rented principal primary residences**

The social/ public rented housing sector in Romania decrease dramatically as a share within total housing stock in the last 25 years. If in the 1990 the state owned housing share was 33% (Dan, 2006; Dan, 2009), in 2013 this sector drop to 1.4% (122,538 units / 2011; Mathema & Dan, 2014, p. 230) and at the end of 2017 there were only 109,648 units (1.22%). This huge decrease was due to privatization of public housing stock, process started 1990 (Law/ Decree 61/ 1990) and theoretically still open.

The tenants were eligible to buy apartments built with State funds by paying an advance of 10% of the apartment; the rest had to be paid within a maximum period of 25 years based on contracting a loan. Housing price was determined based on the degree of usage, considered by period of construction, so that resulted three categories: built before January 1<sup>st</sup>, 1977, made between January 1<sup>st</sup> 1977 and January 1<sup>st</sup> 1989, and those built after January 1<sup>st</sup> 1989. Population could borrow money with an interest rate of 4% per year. Young couples (under 35 years) were given the opportunity to buy these homes in more advantageous conditions by granting loans with an interest rate of just 2% per annum and the maturity period of 30 years. (Dan, 2006)

In 1990 there were approx. 2.54 million state-owned housing units, their number dropped in 2002 to approx. 214 thousands. In 1990 was privatized about 37% of social housing stock in the next year around 28.8% which means that in only 2 years the social

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3. a) Housing is required to meet the owner housing needs, husband, parent or child of any of them, only if they are Romanian citizens residing in Romania;

b) the house is to be sold in terms of ordinance 40/1999;

c) the tenant has not paid rent for at least 3 consecutive months in the execution of the lease. For the reasons a) and b) the owner is obligated to notify the tenant's refusal to renew the lease with at least one year before its expiry, while in the case c) notification is made at least 60 days before the contract expires.

4. The New Civil Code of 2009, heavily updated in 2011 and then updated in 2012 and 2014, which abrogated many previous inconsistent laws.

housing stock decreased by 2/3. By 2000 rhythm of privatisation decreased to 2.1% from the initial 1990 stock. (Dan, 2006)

In the same time the new built social housing units (public funds) decrease dramatically – from 88.1% in 1990 to 4.4% (1158 units) in 2000 and to 2.98% (1198 units) in 2013. (Dan, 2006, 2009; Mathema & Dan, 2014).

There are some differences between the private rented and the social/ public rented sector in terms of evictions procedures, but a bit in more informal terms than formal ones. The Local Authority (City Hall) is responsible for selection and distribution of social housing. Formally the families in need of housing are filling in a request to the City Hall, detailing about their social & economic difficulties and are placed on a waiting list. The City Hall public servants meets periodically if there are available housing units and decide which family(es) will be granted a subsidized home. The strongest (informal) criteria in granting a home are: recommendation of a good behaviour including the capacity and willingness of family to pay for public utilities and for rent (which is very small – between 10 and 20 Euro / month)<sup>5</sup>. The families which are not “behaving well” are under pressure (City Hall and neighbours as well) and after a while (6-12 months) they are (legally) evicted. In many cases these types of families are beneficiary of a Minimum Income Guarantee granted through City Hall. Non-payment for rent and public utilities consumption could lead into cutting the social aid to zero or the City Hall can retain the monthly debts from MIG. Most of the tenants have a very low flexibility on moving (including job market) and stability. In case of eviction the City Hall has only announce the family about the risk to be evicted, then if the situation did not improve about imminent eviction and to fill in a file in which they will explain the reason of eviction (in most of the case bad behaviour and non-payment) and the house is available for another family in need. In most of the cases the pressure of City Hall (especially in small & medium size towns) is so powerful that the evicted family is leaving voluntarily. There are also cases when such a household oppose to leave and then is evicted by force (police / bailiff).

Taking into account all the explanations provided above, we can identify two major deficiencies: a) lack of a sufficient housing stock at local level in order to solve majority / all the emergency cases; consecutively to lack of housing stock is lack of willingness (in many cases) of Local Authorities to allocate resources (land, money etc.) to build up new social housing/ refurbish old dwellings and convert them in social housing etc.; b) the extreme discretions in granting social housing to families in need, based rather on informal criteria than the formal ones.

## **6. Unauthorised occupancy**

Unauthorized occupancy by a) squatting, self-build without (planning) permission and b) unauthorised encampments it is perhaps the most extensive phenomena among all types of evictions in Romania.

Even if there are no official/ centralised data about this type of evictions, due to its high emotional impact on mass-media and potential to attract readers & viewers is the best documented across internet. Most of the population do not empathise with the families which abusively occupied land and buildings, supporting the Local Councils

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5. As it resulted from the fieldwork interviews (2013, 2014) with various stakeholders from Bucharest, Braila, Buzau, Ploiesti, Oltenita etc.

action against the ones who are in the situation of unauthorized occupancy and in this way granting legitimacy to these actions.

Forced eviction against people who abusively occupied (urban) public land by improvising shacks is done by local authorities very simply by demolishing the shacks but not providing any housing alternatives. For example, in Bucharest the local authorities demolished in 2007, in full winter, around 40 shacks built at Vacaresti Lake, Bucharest periphery. Prior to this action the people living in those cottages were warned to leave that area. Most of them were Bucharest residents, but became homeless due to restitution of nationalized housing or were ousted by their families. All those people are spread out for a couple of days but after that they come back, built again another shacks and the process is circular.

April 14<sup>th</sup> 2011, Bucharest, Pache Protopoescu Boulevard: 82 persons (among them 38 children) were evicted from two dilapidated buildings they abusively occupied. The City Hall issued a press-communicate arguing the eviction action: *“Too many times local residents reported scandals, robberies and drunkenness, especially as they are indulge in theft and threatening local residents who were terrified and frightened for their lives. The illegalities committed were fraudulent branching to electric networks through crafted installations, with a high danger of fire for neighbors”*. The two buildings were closed and the evicted people who had identity papers attesting their domicile in Bucharest were directed to City Hall Shelter (which was already overwhelmed).

August 19<sup>th</sup> 2011, Bucharest, Sector 2: 100 adults evacuated (because of bad behavior) from an entire block of flats abusively occupied. It seems that none of the adults were Bucharest residents and as a consequence they were expedited to the home origins and the block was demolished.

Currently (September 2014) 100 people from Vulturilor Street in Bucharest are evicted due to unauthorized occupancy (see 2.2, p. 8).

As we can see, the problem of unauthorized occupancy (buildings) it is a significant one. Perhaps in a much more difficult situation are the people living in urban informal settlements (“slums”). As Mathema & Dan (2014: p. 240) underlined that:

*“Most slums in Romania have little or no infrastructure – at most a shared tap and 1-2 pit latrines for the entire community. In others, the infrastructure may be developed along a main street but is not available in the rest of the area. Many are located in hazardous areas, for example, on or near landfills, in flood prone areas, and so on. [...] Most residents of these areas do not possess identity papers or own any property. [...] Post-1989 many of these households either lost their homes (evicted former- tenants) or gave up their dwellings (because they could not afford the rent). These families, being poorer and larger in size, likely did not get past the long waitlist for social housing, and housed themselves in makeshift shelter in these precarious locations.”* (pp. 240-241)

Evictions against people living in blocks of flats who accumulated debts (non-payment for public utilities & services) should follow a legal/ court route similar to cases described in previous chapters. Usually the accumulated debt is over one year of non-payment and / or when it exceeds 1.000 Euro.

Evictions against people living in camps / shacks are not following a legal procedure most of the times. In fact there is no legal procedure, but the local authorities



are warning them to leave the place in a couple of days and after that they demolish the improvised shack and spread around the households. It was often the case of “Vacaresti Lake” in Bucharest (described above).

As a good practice we can mention the proposed solution for “Vulturilor Street” case referred above. The City Hall granted to the evicted families 900 RON / month (200 Euro) for the next 6 month to all the evicted families in order to cover a private renting. The families have the obligation to find the house and sign an official contract with the owner for the next 6 months at least. If the monthly rent is bigger than the amount granted by the local authorities, the families could complete it up to the amount fixed in the contract. It’s worth to mention that most of the evicted families refused the aid of Bucharest City Hall.

Another good practice is the Goranu / Ramnicu Valcea (Valcea County) situation. In 1997 more than 100 Roma households occupied the public land situated between the Olt River and the National Road and in about 1 month they built solid houses. The local authorities were incapable to react in time (to block the building process or to demolish as most of the Romanian citizens from the neighborhood asked for) and after intensive debates (which took some years) they made the decision to appropriate the land to these families and solve the issue of unauthorized occupancy. This example was not followed by many municipalities, even if it is a strong lobby in this sense, and still the problem of land ownership is a hot issue on local agenda.

#### **7. The extent of “soft law” measures in relation to evictions**

There are cases in which City Hall could postpone eviction of a family by covering its arrears (rent & utility bill) or by re-scheduling the payment of debts. These type of solution are rather an exception but not something regular and mostly depends by how sensitive are the City Hall servants (in most cases the Mayor) to the drama of that particular family.

In Navodari Town (Constanta County), the Local Council decided in 2012 granted an exemption from payment of debts for 3,000 families who failed to pay their bills to “Ecoterm” (company who provided centralized heating to most flats in the multi-storey buildings) which Outstanding invoices were paid by the claims debt. "In the city Năvodari former Ecoterm entered into liquidation / bankruptcy and debtors to Ecoterm likely to lose their homes. At that moment there were already 10 families who were left homeless because their property was auctioned (Replica 2012).

In Bucharest – the city with most significant problems related to eviction – an NGO created “The evicted people Guide” (FCDL 2014) in which the people evicted are guided step by step in solving this issue by appealing City Hall.

There are no centralized data about eviction processes started and actual evictions executed. If all these data exist then are split at the micro-level of City Halls’ (for social housing and Governmental program “First Home”), Trial Courts and Owners associations and Banks (private rental with mortgage).

Unfortunately there are no information about how extended is the eviction phenomena in Romania, and as a consequence there are no split data on eviction by geographical regions. What certainly is know is that the eviction recorded in urban area (big cities especially) is quasi-dominant as comparative with rural area<sup>6</sup>.

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6. Rural population in Romania is 46%, but according with the new EU typology only 11% are living in urbanized areas.

Due to the fact that the *risk of eviction* is higher in the less regulated housing sector of “collective habitation”<sup>7</sup>, it is not possible to make any estimation of people in risk to be evicted in the future.

The National Institute for Statistics did not release up to now any specific information about the number of homeless people (estimated to around 14,000 – Dan, 2004; 2006; 2007; 2009) recorded in 2011 Census. In these conditions we cannot estimate how many persons are at risk of eviction (deducting the homeless people) from the official data.

There is no detailed information about characteristics of the households that were involved in the process of eviction. However, from several discussions with various stakeholders and from mass-media information, usually the evicted persons are poor families, with jobless adults, or families with many children in which the adults are not working or having the minimum wage, beneficiary of social aid; also sometimes the profile of evicted is of drug / alcohol addicted or mentally ill people. This phenomenon especially takes place in the urban area, in big cities, the evicted being mostly homeowners living in blocks of flats.

From various interviews with key stakeholders and from various studies (Stanculescu & Berevoescu, 2004; Constantinescu & Dan, 2005) result that the majority of tenants living in social housing are poor people, most of them (single) elderly and families with 3 or more children, being theoretically the most exposed category to eviction. But again there are no correlated data (income, jobs, social aid, members etc.) about this category in order to estimate what is the share of population at risk which reside in 122,538 social housing units.

Even the overall potential risk across Romania, in theory, could affect only less than 1% individuals from whole population it seems that there are some regions/counties recording a higher risk. These regions (West; Bucharest-Ilfov, North-West and North-Est – between 1 and 2 per cent of region’s population) have a higher population at potential risk due to the fact that includes the biggest cities in Romania (Timisoara; Bucharest; Cluj-Napoca; Iasi) that represents counties with a higher stock of collective units / social housing as comparative with other counties.

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7 Within 2011 Census there is a specific category of buildings / housing population labeled as “People living in collective / multi-family buildings”. This category of buildings is defined as “Buildings for collective living that include housing – residential buildings of dormitory type (students campus, residential centers for elderly, convents, etc.), hotel type (tourist lodges, hospitals, etc.), or a camp (displaced camps, refugee centers, holiday camps etc.) where there is at least one home. In this category were included buildings with collective living spaces that were under construction, in which some houses were occupied by the population. The living collectively space was understood as one or more distinct buildings at the same address, intended to be occupied, for periods different times by relatively large groups of people, generally unrelated to one another by the family, which were combined, generally, purposes and common interests and shared some areas could use and facilities (bathrooms, kitchens, dining rooms, etc.).” [Methodological Note of 2011 Census

[http://www.mures.insse.ro/phpfiles/RPL2011-Nota\\_metodologica.pdf](http://www.mures.insse.ro/phpfiles/RPL2011-Nota_metodologica.pdf) ]. Paradoxically, in the synthetic “County Statistic Reports” issued by each of 41 counties, to this category was added indistinctly the homeless population.

