NEWS REPORT

Date:	6 December 2010
Expert:	Romaniţa Iordache
Title:	National equality body issues a warning in the case of a complaint against the Ministry of Foreign Affairs accused of racist remarks
Country:	Romania
Context	
Issue at stake:	The National Council for Combating Discrimination finds that the Ministry's statements are discriminatory but issues a mild sanction
Ground of discrimination:	Racial/ethnic origin (Roma)
Source:	Decision of the national equality body (not yet published)
Field:	all fields

Content

Development: In February 2010, the Romanian Minister of Foreign Affairs, Mr. Teodor Baconschi declared after a meeting he had with the French State Secretary for European Affairs, Mr. Pierre Lellouche: 'We have some natural, physiological problems, of criminality within some of the Romanian communities, especially among the communities of the Romanian citizens of Roma ethnicity.'[1]

The declarations were considered racist by a number of NGOs who filed a complaint to the NCCD against the Minister and the Ministry of Foreign Affairs. A coalition of NGOs working on combating discrimination endorsed the initiative of a Roma rights NGO, RomaniCRISS, and protested on the streets as well as filed a complaint with the national equality body on grounds of the Anti-discrimination legislation.

[1] Following the public outcry, parts of the statement have been removed from the press declaration from the Ministry's website, available at: http://www.mae.ro/index.php?unde=doc&id=42249&idlnk=2&cat=4 (29.09.2010). The complete statement was however presented to the National Council for Combating Discrimination.

On 23 November 2010, the NCCD decided the declarations of Mr. Baconschi amount to discrimination. However, the NCCD did not sanction Mr. Baconschi with an administrative penalty (written warning or administrative fine as provided by the law in Article 26 of Romania/Ordonanţa Guvernului 137/2000). Instead NCCD issued a 'recommendation' stating: 'because the respondent's intention to discriminate was not substantiated, the decision was to adopt a recommendation for him so that in the future he should pay more attention to aspects related to equality and anti-discrimination.'[2]
The NCCD's motivation of the decision is not published yet.

Internet link source and additional information: Press release of the NCCD available