## 8. Risk factors and eviction leading to homelessness

In Romania, the main risk factors leading to eviction are:

- Poverty, due to:
  - o Lack of income / working poor/ jobless/ unemployment
  - o Defective lifestyle of some individuals
  - o Drug / alcohol addiction; mentally ill people
  - o Single parenting and families with more than 3 children
- Lack of public protection through specific programs & services; lack of a national housing strategy including protection of people in risk of homelessness and former tenants of communist nationalized houses.
- Lack of community cohesion in big urban areas.

There are no specific evidences / data on importance of all these risk factor, maybe an exception could be the “poverty” as a risk factor. There are no specific scientific studies in this area, neither centralized (national/ county level) nor split data (local level). Seldom are such ‘spectacular’ information penetrating mass-media as sensational events.

Poverty, individual irresponsibility and lack of social protection are the main and dominant factors. Also some psychophysical and psychosocial vulnerabilities are risk factors but the magnitude of them remain unknown.

Another category at risk is the one of persons who has (mortgage) loans and accumulated arrears over 30 days. In Oct. 2013 Romanian Association of Banks communicated that 715.705 persons have arrears (Ziare.com 2013). Only in Bucharest there were in the Courts 68.000 files for individual bankruptcy.

As it was identified by a 2007 study (Dan, Serban and Grigoraş 2007) the main reasons / risk factors of eviction identified were related also to individual irresponsibility and lack of social protection:

Table no. 3. Reasons of Eviction

	Frequency	%
Young adults (18 years) leaving public residential care centers	49	27.1
Divorce / separation/ family rows	46	25.4
Sold the house and spent the money	38	21.0
Dwelling retrocession to the former owner	10	5.5
Losing the property by delusion	10	5.5
Abandoned by parents in childhood	9	5.0
Tenant evicted	8	4.4
Evacuated by the spouse family after the spouse died	6	3.3
Bank debts	5	2.8

Lack of identity documents is not a reason for eviction but an obstacle in solving rapidly the situation of evicted/ homeless people. The same 2007 data shows that 16% of interviewed homeless do not have birth certificate, while 21% does not have any ID.

Single parent families are at a higher risk of poverty and thus in some cases to eviction. A 2010 study (Inequality Watch 2012) shows that “*The households most affected by poverty in Europe are those of single-parent families. 36.9 % of these households were affected by poverty in 2010.*” In Romania the poverty rate<sup>8</sup> among the

8. 60% of median income.



single parent with two children families was in 2010 of 31.9%, while the families with two adults and three or more dependent children<sup>9</sup> record a 60.4% poverty rate.

A major category of persons/ families in risk of housing evacuation after 1990 were the former tenants of nationalized housing (process started at the end of 1940's). The retrocession process which began in 1990's of properties to the former owners, as well as the massive privatisation of housing stock left uncovered this category by any public solution to solve favourable both the owners request of retrocession as well as the tenants need for a home. The communist regime had a dual policy of allocation as social housing (mainly by renting) to state employees the new built flats in multi-storey buildings as well as the nationalized houses, as part of social protection program. While the flats built with public funds could be bought at very affordable price after 1990 by the former state tenants free of burden, the former state tenants that paid (in some cases for 20-30 years) a social rent for living in a nationalized housing were uncertain if they are entitled to buy. Up to this moment there are a lot of unclear cases, the situation being far for clarification, according with FCDL (FCDL 2014), which assert that only in Bucharest "*there are thousands of persons at risk to be throwing in the street by the inheritors or new owners*". This ambiguity in state policy and lack of tenant's protection lead in many cases to eviction processes ending in homelessness. Some municipalities tried to solve part of these cases, but usually very late and very partially. A positive case is of Arad City – the City Hall built in 2010 seven blocks of flats and solved all the 128 cases of families evicted from nationalized houses.

### 9. Evictions and homelessness

Unfortunately there are no (solid) evidences regarding these questions. The few studies about (general) housing situation did not include this topic.

There are no recent data (official/ research/ un-official) about the number of families evicted. The eviction phenomena is resumed to urban area simply because the social housing stock consist almost) exclusively in apartments in bolls of flats built in urban area. Research data collected in 2004 by RIQL (Dan 2005) in 227 Cities<sup>10</sup> revealed with a significant accuracy that the number of evicted families (social housing) was increasing between 2001-2003:

Table no. 4. The number of evicted families (2001 - 2004)

	2001	2002	2003	Jan.-March 2004
due to non-payment of utilities bill	149	357	470	54
due to retrocession of nationalized housing	340	546	602	273

About 100 more families were evicted in this interval for other reasons, which means that around 2900 families were evicted in this interval, but most of them found a solution for accommodation. According with City Hall's representatives only 342 families become homeless from those 2900 evicted.

The same research data showed that the overall social housing stock (100% occupied) of all those 227 cities consists in only 8655 units while they recorded an

9. The percent of this families revealed by 2011 census was 14.8% within overall families.

10. From a total of 285 Cities, but not including Bucharest and some other significant big cities where we expected that eviction phenomena had a significant number of cases.

overall number of 120.701 request for social housing (1990 – March 2004) from which 18.137 were solved and the left ones are still active.

Another research done in 2007 (Dan, Serban and Grigoraş 2007) among 214 homeless people<sup>11</sup> temporary living in shelters across Romania, underlined that most of them (188 out of 203 – 92.6%) became homeless after 1990. It seems that the phenomena increased more significantly since 2002.

Within the sample 135 people (2/3) became homeless in the interval 2002-2007 it is obviously higher than in the previous years/ period. Anyway, the overall optimism of the interviewed homeless was uniform and very high regarding “a better life in the next year”, 42.5% considering that they will live better or much better, even if in present 34.3% declared as being totally unsatisfied with the current situation and another 30.5% ‘not very satisfied’. But ... this hope was not necessarily related to finding a solution out of shelter, most of the homeless being sure that they will not find a home in the next year (64%), 28% being rather positive and only 8% being sure that they will solve this issue finding a home to live in. The picture on their hopelessness it is completed by the 56.5% of them which believe that they will never solve their housing problem, while 10% are sure they will succeed.

## **10. Conclusions**

In Romania access to housing is perceived as being a fundamental human right at political discursive level but not in practice. That means every form of denial of this right seriously harm the people at risk of/ confronting homelessness, leading to marginalization and social exclusion, the drastic reduction of the capacity of the individuals to be inserted into normal social circuit on their own.

Two main factors are responsible for evictions: a) poverty and consequently the lack of capacity of affected people to pay for rent/ utilities/ maintain a dwelling and b) deficit of social housing. Urban local authorities have an insignificant stock of social housing, which did not increase in the last 20 years but decreased. In addition the high cost of public utilities is worsening the situation of some groups. Among the groups with significant housing problems (including evictions) is Roma population.

There are no official data about housing shortage, homeless population or people at risk of eviction. The studies on this topics done in the last 15-20 years are few and do not cover enough the area. There is an urge for undertaking new extended research in this area in Romania in the very near future.

The very scarce data about eviction cases make difficult even a general overview. More than the existing data are old, fragmented and not enough detailed in order to make a careful a diagnosis and an analysis on risk factors.

There are few attempts to solve the issue of forced eviction. Most of the ‘best practice’ developed by local authorities envisaged Roma population relocation from some abusively occupied buildings and their replacement in new gated neighbourhoods positioned in the city’s outskirts. It is the famous case of many Roma families living in Cluj-Napoca which were relocated to some new ‘housing units’ near to the infamous neighbourhood “Pata Rat” (the city garbage dump). (City News 2014).

In rural area for example, in 2005 Romanian Government invested 1 million Euro to re-build the Rotunda village, destroyed by floods in the same year, building 205 new

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11. The sample it is not considered necessarily as being representative, even the authors made a sampling among shelters and then among homeless people leaving in selected shelters.

houses. The building process was finalized in 2006 but the villagers did not want to move to the new village because ... it was built up on a hill and they do not want “to live perched on a hill”. This was a ‘best practice’ project which did not take into account the relevance for its inhabitants and the feasibility. More than that:

*“The village never had access to drinking water, and the new built dwellings - most of them - were left unfinished. In addition, Roma families destroyed the new dwellings, stealing the glazed windows, doors and plumbing. Roma have not spent too much time perched on the hilltop. Since 2007, they migrated to neighbouring community where they settled. The materials stolen from hilltop houses and flats were used to build new houses in the host community.” (Ziare.com 2011)*

Regarding the people with disabilities evicted/ in risk of eviction there are no specific evidences.

In most of the eviction cases in the last years, the reason for eviction is that the owner accumulated debts in payment for utilities. It is mostly the case of individuals / families living in urban area in block of flats. In such cases the owners association is trying to recover the prejudice by selling the property (empowered by a Court decision). In this phase of the process intervene ‘a high level mafia’ which by interposed persons buy at a low price the flat / property and the resell it. If the selling price is higher than the prejudice then the former owner receive the difference. The victim is forced to leave the property in maximum 30 days with all assets / possession – most of the time direct in the street under the sky. In most of the cases the problem of possessions/ assets of evicted person family are worsening the situation. Even they can find temporarily solutions for accommodation, it is almost impossible to secure their properties, so they have to choose to leave them in the street (most of the time) uncared for a while, taking the risk to loose (part of) them. In such situations the evicted decide most often not to abandon their properties and to secure themselves in a shelter or to be accommodated (temporarily) by relatives / friends, but to live in the street to guard their possessions. There are few cities offering a limited storage space for evictee’s belongings. In Bucharest there is such a storage space offered by the City Hall, but this opportunity it is less known among evictees and even that most of them do not want to store them in this space. Recently it was the case of mass eviction process happened in Bucharest (Sept.-Oct. 2014) in Vulturilor Street (see details about the case within section 2.2 and 2.6) when all the possessions of 100 evicted people were loaded in trucks and deposited in such a space, without acceptance of evictees.

Prior to 2007 data research shows that the main reasons for eviction were state incapacity to take care of young adults (18 years) leaving public residential care centres, incapacity of people at risk to find a solution after divorce / separation/ family rows and irresponsible behaviour of victims which sold the house and spent the money.

It is an urge to develop a housing strategy for the long term in Romania, which should include data collection related to various aspects on housing, eviction, homelessness, then to develop adequate policies, programs and services.

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<https://aran.library.nuigalway.ie/handle/10379/5847>

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# **A general perspective on the meanings of the socio-demographic indicators in the Danube counties of Oltenia**

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## **Abstract**

The transition from a totalitarian and centralized regime to a democratic and liberal one raises a series of challenges for the societies that were part of the communist bloc. Thus, the harmonization of all components in the social environment implies a major effort to adapt to the global evolution of economic and social phenomena.

In the case of Romania it can be noticed that the application of standardized public policies did not generate similar effects in all development regions. Internally, one can easily see that there are significant gaps between development regions, detailing those related to the different capacity to exploit the local potential.

This article is based on a research carried out from European funds aimed at identifying the development potential of the economic development sectors along the Danube. The secondary analysis of the research, focused on three counties in the Oltenia region, which are riparian to the Danube (Dolj, Mehedinți and Olt), this reveals that the local potential assumed by the Danube river is neglected and the dynamics of the social and economic phenomena unfold in imitation of models from the Western countries, which favors undesirable phenomena such as social polarization. The need for competitiveness is characteristic for areas of activity with a high level of technology, evolving through the individual capacity to impose on the specialized markets the economic agents. Internally, there are neglected public policies that identify the existing potential of exploiting the existing resources in the three counties and the consequences are in the social polarization, the marginalization of certain categories of persons and the exposure to the international economic fluctuations.

**Keywords:** *social development; social environments; well-being; unemployment; social policies.*

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## **1. Theoretical considerations**

The formation and development of human communities has been influenced by the ability to identify the best conditions from a natural and economic point of view. Thus, local potential was one of the essential criteria for community formation and development. According to Berger (Berger 1978: pp. 61-62) the development of human communities was achieved after the complexity of the social system, which suggests that natural and technological resources are not enough for the development of a populated area of human communities. The complexity of the social system is understood in the sense of E. Durkheim (2008), specializing in human activities, both in terms of economic and moral interests, by reducing competitiveness. The prosperity

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resulting from economic development has as a consequence the population growth in the respective community and region, by the positive values of the trends followed by the demographic phenomena and by the increase of the immigration due to the increase of attractiveness for persons from other regions.

Historical data reveal that the largest civilizations have emerged and developed along the great rivers, which reveals that the best conditions for development exist near water sources. The perpetuation of these civilizations over time has been influenced by numerous factors, including military confrontations.

Civilizations' moving on certain territories has not eliminated human settlements located on favorable locations. The examination of urban communities has highlighted the existence of common features, regardless of the specificity of the civilization (Giddens 2001: pp. 506-507): existence of defense walls, separation from rural areas, concentric organization of the community, in the center being the public area, religious and political edifices and elite residences. Towards the edges or even outside the outer walls were distributed those in poorer social layers.

Location in favorable geographic areas is just a first step. The capacity to efficiently exploit local potential is the main indicator of the development of a geographic area, in a space favored by natural conditions.

The emergence of urban communities and the concentration in them of the persons that were practicing diversified activities, non-agricultural, has favored the development of technologies for the work organization, water transport and reproduction of animals (Childe 1970: pp. 111-118). The continuity of such activities depended on the development of certain social structures correlated with the objectives of time (Davis 1969: p. 22). The inability to develop new social structures, adapted to the new, led to their decline and collapse.

Cities are important both for their development and the areas under their influence. The main indicator of an evolutionary dynamics of an urban community and hinterland is of a demographic nature. In the development period we witness the growth of the population through the positive trends followed by the main demographic phenomena, especially the validity and the birth rate, followed by the positive values of the immigration and the emigration.

Technological development has positive effects on the cities and the surrounding areas. Thus, the attractiveness of the cities in a region, followed by the attractiveness of the region as a whole, is evidenced, on the one hand, by the tendency of population growth due to natural growth and immigration, and, on the other hand, by the tendency to rejuvenate the population, a degree of demographic dependence understood as a ratio between the working-age population and the dependent population of the inactive population of young people aged 0-14 years and elderly people aged 65 and over.

Such an approach can provide an overview of how a region or community operates, avoiding the risks of misinterpretation of the economic indicators that may have positive values for short periods of time. In a socio-economic analysis, information on life quality and well-being is important. The indicators used for this study have the role of identifying less visible phenomena that sooner or later will influence sustainable development.

This analysis was used in a research funded by European funds to identify regional development opportunities by diversifying the economic activities. The direction of analysis was not limited to estimating possibilities, but it was an effort to know the phenomena whose dynamics can block, divert or pervert the estimated effects



of any action. According to Davis's "barricades theory" (Bădescu 2001: pp. 50-51), social development occurs both when a development agent or a modernizing agent who "invades" the society and the decline of social phenomena that played the role of "barriers", which is due to the economic functionality, values, political organization, etc. Thus, the dynamics of global phenomena is filtered by the community's local conservation system, as it is organized into functional and efficient structures. Under the external assault of modernization "agents" and internal weakness, we are dealing with a "collapse" of the barricades and the development of an adaptive system based on imitation, without effect on the sustainable development of the community or region.

The three counties that are the subject of this study, Dolj, Mehedinți and Olt, are part of the southwestern development region IV Oltenia, being located along the Danube. From the point of view of the geographical location, the natural conditions quality and the relief, all the conditions for the sustainable development of the region are met. Historical references have recorded many periods in which the geographical location has played an important role in the development of the region. At present, the economic situation of the three counties signals a shift between economic development policies and geographic location. The economic situation of the three counties is precarious, with many economic and social problems. The dynamics of socio-economic indicators reveal that the natural and the geographical potential are neglected and policy-driven thinking over time has been achieved by imitating principles and ignoring the regional benefits. The effects of the economic crisis are still felt and in the geographical area delimited by the three counties, the social and the economic problems persists pending effective solutions. Dolj is the most developed county of the three, being the only one with a strong university center and a higher level of activities in the tertiary sector.

The purpose of this article is to highlight the main points of regional development and to signal the importance of the Danube River for the economic development of the three counties.

## **2. Characteristics of socio-demographic and economic indicators in Dolj, Mehedinți and Olt counties**

The demographic analysis allows the estimation of the public investment planning needs such as health and education, consumption of goods and services estimation and demand and supply of labor. The data collected reveals a significant demographic decline, a high degree of rationalization of the three counties and negative values of the natural and migratory balances.

This trend can be explained by a number of factors: the life quality, individual opportunities, emigration opportunities, drop in birth rates, increased mortality, economic difficulties revealed by the high degree of dependence and which are announced to be projected in the future due to a low replacement rate of the population. There are also differences in demographic trends in the two social environments, as shown in the table below:

Table 1. Demographic trends

	Total population 2012-2016	Urban population	Rural population
<b>Romania</b>	-1,67	-2,01	<b>-1,27</b>
<b>Dolj</b>	-2,72	-2,92	<b>-2,49</b>
<b>Mehedinți</b>	-4,40	-5,60	<b>-3,35</b>
<b>Olt</b>	-4,92	-4,89	<b>-4,93</b>

Source: National Institute of Statistics, Tempo-Online database 2017. data processing

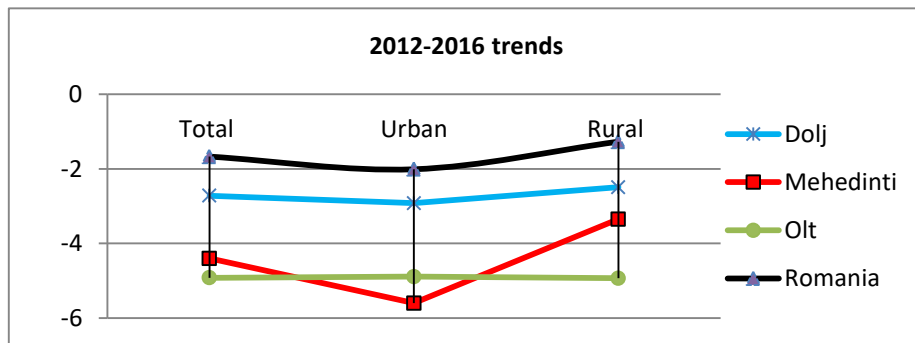


Figure 1. Demographic trends

It is noticed that the population of Dolj County has mediums close to the national ones, with the exception of the rural environment, where the demographic decline is much more pronounced than the national average. In all cases we find that the demographic decline of the three counties is much more pronounced than the one registered at the national level. At both national and local levels, the decline in urban population signals the economic downturn and a low attractiveness of the cities in the region.

The economic downturn in the urban environment also suggests a decline in the urban services consumption, such as drinking water, gas, and other goods and services, which highlights the difficulties in shaping the local government budgets. Also, the decline of the urban population at a faster pace than the national average signifies the existence of undesirable socio-economic phenomena that have negative consequences for the population.

Table 2. Degree of urbanization and demographic dependence

	Urbanization degree	Demographic dependence			Dependent population proportion*			
		Total	Urban	Rural	Urban		Rural	
					0-14 years and over	65 years and over	0-14 years and over	65 years and over
<b>Dolj</b>	51,90	49,16	38,96	62,00	19,53	19,42	23,43	38,58
<b>Mehedinți</b>	46,08	50,90	37,90	63,13	19,32	18,58	24,24	38,89
<b>Olt</b>	39,07	51,42	38,95	60,67	20,96	17,99	20,44	40,23

\* The dependent population is calculated as the ratio from the total active age population  
Source: National Institute of Statistics, Tempo-Online database 2017. data processing

The urbanization degree of the Dolj County population is 51.90%, while in Mehedinți County it is 46.08% and in Olt County is 39.07%. Demographic trends and current urbanization indicate a process of population concentration in rural areas. This dynamics highlights that the economic opportunities in the three cities are declining and economic diversification does not exist. The rural environment is characterized by the preponderance of employment in agriculture which offers a minimum subsistence conditions for the inhabitants.

The rate of demographic dependence highlights a difficult situation: in the Dolj County only the average is close to 50%, being 49.16% in 2016. The comparison of the two residential districts in Dolj County reveals some major discrepancies: the demographic dependence in the urban area is 38.96%, while in the rural area it is 62.00%. According to the dependent categories, in the urban area, the young population has weights close to the elderly (19.53% compared to 19.42%); while in the rural areas the share of elderly dependent population is significantly higher: 38.58% elderly people to 23.43% young people. This structure suggests that the rural environment is exposed to a significant aging process that involves a number of social problems specific to aging communities. This process can be explained by the possibility of ensuring a minimum subsistence level in rural areas on small land properties.

In Mehedinți County, with an urbanization degree of 46.08%, the rate of demographic dependence is significant, of 50.90%. In the urban area it is lower, cumulating 37.90%, while in rural areas the rate of demographic dependence reaches 61.13%. Depending on the age groups of the dependent population, we find that there are significant discrepancies between urban and rural areas: in urban areas, young people and the elderly have close proportions, with a higher proportion of young people, suggesting the potential for the population replacement over time, while in the rural areas the share of the elderly people is 38.89% compared to 24.24% of young people, suggesting that the aging population is currently under way.

In Olt County, which has an urbanization degree of 39.07%, the demographic dependence degree is 51.42%. In the urban area it is 38.95% and in the rural area it is 60.67%. In the urban area there is a higher rate of dependence of young people,

suggesting the potential for the population replacement, while in the rural areas the dependency ratio of the elderly is 40.23%.

By comparing the collected statistical data, we find that the high demographic dependency ratio is specific to the rural environment, which is more affected by the demographic decline and emigration. Increasing the urbanization degree through the development of urban environment by increasing the attractiveness of the cities is a guarantee of balancing the demographic trends. The analysis of the above data also highlights the trend of the population replacement, which is suggested by the cases where the young population has a higher share than the elderly population. At the present time there is a significant dynamics of the process of ruralizing and aging of the population. Characteristic of the entire Romanian society is the model of administrative multiplication of the number of cities, which makes that between the older towns, with diversified activities and urban development models also to appear younger cities characterized by a high proportion of agricultural activities and a very low level of non-agricultural activities. Thus, urban demographic trends are in many cases influenced by the rural-specific factors such as dependency rates and the aging of the population. Such a situation requires differentiated intervention according to the generating factors.

The demographic dynamics highlight the negative effects of emigration, which affects the population of the three counties in terms of the total population, the working-age population proportion and the birth rates. To this it is added the economic impact due to the decrease in the number of the goods and services consumers.

The projection of the trends of the demographic phenomena highlights the perpetuation of the current state. In the absence of the integrated policies that can influence the factors behind the current trends, we will witness the accentuation of the negative consequences due to the aging of the population. By analyzing the replacement rates, we can develop possible scenarios:

Table 3. Replacement rate of the elderly population

	Urban	Rural	Total
<b>Dolj</b>	0,11	-15,15	-15,04
<b>Mehedinți</b>	0,74	-14,65	-13,91
<b>Olt</b>	2,97	-19,79	-16,82

Source: National Institute of Statistics, Tempo-Online database 2017. data processing date

From the analysis of the replacement rates of the elderly population, we find that the average for the five-year period, between 2012 and 2016, the replacement rates of the population generally have negative values. In Dolj County, the total replacement rate is negative, of -15.04%. Positive urban values of only 0.11% are insufficient to compensate for the rural demographic decline of -15.15%.

In Mehedinți County, the urban replacement rate has minor positive values (0.74%), while the replacement rate in the rural area is negative, being -14.95%. The resulting average is a county rate of -13.91%.

The positive values of the population replacement rate in the Olt county (2.97%) are canceled by the negative values in rural areas (-19.79%), resulting in a negative average of -16.82%.

It is noted that in all three Danubian counties the demographic decline of the rural environment is much higher than the development potential of the urban environment.

Negative environments indicate the lack of economic opportunities in the area analyzed through this study and the high probability of perpetuating in the future in the absence of public policies that will modify the current structure. The urban environment is not currently an area with significant environmental influences, which indicates that the region currently has no internal resources to induce positive socio-economic trends.

The economic activity is the most important indicator of the existing opportunities. Diversifying the economic activities is the way to multiply the opportunities. Demographic data revealed the existence of undesirable phenomena that are the consequences of an unstable social system, affected by social and economic problems. The identification of functional areas of activity, with a potential for growth both in terms of jobs and the added value, is one of the prime conditions of the current situation.

In the county of Dolj, the main occupation is agriculture, where 35.45% of the total working age population is active, followed by trade, which holds 14.35%, processing industry, where 13.38% of the force labor activates, construction, where 6.43% of the workforce activates and health and social assistance with 5.18% of the total. The trend followed by agriculture is negative, with fewer people working in this area. In contrast, trade, health and social work are on positive lines. The high degree of urbanization of the county influences the growth dynamics of some non-agricultural fields of activity. Agricultural activities generate low income, seasonal and vulnerable jobs without a significant impact on life quality.

Mehedinți County has the highest population degree coverage in agriculture, 39.98%, followed by processing industry (13.49%), trade (11.48%), construction 8.66% and education (4.53%). The difference between agriculture and the next field of activity is high, which highlights the importance of agriculture in employment. In this county there is a very high demand for jobs in relation to the offer, being one of the few counties where the incomes in different areas of activities decreased in the period between 2012 and 2016. As a result of the reduction of the incomes, we are witnessing an increase in the employment rate of the population in certain areas of activity, but lower incomes will ensure a minimum subsistence level and not increase the life quality of the persons concerned.

In Olt County, agriculture is also the main field of activity, accounting for 42.91% of the labor force proportion. The processing industry has 19.08%, trade 9.9%, construction 5.79% and education 4.36%.

### **3. Working age populations employment issue**

Unemployment, dynamics and the relationship with the unoccupied population are another indicator of the functioning of the economic system and the existing social problems. This phenomenon is influenced by labor demand, the decline of some sectors of activity due to low labor productivity, uncompetitive products on the profitable markets, maladministration, the effects of economic crises, etc. Reintegration into the labor market must take place in the shortest possible time to avoid losing working skills and professionalizing those affected.

Statistical data shows that the three counties have different unemployment trends compared to the national average.

Table 4. Unemployment

County	Unemployment rate	2012-2016 trend
<b>Romania</b>	4,8	-11,11
<b>Dolj</b>	9,4	0,00
<b>Mehedinți</b>	9,0	-5,26
<b>Olt</b>	8,9	15,58

Source: National Institute of Statistics, Tempo-Online database 2017. data processing date

At national level, unemployment is on a downward trend of 11.11%. In the case of Dolj County, unemployment was constant, with annual fluctuations being minor and not showing the growth of the economy.

In Mehedinți County, unemployment fell by 5.26%, being about half of the national average. This county may be a special case due to the fact that the decrease of unemployment has occurred amid the reduction of income in several fields of activity. In this case it can be appreciated that the reduction of unemployment was achieved by multiplying the vulnerable jobs, which do not significantly contribute to the increase of the life quality.

The economy of Olt County is still in recession, as indicated by the rising unemployment trend, which reached 15.58%.

Unemployment fluctuations can also be found in the expenses borne by the state budget. The ideal case is to reduce the amounts spent to support these categories of people. However, statistical data show that the decrease in the amounts spent with the unemployed is not due to the inclusion of the unemployed on the labor market. The decrease in unemployment expenditures was offset by the increase in expenditures with the guaranteed minimum income. This expenditure pattern suggests that a large proportion of the unemployed pass into a new category of beneficiaries of government support at the end of the unemployment period.

Table 5. Expenditure on the unemployed people and minimum guaranteed income

County	Expenditure on the unemployed		Minimum guaranteed income	
	<i>RON</i>	<i>Trend</i>	<i>RON</i>	<i>Trend</i>
<b>Romania</b>	1 008 049 126	-73,63	673 411 053	73,99
<b>Dolj</b>	34 227 356	-72,72	43 592 910	64,75
<b>Mehedinți</b>	60 452 276	-9,59	19 537 135	78,41
<b>Olt</b>	19 954 933	-72,54	22 294 115	120,53

Source: National Institute of Statistics, Tempo-Online database 2017. data processing date

At the national level it is noted that the decrease of unemployment by 11.11% meant a decrease of 73.63% of the unemployment expenditures and an increase of 73.99% of the amounts for the guaranteed minimum income.

In Dolj County, during the period 2012-2016, unemployment remained constant, unemployment expenditures decreased by 72.72%, while the amounts for minimum guaranteed income increased by 64.75%.

In Mehedinți County, the drop in unemployment by 5.26% resulted in a 9.59% decrease in unemployment expenditures amid a 78.41% increase in the amounts for the guaranteed minimum income.

In Olt County, the unemployment rate decreased by 75.54%, as the guaranteed minimum income increased by 120.53%. These values highlight that many of the unemployed are not integrated into the labor market, becoming beneficiaries of the following form of support. Thus, the unemployment period expires by modifying unemployment statistics and the amounts allocated to the unemployed, but the increase in the guaranteed minimum income amounts to the magnitude of the phenomenon of vacancy. Unemployment fluctuations and legislative changes may generate a situation where unemployment is followed by a fall in unemployment expenditures, but the magnitude of the phenomenon is reflected by the fluctuations in guaranteed minimum income.

At national level, it is found that, in general, the amounts for unemployment are higher than those for the guaranteed minimum income. But in the counties of Dolj and Olt we find that the amounts for the expenses with the unemployed are lower than those for the guaranteed minimum income. But in the counties of Dolj and Olt we find that the amounts destined for the expenditures with the unemployed are lower than those for the guaranteed minimum income, which denotes the existence of socially difficult categories exposed to social marginalization.

The number of persons benefiting from the minimum guaranteed aid increased both at national level and in counties Dolj, Mehedinți and Olt.

Analyzing the unemployment trends, we find that general trends are different depending on the level of education of the unemployed. The most frequent rises in unemployment are found in people with low levels of education (primary, gymnasium and professional).

Table 6. Unemployment by educational level

County	Primary, gymnasium, professional		High school and post-secondary		Higher education	
	Total 2016	Trend 2012-2016	Total 2016	Trend 2012-2016	Total 2016	Trend 2012-2016
<b>Romania</b>	333069	-3,86	67884	-38,37	17284	-53,53
<b>Dolj</b>	23021	5,87	2250	-47,28	598	-65,55
<b>Mehedinți</b>	7948	-4,96	1790	-28,57	296	-48,61
<b>Olt</b>	12111	26,82	2387	-35,95	399	-43,16

Source: National Institute of Statistics, Tempo-Online database 2017. data processing date

At national level, there is a 3.86% decrease in unemployment among these categories of people. In the counties of Dolj and Olt the trends are positive, the

unemployment increasing by 5.87%, respectively 26.82%. In Mehedinți County, unemployment among these people fell by 4.96%. It is found that among those with a low level of education are the most unemployed. Unemployment outcomes are minor, and in Olt County the increase in unemployment among these people is significant.

In the case of graduates of secondary education, unemployment has decreased both at national level and in the three counties. The same trend is observed among the higher education graduates whose number in absolute figures is low.

The analysis of unemployment trends reveals that the greatest difficulties are encountered in integrating people with a low level of education into the labor market. These differences in the dynamics of unemployment reveal the reconfiguration of the economic framework and the evolution of the labor market at national and county level. Economic development implies the recruitment of employees with a higher level of education, suggesting that investments in modern technology and management become preponderant.

This dynamics predicts the worsening of social problems for vulnerable people, such as those with low education or over 45 years of age, which signals the emergence and perpetuation of social polarization risks. Thus, the rural environment is increasingly becoming a social area of subsistence for those lacking in occupational opportunities, adapting and developing survival strategies. In fact, survival means preserving in a state of poverty and social marginalization.

### **3. Conclusions**

This article reveals that demographic decline affects the population of Romania. Urbanization is a phenomenon that can bring more than mere modernization, but can contribute to the implementation of sustainable development principles by diversifying urban functions and the influence of cities on hinterland. The statistical data show that the increase in population urbanization decreases the dependency of the population and the replacement rate tends to be balanced. The general activity rate increased in the counties analyzed, with effects on unemployment and unemployed expenditures, but predominantly for graduates of secondary and higher education.

Returning to the theory of barricades (Bădescu 2001: pp. 111-118) we find that the statistical data used reveal that in the three counties there is a social context characterized by the "collapse" of the three protection barriers, a slow, fragmented and chaotic social and economic development. Modernizing agents have not become factors for boosting sustainable development, becoming mere landmarks of a disorderly imitation of western economic and social structures.

The result of these processes is the discrepancy between the opportunities that different categories of people have. The solution for most of them is emigration, as individual wishes and goals are taken over by imitation, without the need to take formal steps to fulfill them.

The economic environment tends to be formed by small companies and the turnover is lower than the national average, suggesting that entrepreneurship is less well represented in the future plans of the population. Labor in agriculture is losing attractiveness due to the decrease in the value of agricultural production, which signals a decrease in the living standard of those working in this field.

Starting from agriculture, as a main field of activity and comparing the socio-economic indicators of the three counties with the national averages, we find that all the dimensions of the society have individual trends, with regular fluctuations due to the



lack of coherent integrated policies meant to harmonize the dynamics of socio-economic phenomena in order to generate a positive sense of development. The heterogeneous characters of the socio-economic processes and phenomena have as a consequence the social polarization and the regional gaps.

The Danube River has a remarkable economic potential, well-exploited in upstream but neglected riverside counties. The potential for transport, tourism or fisheries is an objective in sterile strategies, lacking a vision of overall needs at the expense of inconclusive details.

Under the conditions of globalization, which instills values, attitudes, cultural models in all societies (Niță and Goga 2017), it contributes to influencing regional competitiveness. Internal causes that have led to the weakening of traditional "barricades" of protection against loans of any kind have not been identified, and the development of a system of adaptation to new socio-economic conditions through social, cultural and economic harmonization can be a solution to generating an ascending economic trend and sustainable in the three counties analyzed in this study.

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# The European institutional actors in handling migration

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## Abstract

International migration is one of the most defining phenomena for modern societies, and it has been, for the past couple of years, one of the main challenges the European Union has had to confront. Despite the fact that the positive effects of this phenomenon are not to be denied, and they are the topic of numerous researches, one cannot disregard the negative consequences, which are more and more frequently becoming a reason for concern for the public opinion and the policymakers. Therefore, creating an institutional and policy architecture aimed at responding these types of concerns has become one of the European priorities. The aim of this paper is to approach, in an interdisciplinary manner, the instruments of the European Union's institutions in building mechanisms enabled to handle this flows. The hereby study identifies the tasks of each of the main European institutions, as well as the part they have in the decision-making process regarding the establishment and application of effective policies in the field of migration. Therefore, the paper starts by briefly presenting migration in Europe and the regulations in the field of the freedom of circulation. The core of the article is focused on the tools and tasks of the main European institutions in the matters of migration, as described in the Treaties and developed in the European agenda on Migration issued in 2015. A distinctive part is dedicated to presenting the main provisions of this document and the results of the latest reports issued regarding its implementation.

**Keywords:** *Migration, European Union, institutions, policy, institutional tools.*

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## 1. Migration in Europe. The freedom of circulation

Migration is most often influenced by a combination of economic, political, social and environmental factors, either in the migrant's country of origin (usually considered to be push factors), or in the country of destination (the so called pull factors). Historically speaking, it is often considered that the political stability and economic prosperity that defined the European Union's common space for the past decades exercised an important attraction effect upon the possible immigrants. In the destination countries, international migration can be used as a tool for improving specific deficits of the labor market, which usually lead to economic deficiencies. Despite its great potential, immigration, by its self, will not manage to change the current ageing pattern of the population registered in many areas across the European Union.

Migration is an important factor in the evolution of contemporary European

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societies, with positive effects such as: facilitation of economic integration and inter-cultural dialogue both regionally and globally, ensuring the necessary work force in the developed countries and better use of the work force in the countries of origin, generating financial flows transfers towards the less developed economies, facilitation of knowledge and technology transfers towards migrants' countries of origin, after they return home. However, these population movements often come at a cost, and the European Union invests great amount of effort in order to integrate migrants, prevent and fight illegal immigration and ensure better control at the external borders.

Considering these specifications involved in the influences and effects of international migration, the European Union, with the use of policies and institutions, seeks to build a functional system that regards both the rights and protection of immigrants, and the beneficial integration of these new members arriving in their societies.

Since the end of the Second World War, the economically developed democracies of Western Europe have had a long standing tradition of welcoming immigrants from less developed countries, in order to occupy vacant positions in the industry or service sectors. "The reconstruction of the European countries after the war imposed the need to increase the workforce, thus producing exchanges of workers between the countries that had unemployed workers" (Porumbescu 2015: p. 165). However, securing the frontiers of the territory is one of the main prerogatives of sovereign modern states. With the founding of the European Union, nation-states have passed part of this responsibility to the common institutions, as a form of deeper political integration, but the policies and tasks enforced by this process have lead, in certain situations, to severe "changes to national boundaries and rising concerns about immigration", thus accelerating the creation of new mechanisms as well as "ethically dubious border practices" (Stokholm 2015: p. 13).

International migration has a serious impact upon the European Union and its member states (Beldiman and Stepan 2017: p. 59). The globalization phenomenon, as well as different other events that occurred in the international arena, have significantly contributed to the growth of migratory flows, especially during the last couple of years. Therefore, the common European space spreads its multi-ethnic character and enriches in terms of cultural diversity. Being given this context, the European Union aims to create a global policy meant to face the current challenges of migration. The European policy is built on the European traditions regarding asylum and migration, considering both the respect of the human rights and the humanitarian aspects, and the benefit of the European Union, of the migrants and their countries of origin.

Integrating migrants in the European society is not a simple action, but rather a process, aimed to create equilibrium between their rights and the culture of the countries they come from. This is beneficial both for the migrant's country of origin, and for the society they live and work in.

The citizens of the European Union member states who wish to move to another country across the European territory benefit from the freedom of circulation in the European space, one of the fundamental freedoms of European citizens forming the foundation of the European project. The 2004/38/CE Directive brings together, in just one instrument, the entire legislation regarding the entry and settling of European citizens. It was meant to simplify and reduce the formalities that need to be fulfilled by the citizens of the European Union and their family members in order to exercise their freedom of circulation and settlement.

One of the main priorities of the European Union's policy in the matter of migration is preventing illegal migration, as well as returning illegal migrants to their countries of origin. The Directive regarding return sets clear, transparent and equitable rules for returning third country residents in an illegal situation. The European Union's readmission agreements are essential for the proper enforcement of the policy of returning. The European Union has also established a series of naval operations to ensure the security of the European borders, in order to save human lives at sea and to fight human trafficking networks and those who smuggle immigrants illegally.

The European Council plays an important role in this field, by establishing the strategic priorities that are to be set in action. Based on these priorities, The Council of the European Union confirms certain lines of action and mandates third countries to negotiate. It also adopts legislation and defines specific programs. During the past years, increased attention was paid both by the Council and the European Council to providing a strong answer in various matters regarding human immigration. Furthermore, the Presidency of the Council also activated the integrated mechanism for political response to crises (IPCR). This offers tools to intensify the support provided for the Council's response in case of crisis, both politically, and in action, along with the European Commission, the European External Action Service and all the relevant Agencies involved.

Therefore, we can conclude that, in terms of policy regarding migration, the priorities acknowledged by the European Union are: cooperating with the countries of origin and countries of transit, strengthening the external borders of the European Union, handling migration flows and fighting immigrant smuggling, reforming the common European asylum system, ensuring legal migration paths and favoring the integration of third country residents.

## **2. EU institutional actors**

One of the main question that rise when assessing the European Migration Agenda and all the other instruments that are meant to deliver the external dimensions of the common European policies, is "how" can the main institutional actors involved be recognized. In addition, an important focus is set on the need to identify the pattern of inter-institutional relations built, the agendas in which each of them is involved, and how they contribute to creating a secure space of mobility. The aim of this section is to present the tasks of each of the main common European institutions with competences over the external dimension of common migration policies. By scrutinizing the European Migration Agenda, we intend to highlight the changes and innovations included in this document by the European Commission and the European External Action Service (EEAS), especially regarding the procedures and tasks concerning the external migration policies.

### **2.1. The European Commission**

Among the actors involved in the implementation of the actions in the field of foreign affairs and in the design and delivery of policy related tools in the matters of external migration, the European Commission takes a central role. "The competences and mandates of the different bodies of the Commission active in this field are various and there is a great deal of overlap and competing interests between its different Services and Directorate-Generals (DGs) which have contributed to the creation of a fragmented, disparate landscape of actors, competences and roles" (Carrera, Radescu

and Reslow, 2015: pp. 45-46). A new position as Commissioner on Migration, Home Affairs and Citizenship was created, in order to contribute to the sharing of tasks in a proper delivery of EU's external dimension policies. This position is meant to offer assistance on issues regarding the consequences of migration, enhancing border control, fighting illegal immigration and several external situations such as terrorism or radicalization. Despite these innovations being introduced, it is asserted that "no relevant change in the actual work and approach of the DG could be really discerned, apart from losing a high degree of political leverage in favor of the First Vice-President" (Carrera, Radescu and Reslow 2015: p. 50).

The European Commission designs the common policy for migration and asylum that allows it to handle the refugee crisis better. By this policy, Europe will be able to take advantage of its opportunities, and, at the same time, provide solutions to the issues caused by the intensification and cross-border mobility. Among these, we can recall: protecting those who need shelter, stopping irregular migration, saving lives at sea and securing the external frontiers of the European Union, guaranteeing the freedom of circulation for people in the Schengen space, better regulations in the matters of legal migration, better integration of residents from third countries in the European Societies.

## **2.2. The European External Action Service**

The High Representative of the Union for Foreign Affairs and Security Policy, who is also Vice-President of the European Commission (HR/VP), was commissioned with the task to create a "coherent" and strategic position for the European Union on the international arena, by the use and enforcement of the provision of the European Treaties. In this context, it is the High Representative of the Union for Foreign Affairs and Security Policy who leads the European External Action Service, which is a diplomatic service meant to ensure the functioning and logistics for the role of the European Union as a global actor, thus providing the community of states with a single voice in international affairs. Among the issues in which the European External Action Service is called to provide consistency and coordination for the European Union the problem of international migration takes a central position (Carrera, Radescu and Reslow 2015: p. 49). The EEAS includes more than 130 Union Delegations in non-member countries and international organizations, which represent the rotating Presidency and the EU's common foreign and security policy (CFSP) abroad (Council of the European Union 2015).

The European Agenda on Migration also includes certain provisions regarding the 'external aspects', thus putting them together with the other aspects that form the European Union's migration policy agenda. For example, in the chapter dedicated to *'Reducing the Incentives for Irregular Immigration'*, one of the key priorities is stated to be securing partnerships with countries of origin and transit and making migration a core issue of EU Delegations abroad: "Partnership with countries of origin and transit is crucial and there are a series of established bilateral and regional cooperation frameworks on migration in place. These will be enriched by stepping up the role on migration of EU Delegations in key countries. Delegations will in particular report on major migratory related developments in the host countries, contribute to mainstream migration issues into development cooperation and reach out to host countries to ensure coordinated action" (European Commission 2015: p. 8). Furthermore, the European Agenda on Migration also states that "Migration should be recognised as one of the primary areas where an active and engaged EU external policy is of direct importance

to EU citizens” (European Commission 2015: p. 7).

### 2.3. The Council

As representative of the European Union’s member states’ governments, the Council of the European Union occupies a central role as key actor in the designing and enforcement of legal and policy provisions in the matters of European Union’s external migration actions. Consequently, the High Level Working Group on Migration and Asylum (HLWG) as well as the Strategic Committee on Immigration, Frontiers and Asylum (SCIFA) have been created within the Council, being tasked to identify the key components for the European Union’s common migration policies. Due to the fact that national experts of the member states are also present in the High Level Working Group on Migration and Asylum and in the Strategic Committee on Immigration, Frontiers and Asylum, an important effect of the national policies and approaches upon the common decisions is noted. The recent meeting and documents issued by the Council of the European Union demonstrate on the influence of security upon the discussion regarding migration, usually motivated by the urgency to identify ‘solutions to migratory pressures’. Consequently, some of the Council Conclusions advocate for the need to ‘to further increase leverage in the fields of return and readmission, using where appropriate the "more-for-more" principle.’ (Council 2015b).

During the past couple of years, since the migration crisis has emerged, parts of the Council’s institutions with attributions in the field of external migration were subject to numerous discussions and reconfigurations. It was noted that, in order to make the Union’s actions more efficient, *further coherence and coordination are required between the EU institutional structures and working methods of the relevant committees and working parties* tasked with the strategic and operational implementation of the different actions in the field of home affairs and external affairs (Council 2015) .

In this context, some authors even express their belief that “the exact ways in which these new institutional configurations will be implemented and how these will influence the Council outputs and instruments in the EU external migration policy call for careful examination. Their implications for the kind of policy outputs will need to be carefully monitored” (Carrera, Radescu and Reslow 2015: p. 53).

### 2.4. The European Parliament

Several specialists in the field of external migration stated that, in part, the external dimensions of EU migration policies are currently affected by a democratic deficit (Carrera, Sagera, Hernandez, 2009: p. 15). One of the main innovations brought by the entry into force of the Treaty of Lisbon is the transformation of the European Parliament in a co-legislator (Carrera, Hernanz and Parkin 2013: p. 2; Ilie Goga 2013: p. 105), along with the Council of the European Union, somehow reducing the monopolistic position retained by the latter European institution in the process of legislative decision making. From this new position, the European Parliament has become more actively involved in the legislative process regarding international migration and all the other components regarded in the Treaties, as well as in concluding international agreements in this matter. Despite this new institutional settlement, it is not always very clear the position and involvement of the European Parliament in the negotiations between the European Union and third countries in the matters that regard the design and setting of priorities in international agreements, while

the part it plays in these arrangements continues to be mainly ad hoc (Carrera, Hernanz and Parkin 2013: p. 12). In addition to this, most of the situations and measures adopted so far by the European stakeholders prove that the instruments used in the development of the European Union external migration policy belong rather to the spectrum of “soft/policy instruments”, including the communications regarding the Common Agendas on Migration and Mobility or the Mobility Partnerships, thus reinforcing a possible conclusion that the European Parliament has a secondary role in the decision-making process and the democratic control and transparency it should bring to the table, as the most representative common institution, are of less importance in this highly disputed and increasingly dynamic matter.

### **3. The implementation of the European Agenda on Migration**

In May, 2015, the European Commission issued a communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions regarding a European Agenda on Migration (European Commission 2015). This Agenda was drafted in the context of intensive arrivals of immigrants on the European Union borders, seeking for a safer environment and better protection from the states. According to this document, the Europeans “need to restore confidence in the ability to bring together European and national efforts to address migration, to meet our international and ethical obligations and to work together in an effective way, in accordance with the principles of solidarity and shared responsibility” (European Commission 2015: p. 2). Throughout its reading, this document reinforces widely accepted liberalist principles as a common ground for the European nations in their approach to the massive amounts of immigrants arriving on their territories. They are most often regarded and referred to as persons in need of assistance, seeking help and safety.

At first glance, the European Agenda on Migration seems to bring back a humanitarian emphasis on the priority given to the respect of human rights and integration of the immigrants in the host societies. Also, it is often noted that “because immigrants are at the intersection of different nation-state societies, one is inclined to interpret repressive policies toward them in ‘nationalist’ or ‘racist’ terms. However, this has the smell of yesteryear –liberal constitutionalism rules out these possibilities” (Joppke 2007: p. 17).

The current Agenda on Migration is, without doubt, a step forward from the previous European documents trying to handle the migratory flows, often thought to over highlight the “equality of treatment, irrespective of one’s ethnic origin or any other descriptive marker”, thus creating a “stock-in-trade of all liberal societies, and guaranteed by their constitutions”. However, at the moment when this Agenda was issued, a different normative framework had already been designed, in what had been, at that time regarded as: “to enforce this by explicit antidiscrimination laws, which lowers the hurdle of claims-making for the victims of discrimination and – above all – expands the reach of the nondiscrimination principle from the public to the private sector, is a novelty” (Joppke 2007: p. 6).

The latest reports on the implementation of the European Agenda on Migration show that significant progress has been made. In November, 2017, it was declared that the joint efforts that aim at creating a better protection system for the European frontiers, cooperation with partner countries in order to eliminate the deep causes of irregular migration, improving the protection of migrants and fighting smugglers show

real results, such as the decrease, in 2017, by 63% in the total number of illegal border crossing along the main migration routes (according to a press release issued by the European Commission in November, 2017). However, the internal and external agreements in the matter of migration are interconnected and depend on the degree of international cooperation, so the European Union, the member states and their external partners should continue to work together in order to maintain the intensity of the European Union's efforts in all directions and thus better handle migration together.

The report issued in May, 2018, states that the common efforts of the European Union continued to pay off, but the situation remains risky due to the pressure exercised by migration, as shown by the rapid growth in the number of people arriving on the Eastern and Western Mediterranean routes. In this context, the entire European Union should demonstrate vigilance and the necessary degree of preparation to respond to possible seasonally peaks and route changes. Among the aspects identified as needing a better response by this report were: eliminating the persisting deficiencies in the activities of frontier police and coast guard, improving the return system, creating a better relocation system and improving the protection offered to immigrants along their routes.

#### **4. Conclusions**

Without doubt, international human migration is one of the greatest challenges that the European Union is called to provide answers to. Along with the social challenges, issues of security are also involved in this process, and finding a common way between national sovereignty and common European interests has not been easy. As some authors assert, "the nation-state model seeks to simplify a world that was always more complex. If the organizational idea fails to provide people with some measure of human safety and livelihood, migratory movements are no doubt set in motion" (Stokholm 2015: p. 10). By

A thorough analysis of the European institutional framework designed to enforce the common policies regarding immigration leads to the conclusion that "the proliferation of anti-discrimination laws and policies reflects Europe's structural transformation into a multiethnic society, as well as a general willingness to tackle the specific inequalities that go along with it" (Geddes and Guiraudon 2004).

The obvious advantages of immigration, even in the destination countries, are well documented by numerous recent studies. However, it is undeniable that taking advantages of immigration can only be possible if the immigrants manage to conduct a proper process of integration in the host communities. Obviously, this is a bi-directional process: the immigrants need to respect the values and rules of the societies that welcome them, while the latter must provide them with all the opportunities they need to take part in the life of the community. According to this principle, the immigrants should have the possibility to learn the language used in the destination country, to work and study, thus enjoying the plenitude of rights provided for the European citizens. The current institutional and normative architecture of the European Union in the field of migration represents a model of successful advance in this matter, being built around the consecrated principles and ideas of equality, freedom, and respect, characteristic for the democratic regimes.



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# Perception of disabled people on their image and status in society

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## Abstract

This article provides a theoretical analysis of the concept of disability in the context of highlighting the stigma and prejudices at the society level. Three theories relevant in the conceptual frame of this material will be presented, such as: labelling theory, reference group theory and the concept of social dramaturgy. The second part of the article will present the results of a sociological inquiry accomplished by using focus group, conducted in Dolj county in the rural and urban environment, through which will be highlighted the perception of the disabled people on their image and status in society and on the prejudice level perceived in relation with other people.

**Keywords:** *persons with disabilities; prejudice; stigmatization; Romania.*

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## 1.Explanatory theories of the stigmatization of disabled people

The term handicap refers to the loss or limitation of an individual's chances to take part in community life at a level equal to the other peers. The handicap can also be defined as a disadvantage resulting from a deficiency or inability that prevents or renders the individual unable to fulfil a normal role (Dumitrescu 2011: p. 3). According to Law no. 448/2006 on the protection and promotion of the rights of disabled people, "the disabled people are those people whose social environment, not adapted to their physical, sensory, psychological, mental and/or associated deficiencies, totally hinder them or limit their access to equal opportunities in society's life, requiring protection measures in support of social integration and inclusion" (Law no. 448/2006, article 2, paragraph 2).

Prejudice is a negative attitude of rejection of an individual only because he/she belongs to a particular group and is based solely on stereotypes. Prejudice means the judgment formed previously to any experience, and refers to response predisposition (of action, manifestation) preexisting to interactions with individuals about whose group we have stereotypes, and updated in the context of some interactions.(Horváth 2009: p. 37)

### *Labelling theory*

The labelling theory is frequently found in the field of sociology of deviance and has as a promoter Howars Saul Becker, who considered that "deviance is not a quality of the act committed by a person, but rather a consequence of the application of the rules by others and the sanctions of an offender" (Becker 1963, p. 8). Thus, an act appears as deviant to the extent to which others react to it as such. When the stigmatization process occurs, the person being perceived as deviant, none of his/her

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characteristics are reliable anymore and the dominant trait tends to imprint a certain colour to the overall image that others structure regarding him/her. Erving Goffman identifies three types of stigma: physical stigma, characteristic stigma and tribal stigma (Goffman 1986). The people with different deficiencies have long been (and still are) labelled as deviant, as “disabled” by the medical services, although the difficulties they face are not entirely related to medicine. Once the process of attributing such a statute takes place, it has the effect of enrolling the person on a trajectory of “assisted” life. (Manea 1997: pp. 54-56)

*The perspective of social dramaturgy*

Erving Goffman asserted himself as a promoter of *social dramaturgy*, the author basing his analysis on the specific aspects of social interaction. For the author, social interactions are those entities of social life that are manifested each time one or more individuals are in the immediate presence of another or others. He resorts to the analogy between social interaction and theatrical representation; thus social interaction has the meaning of “a series of small dramas in which actors present their own images, trying to manipulate the reactions of others (the public), they protect their identities and develop rules that guide their behaviour in everyday life” (Goffman 1972 apud Manea 1997: p. 60). The individual plays several different roles depending on the context, and each such interpretation means the exposure of aspects of his own identity to certain risks- in detail we find specific aspects in the “paradigm of risk factors” (see Pricină 2017: pp. 11-16). Each individual tries to define the situation so that interaction becomes predictable and each has the interest to present himself/herself in ways that will enable him/her to get the most beneficial results. Taken together, the roles played make up the “social scenario” and the whole world can be seen as a stage in which individuals are actors, controlling the impressions about themselves. A series of aspects of the social identity of disabled people are highlighted by Goffman through the analysis of the stigma (Manea 1997: p. 60). In nowadays society, the term is applied to people who are subject to disgrace, occupying a marginal position in society. In fact, “society establishes the means of placement of the people in categories and the complement of attributes felt to be natural, common to the members of each category. The social frameworks establish the categories of people who will likely be found there” (Goffman 1972: p. 11 apud. Manea 1997: p.61). The people who consider themselves “normal” build a stigma theory, an ideology that serves to explain the inferiority of those with such an attribute, and to warn of the dangers they represent (Manea 1997).

*Reference group theory*

According to the reference group theory, people have prejudices in the context in which they perceive as a norm of belonging to the group the manifestation of a negative attitude, hostile to certain other groups, in this way, they see in prejudice a way to accommodate the group norms and not necessarily an inner psychological need. According to this theory, it is possible to reduce the prejudices of a person by redefining the identity of individuals, understood in terms of significant belonging to certain groups (Horváth 2009: p. 46). Thus, a person considered “normal” tends to have prejudices against a person whom he identifies as having a disability and is not part of his group.

## 2.The results of the sociological inquiry: The perception of the disabled people on their image and status in society

### *The hypotheses and objectives of research*

The hypothesis from which we started is that in the Romanian society because of the low information reported to the situation of the disabled people, the prejudice degree is high.

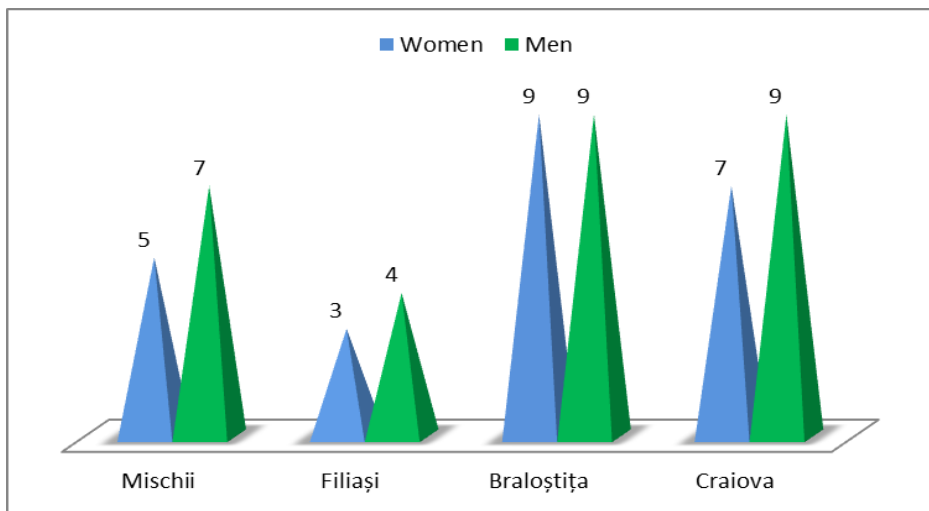
Therefore the main objective of the research is that of identifying the prejudice degree felt by disabled people.

### *The selection of the sample*

For the selection of the sample, the persons interviewed in focus groups came from urban and rural.

So, were interviewed by the focus group method: "53 people: 29 men and 24 women, from 2 cities (Craiova and Filiași) and 2 villages (Mischii and Braloștița) which are distributed as follows: Craiova: 7 women and 9 men; Filiași: 3 women and 4 men; Braloștița - 9 women and 9 men and Mischii: 5 women and 7 men" (Ilie and Niță 2015: p. 11).

Figure no. 1. The distribution of interviewees according to the place of residence



Making "rural-urban ratio, we see that 30 people were interviewed in rural areas, representing a rate of 56.6% and 23 people representing a rate of 43.4% in urban area men" (Ilie and Niță 2015: p. 12).

Table no. 1. The distribution of interviewed persons by area of residence

Residence	Women	Men
Rural	14	16
Urban	10	13

### *Data collection*

Data collection was made by holding four focus groups in each one of the localities, in March, 2014.

### *Analysis of research results*

In this section we present the results of the sociological research. The results of this research are part of a complex study, conducted in four states, Romania, Bulgaria, Turkey and Cyprus (Vădăsteanu, Ilie Goga, Niță, Sorescu, Voinea, Costescu et al., 2015) and highlights only a few of the elements identified within the investigation carried out in Romania.

#### *§§Question number 1: "Describe yourself (character, personality, desires)"*

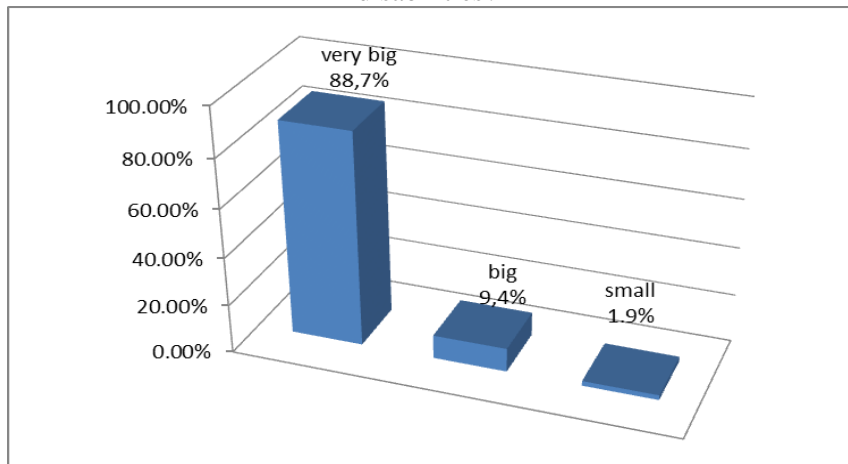
In the first question, "each of the 53 interviewed persons presented, describing the suffering disability and how it affected, while describing the desires that each of those individuals has and which often is related to personal needs and of the need for straightening the attitude of state institutions and citizens (Ilie and Niță 2015: p. 12).

Disabilities of interviewed persons were varied, falling into different categories: the physical, mental, psychological, somatic, auditory, rare diseases, HIV / AIDS.

Most people interviewed were described as sociable person, willing to work and willing to socially reintegrate or on the labour market if they are given this opportunity men" (Ilie and Niță 2015: p. 12).

#### *§§Question number 2: "What is the level of prejudice in Romania towards persons with disabilities?"*

Figure no. 2. "What is the level of prejudice in Romania towards persons with disabilities?"



A percentage of "88.7% of respondents, i.e. 47 people in absolute figures, found that the level of prejudice against people with disabilities is very high and a rate of 9.4% had the opinion that the level is high. It should be noted that only a person with physical disability, considered the prejudice level as small. This person lived in a centre for disabled people and it seems that, just because most of the time he came in contact

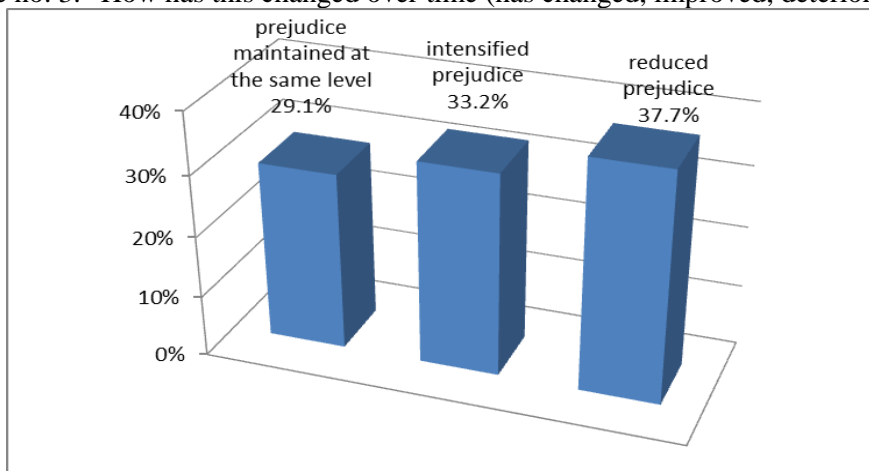
with people with disabilities, led him to affirm that he often had contact with the rest of the society” (Ilie and Niță 2015: p. 13).

Interviewed person show how they are qualified by others, listing a number of attributes such as "disabled", "garbage", "sick", etc. By qualifying them in this way, most tend to treat them, as mentioned by those surveyed, with a "defiant attitude", "aggressive attitude", "cut", "mock / insulting" etc. (Ilie and Niță 2015: p. 13).

A 45 years old man from Braloștița said: “A percentage of 80-90% of people look at us as if we bother, as if we stand in their coast men” (Ilie and Niță 2015: p. 13).

§§Question number 3: "How has this changed over time (has changed, improved, deteriorated)?"

Figure no. 3. "How has this changed over time (has changed, improved, deteriorated)?"



A percentage of "37.7% of respondents considered that the prejudice was reduced, a percentage of 29.1% of those that remained on the same level, and 33.2% that is has increased" (Ilie and Niță 2015: p. 14).

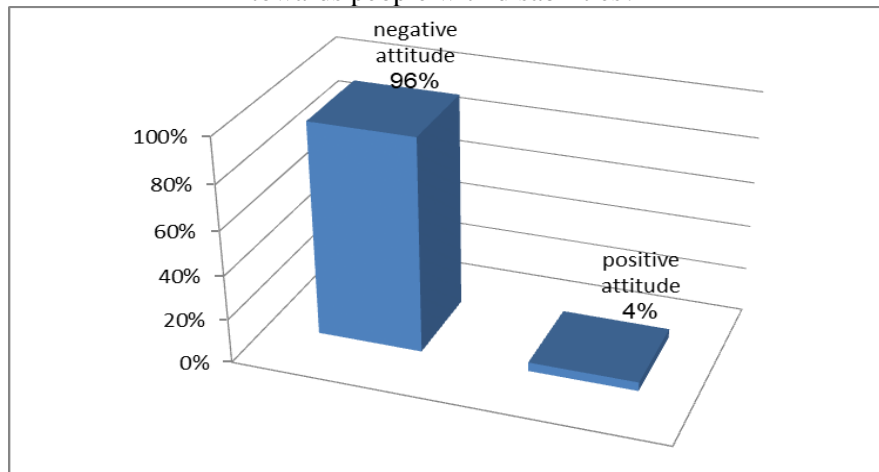
Most of the persons "interviewed, that perceived a reduced prejudice, specified that this personal perspective relates to the prejudice felt throughout their lives, so that in childhood, in contact with other children, the level of prejudice and discrimination was more higher than the level of perceived prejudice as an adult" (Ilie and Niță 2015: p. 14).

Persons "who have specified that bias has intensified, showed that the appearance of bias they mean generally felt by people with disabilities in our society" (Ilie and Niță 2015: p. 14).

Many respondents noted that a reduction in the level of prejudice is required in special education in schools, towards increasing tolerance towards people with disabilities men" (Ilie and Niță 2015: p. 14).

§§Question number 4: "Do you think we can talk about a positive or negative attitude towards people with disabilities?"

Figure no. 5. "Do you think we can talk about a positive or negative attitude towards people with disabilities?"



A "percentage of 96%, the respondents considered that in general, we can talk about a negative attitude of the society in relation to persons with disabilities.

A 45 years old man from Braloștița said: " They are seen as junk" and a 18 years old woman from the same village said " It happened to me, that they didn't want to sit on the bench with me and to clean the bench after me for not to take the disease" men" (Ilie and Niță 2015: p. 15).

### 3. Conclusions

From the conducted analysis we see that the self-image of the interviewed disabled people is a good one, considering themselves as "sociable person, willing to work and willing to socially reintegrate", but on the other hand it seems that they feel a strong resistance from the rest of the society and the people they come into contact with.

For those with disabilities, these prejudices are a factor affecting their quality of life, regardless of the state's effort to provide education, health, social protection services, etc. (Spasova and Kancheva 2017: p. 8).

It is noticed that the assumed hypothesis has been confirmed, the level of prejudice experienced by over 98% of the disabled people who participated in the focus-groups is high and very high. Prejudice, seen by Gordon Allport as "an antipathy based on an inflexible generalization that can be expressed or just felt" (Allport) is apparently felt deeply by disabled people in our country. In Romania, a country with 797.104 disabled people (ANPD 2018), the causes of stigmatization of these people can be found in theoretical explanations such as those offered by the labelling theories, the reference group or social dramaturgy, or even by complex theories what they see the discriminatory attitude as being stimulated by prejudice and a combination of constitutional, psychological, economic and genetic factors (Botoșineanu 2011). However, we believe that the lack of education in the idea of accepting and helping people with disabilities is the main cause of this attitude.

### Acknowledgment:

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# **Big data, privacy and information security in the European Union**

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## **Abstract**

This article analyzes the concepts of "big data", "personal data", "maintaining data control", "the right to be forgotten", all this in the context of the new legislation imposed by the European Union. The question is whether the new European legislation has positive or negative effects on social development? The material emphasizes the fact that, in the context of the current impressive development of information technology, the recent Regulation (EU) 2016/679 of the European Parliament and of the Council, dated 27 April 2016, concerning the protection of natural persons with regard to the processing of personal data, as well as free movement of such data, seems to be in contrast, and may have negative effects on the development of the economy.

**Keywords:** *big data; privacy; security information; General Data Protection Regulation; European Union.*

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## **1. About the Big Data**

The Big Data "is an emerging area applied to manage datasets whose size is beyond the ability of commonly used software tools to capture, manage, and timely analyze that amount of data. The quantity of data to be analyzed is expected to double every two years" (IDC, 2012; Michael and Miller 2012: pp. 22-24; IEE BigData 2018). All these data are very often unstructured and "from various sources such as social media, sensors, scientific applications, surveillance, video and image archives, Internet search indexing, medical records, business transactions and system logs" (IEE BigData 2018).

Big data is "gaining more and more attention since the number of devices connected to the so-called "Internet of Things" (IoT) is still increasing to unforeseen levels, producing large amounts of data which needs to be transformed into valuable information" (MIT 2014; IEE BigData 2018). "Additionally, it is very popular to buy on-demand additional computing power and storage from public cloud providers to perform intensive data-parallel processing. In this way, security and privacy issues can be potentially boosted by the volume, variety, and wide area deployment of the system infrastructure to support Big Data applications" (IEE BigData 2018).

It has been repeating for many years the consideration that the one we live in is the information society, but this synthesis of the current relevance recognized in all

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areas to the processes of generation, processing and communication of information data is not an immutable acquisition, a definitive arrival point. On the contrary, the informative phenomenon is varied over time due to the different parameters concerning its distribution, size and the possibility of an effective analysis of the contents.

With regard to the first aspect, it should be noted that the information is not uniformly distributed as regards the usability of the same. First of all, it is necessary to distinguish between accessibility and data exploitation capacity; factors that concur then both to concentrate the information power in groups of subjects gradually more limited, up to what we could define the "gentlemen of data" (The traditional notion of the individual's lordship on information concerning him seems weakened in favor of the holders of information and calculation resources, which have considerable information power deriving from the control over the management of data, such as to evoke the notion of lordship).

Again we are in the presence of a limited number of operators in whose hands is concentrated a great wealth of information and who have the opportunity to choose who can access it, very often in exchange for an economic benefit.

An element that completes the illustration of the power held by "gentlemen of data" is psychological in nature. Recent studies have in fact shown how the awareness of the availability of multiple information online induces the subjects to memorize less than what is learned and to focus instead the memory on where the data are located. From this complex context, summarily summarized here, the "gentlemen of data" and their immense power are born.

It is therefore evident that those who manage large amounts of data are thus able to acquire a predictive capacity on the future to the other foreclosed, constituting an undoubted advantage, both in competitive terms for the companies, both in terms of social control for the states and for the groups of power.

## **2. General Data Protection Regulation**

The legal definition of "personal data", contained in the recent "Regulation (EU) 2016/679 of the European Parliament and of the Council, of 27 April 2016, concerning the protection of natural persons with regard to the processing of personal data, as well as the free movement of such data and which repeals Directive 95/46/EC (General Data Protection Regulation)" - which is known to be directly applied in all EU Member States from 25 May 2018, highlights the complexity of legal issues, raised from collection and subsequent processing operations performed on personal data. According to the art. 4, par. 1, n. 1 of the aforementioned Regulation, "personal data" means "any information concerning an identified or identifiable natural person ("concerned"); an identifiable natural person can be identified, either directly or indirectly, with particular reference to an identifier such as a name, an identification number, location data, an online ID or one or more characteristic elements of his physical identity, physiological, genetic, psychological, economic, cultural or social".

The amplitude of the definition is such that only the anonymous data cannot be traced back to it and once it is established that the information is directly or indirectly connected to a physical person it is necessary to "reckon" with the complex architecture outlined by the Regulation, based on the principles of "privacy by design" and "privacy by default", as well as, more generally, by a general criterion of accountability. From

this point of view, the Project aims to analyze the constraints imposed by the Regulation underlying the processing of personal data, the obligations imposed on the data controller, with particular attention, considered the focus of the research, to the limits deriving from the communication of data, for the purposes underlying the original collection, to non-EU subjects (Moura and Serrão 2015).

In the awareness that personal data, although increasingly frequently placed under the lens of economic evaluation and consequently its central importance in the digital economy, represents, as a priority, a component of the personal identity of the person to whom the data refers. A person "who maintains a control over that data, exercisable through various prerogatives recognized expressly by law". In this regard, "the right to delete personal data", enshrined in art. 17 of the aforementioned Regulations and the "right to be forgotten, declined in different meanings by national and Community jurisprudence". The research, therefore, aims to "reconstruct the rights recognized to the person (physical person to whom the personal data refer) with particular regard to the claim of the cancellation and the right to be forgotten, so as to detect if they are independent, distinct claims that is, one from the other and if, above all, we are dealing with claims that can be exercised *ad libitum*". Finally, but not least, it is necessary to question the possible uses of the information gathered, on a large scale. Stringent, in fact, are the limits in the case in which the data are processed with automated processes in a particular way in the emerging cloud computing computational paradigm. Article. 22 of the Regulation establishes, in fact, the right of the interested party "not to be subjected to a decision, based solely on automated processing, including profiling, which produces legal effects that affect it or significantly affects its person". There are two key concepts on which this prediction is based and consequently, the recognition of the right of the data subject to escape the treatment: the automated treatment and the decision based solely on it. Two concepts on which the research will focus attention, so as to evaluate the limits of profiling, which in fact represents an automated treatment, increasingly widespread in the digital economy (Marques and Serrão 2013; Serrão, Rodriguez and Delgado 2011; pp. 129-139).

The power front deriving from big data and the largely hidden nature of the same, we must ask ourselves about the remedies that can be introduced in order to limit the asymmetries and the implications in terms of social control that derive from them. In this regard it does not seem appropriate to resort to drastic remedies such as the obligation to delete information after a certain time. Obligation that, in the context of free online access information, we would like to refer to the right to be forgotten. Without dwelling on the known difference between the right to delete data and the right to be forgotten, it should however be noted that such a solution seems scarcely feasible in relation to online communications and not very efficient with respect to the creation of large databases. To this we must add that in many cases the databases on which the elaborations under consideration are carried out do not necessarily contain personal data, but they are not therefore less relevant for predictive purposes (Serrão, Neves, Kudumakis, Barker and Balestri 2003: p. 648).

In other words, the methods of intervention seem to be more effective in reducing and redistributing the information power held by few and in limiting possible abuses. To do this, we need to act both on the market, stimulating competition and thus

favoring the pluralism of actors, as well as on accessibility to information. In fact, if the data held by the subjects in question were largely accessible, it would open to new interested parties the possibility to draw from the same inferences (not only large operators not yet present in the market, but also large groups of individuals able to aggregate beyond the critical threshold the limited resources of each).

The importance assumed in terms of information power from large concentrations of data, together with the strategic value also for the nations of the same, should then lead to evaluate the adoption of forms of control of such aggregations of data, providing for specific independent supranational authorities and introducing notification obligations (De Cristofaro, Soriente, Tsudik, and Williams 2012: p. 287; Jutla, Bodorik and Ali 2013: pp. 39-45). It is no coincidence that the notification of the establishment of the new databases was one of the obligations characterizing the first legislation on the processing of personal data, in a time when IT resources were the heritage of a few, centralized in specific places and porters (for those years ) of an unimaginable power of control. The analogy between the era of the main frames and the current one of cloud computing and big data is significant, because once again (while remaining a distributed computer power) large IT resources are concentrated in the hands of a few subjects and are also physically aggregated into huge data centers. It is therefore once again possible to know who creates such large databases, who manages them and, therefore, put in place the control activities necessary to guarantee the security of information concerning citizens (Tankard 2012).

In this sense, the creation of supranational control authorities should on the one hand affect the standardization of services in terms of security, but should also serve as a tool to monitor and possibly contain both the invasive claims of governments and the possible abuses of the holders / big data managers (Juels and Oprea 2013).

Given the new "personal data" regulation contained in the recent Regulation (EU) 2016/679 of the European Parliament and of the Council, dated 27 April 2016, concerning the protection of natural persons with regard to the processing of personal data, as well as free movement of such data, this solution could appear to be in contrast with the spontaneous evolution of information and business processes, and to be seen as an undue interference of public powers in the development of economic systems and models, nevertheless it should be remembered that precisely the international dimension of internet has progressively led to a revision of the initial dogma centered on the simple self-regulation of users. In a society heavily influenced by information, by its appropriation and management, it does not seem so illogical that these resources, if they assume very significant proportions, are placed under limited control as is the case for other vital and strategic resources (from nuclear power plants to air spaces). This is obviously a very long and tortuous path because it requires international synergies, but it should be started as soon as possible, perhaps using existing organisms, to avoid introducing forms of regulation when it will be too late. Obviously it is appropriate to appropriately scale the intervention, addressing it not to any data farm made in any part of the globe, but only to those that have an absolutely relevant size or that, due to the data processed (eg national and military security) (Hand, Ton and Keller 2013), are of primary importance.

A final critical profile that needs to be overcome concerns the role of Europe in the context of the aggregation processes of the information taken into consideration. In

this regard, the comparison with the USA is important and a position of advantage is found on the latter. In terms of public data management, the United States boasts not only a structural homogeneity that is still unknown to the young European Union, but has also invested significant resources in the modernization of the same through the use of cloud computing technologies, encouraging the aggregation of the bases of data, a necessary precondition both for the increase and the exercise by the public subjects of their information power, and for the democratic accessibility to such information (Advantech 2013; Agrawal, Das, and El Abbadi 2011: p. 580.). On the private side, then, although it is undeniable that the big European companies are fully part of the big data managers, but the excellence of US companies in some strategic ICT sectors (search engines, cloud computing services, platforms UGC, social network) (Chen and Shi 2009: p. 95; Rodríguez, Rodríguez, Carreras and Delgado 2009; Feamster 2014; Gross and Acquisti 2005: pp. 71-80), put the latter in a position of advantage, given that precisely in the areas most closely related to ICT we are witnessing the largest data flows. In a geo-political and industrial policy perspective, this structure may prove to be a weakness for European countries, in terms of loss of control over citizens' data and the assignment of management of strategic information to foreign subjects. It is perhaps not by chance that the idea of a stronger personal data protection centered on the concept of belonging to the Union of the person to whom the information refers has recently come forward, as it is no coincidence that European industry is urged to take on a more relevant role in the implementation of new IT architectures. Disregarding such solicitations, can be a risk because it involves the use of services provided by companies linked to powers and conditioned by foreign legal rules, which can potentially pursue finality purposes from those of citizens and states of the Union. It is therefore necessary both to stimulate competition in the development of new ICT technologies, and to strengthen the regulatory framework for protecting information.

The power of big data and the largely hidden nature of it, we must build mechanisms that can be introduced in order to limit the asymmetries and the implications in terms of social control that derive from them. In this regard it does not seem appropriate to resort to drastic remedies such as the obligation to delete information after a certain time. Obligation that, in the context of free online access information, we would like to refer to the right to be forgotten.

To this we must add that in many cases the databases on which the elaborations under consideration are carried out do not necessarily contain personal data, but they are not therefore less relevant for predictive purposes.

In other words, the methods of intervention seem to be more effective in reducing and redistributing the information power held by few and in limiting possible abuses. To do this, we need to act both on the market, stimulating competition and thus favoring the pluralism of actors, as well as on accessibility to information (Goldwasser, Gordon, Goyal, Jain et. al. 2014: p. 580; Gentry 2009; Gentry 2010; Dohi and Uemura 2012: p. 1751). In fact, if the data held by the subjects in question were largely accessible, it would open to new interested parties the possibility to draw from the same inferences (not only large operators not yet present in the market, but also large groups of individuals able to aggregate beyond the critical threshold the limited resources of each).

The importance assumed in terms of information power from large concentrations of data, together with the strategic value also for the nations of the same, should then lead to evaluate the adoption of forms of control of such aggregations of data, providing for specific independent supranational authorities and introducing notification obligations. It is no coincidence that the notification of the establishment of the new databases was one of the obligations characterizing the first legislation on the processing of personal data, in a time when IT resources were the heritage of a few, centralized in specific places and porters (for those years ) of an unimaginable power of control. The analogy between the era of the main frames and the current one of cloud computing and big data is significant, because once again (while remaining a distributed computer power) large IT resources are concentrated in the hands of a few subjects and are also physically aggregated into huge data centers. It is therefore once again possible to know who creates such large databases, who manages them and, therefore, put in place the control activities necessary to guarantee the security of information concerning citizens.

Personal data "is any information that relates to an identified or identifiable living individual. Different pieces of information, which collected together can lead to the identification of a particular person, also constitute personal data" [Articles 2, 4(1) and(5) and Recitals (14), (15), (26), (27), (29) and (30) of the GDPR; WP 01245/07/EN, WP 136 Opinion 4/2007 on the concept of personal data; Article 29 Working Party Opinion 05/2014 on Anonymisation Techniques].

Personal data "that has been de-identified, encrypted or pseudonymised but can be used to re-identify a person remains personal data and falls within the scope of the law,, [Articles 2, 4(1) and(5) and Recitals (14), (15), (26), (27), (29) and (30) of the GDPR; WP 01245/07/EN, WP 136 Opinion 4/2007 on the concept of personal data; Article 29 Working Party Opinion 05/2014 on Anonymisation Techniques].

"Personal data that has been rendered anonymous in such a way that the individual is not or no longer identifiable is no longer considered personal data. For data to be truly anonymised, the anonymisation must be irreversible" [Articles 2, 4(1) and(5) and Recitals (14), (15), (26), (27), (29) and (30) of the GDPR; WP 01245/07/EN, WP 136 Opinion 4/2007 on the concept of personal data; Article 29 Working Party Opinion 05/2014 on Anonymisation Techniques].

The law "protects personal data regardless of the technology used for processing that data – it's technology neutral and applies to both automated and manual processing, provided the data is organised in accordance with pre-defined criteria (for example alphabetical order). It also doesn't matter how the data is stored – in an IT system, through video surveillance, or on paper; in all cases, personal data is subject to the protection requirements set out in the GDPR" [Articles 2, 4(1) and(5) and Recitals (14), (15), (26), (27), (29) and (30) of the GDPR; WP 01245/07/EN, WP 136 Opinion 4/2007 on the concept of personal data; Article 29 Working Party Opinion 05/2014 on Anonymisation Techniques].

"Processing covers a wide range of operations performed on personal data, including by manual or automated means. It includes the collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction of personal data. The General Data

Protection Regulation (GDPR) applies to the processing of personal data wholly or partly by automated means as well as to non-automated processing, if it is part of a structured filing system,, [Article 4(2) and(6) of the GDPR].

DPA's are "independent public authorities that supervise, through investigative and corrective powers, the application of the data protection law. They provide expert advice on data protection issues and handle complaints lodged against violations of the General Data Protection Regulation and the relevant national laws. There is one in each EU Member State" (Regulation (EU) 2016/679).

Generally speaking, "the main contact point for questions on data protection is the DPA in the EU Member State where your company/organisation is based. However, if your company/organisation processes data in different EU Member States or is part of a group of companies established in different EU Member States, that main contact point may be a DPA in another EU Member State" [Article 4(16), Chapter VI (Articles 51 to 59) and Recitals (117) to (123) of the GDPR; Article 29 Working Party Guidelines on the Lead Supervisory Authority, WP 244; Article 29 Working Party Guidelines for identifying a controller or processor's lead supervisory authority, and Annex II].

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Book review:

**Alexandra Porumbescu, Migrația românilor în  
Germania [The Romanians' migration in Germany],  
Craiova, Sitech, 2015,  
204 pp., ISBN: 978-606-11-5037-3**

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In this book, the author, Alexandra Porumbescu presents both a general picture of the phenomenon of the Romanians' migration in Germany, as well as a detailed analysis of some of the essential components of this process. The theme, although it has been approached in the Romanian literature, we do not find it approached so thoroughly and comprehensively in any other work. The study does not only expose theoretical facets of the migration phenomenon, but also presents some current aspects of the life of Romanian migrants in Germany, resulting from the research undertaken by the author in that country.

The monographic work begins with the analysis from "general" to "particular", debating in the first chapters aspects related to the evolution of international migration, presenting the theories of migration, the historical evolution of the phenomenon and the immigration policies of the German state, followed by a part dedicated to the study the Romanian community from the German lands and its characteristics. We find in the final part of the paper the results of a sociological survey conducted among the Romanians in Germany, based on the application of a questionnaire and an interview, and meant to highlight details of the Romanian community in that state.

Mrs. Alexandra Porumbescu's work is structured into 6 chapters during which the author reaches fundamental themes for the studied topic, using a current and appropriate bibliography.

The first chapter: "The immigrants in Germany", presents the contemporary German society, one of the most important destination countries for immigrants, also ingeniously inserting historiographical elements, which are the reference of the current context. Also, the chapter, displays the German immigration policy. We observe the merging of the statistical elements with the legislative and the history ones. We note that, currently, we find in Germany 15 million people who are immigrants or descend from immigrants (ethnic Germans returning from abroad and foreigners who do not have German ancestry), and the motivation of choosing Germany as a destination state is being variable (high quality of life, high level of public safety, well-developed social system etc.).

The second chapter, "The Romanian emigration phenomenon", carries out a radiography of the Romanian society after 1990, trying to highlight the causes and effects of the massive international emigration of our conationals. The author points out Romania's unstable economic situation as the main cause of emigration and reveals

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the devastating effects on the social and economic level, but also highlights the relatively uncertain situation and perhaps even tragic, of a potential return migration.

The third chapter, "The characteristics of the phenomenon of Romanians' migration in Germany", outlines a complex image of the Romanian community in the Federation. Are highlighted the main social and economic elements that have had a major impact on the migratory flow from Romania to Germany, mainly analyzing the post-revolutionary period. A statistical analysis based on economic indicators is structured.

The fourth Chapter, "Ethnical emigration from Romania to Germany", presents the history of the German minority in Romania and also the current status of the communities of Transylvanian Saxons and Swabians, noting the tradition of the Romanians' migration to Germany, even before the communist period, given the large number of Romanian citizens of German origin who lived in Banat and Transylvania. Currently, a large number of inhabitants of Romania are still stated as being of German nationality, ethnic Germans who still live in Romania play an important role in the relations between the two countries.

The fifth chapter, "The Romanians in Germany", presents the results of a sociological survey conducted by the author in Germany, based on the application of the questionnaire. The survey was conducted on a sample of 250 Romanian immigrants from Germany and the research results respond to some important questions like: "Who are these immigrants?; Why did these people came in Germany?; What do these people do in Germany?; What future intentions do the immigrants have?; Do migrant networks play any part in this process?". Summarizing the results, we highlight that: more than half of the subjects came to Germany for the well-paid jobs, 43% of the Romanian immigrants said they want to stay in Germany, 31% said they want to return to Romania represent a percentage of 31%, and over 70%, said they had relatives or acquaintances in Germany before coming here.

The last chapter, "Romanian students in Germany", presents the results of a qualitative research, based on the application of 12 interviews to current or former Romanian students in Germany. The results of the study accurately present the typology of the young Romanian immigrant from Germany: they are people coming from families with average or raised income level, with very good professional training and who want to pursue a career in the field in which they had prepared.

In the final part of the paper, dedicated to conclusions and proposals, the author appreciated that "migration is a cumulation of benefits and challenges (risks) that if we understand, we are able to manage properly, in the idea that one needs to track the assimilation of benefits and progress, both in the societies of origin and destination, regarding the socio-economic aspect". The author noted that, although it is an area of major importance, migration is not yet sufficiently regulated in Romania and concluded that the existence of a policy in the field of emigration is quite necessary.

After studying and analyzing the work written by Alexandra Porumbescu, I appreciate that this work is of high quality and value and I strongly recommend that it be read in order to discover a part of the Romanian world that is abroad, the identity the profile of the Romanian emigrant and at the same time to see the bridge between the two countries, Romania and Germany, created through this migratory flow with tradition.

## INSTRUCTIONS FOR AUTHORS

**Title of your paper. Capitalize first letter (TNR, 16 pt, Bold, Centered)**

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<sup>b</sup> *Second author affiliation, City, Country (TNR, 11 pt., Italic, Centered)*

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Bryman, A. (2012) *Social research methods*, 4th ed., New York: Oxford University Press.

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Van der Geer, J., Hanraads, J. A. J., and Lupton, R. A. (2000) "The art of writing a scientific article", *Journal of Scientific Communications*, (163), 51-59.

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Council of Europe (2016) Prisons and Community Sanctions and Measures [online] Available: [http://www.coe.int/t/DGHL/STANDARDSETTING/PRISONS/default\\_en.asp](http://www.coe.int/t/DGHL/STANDARDSETTING/PRISONS/default_en.asp) [accessed 23 February 2018].

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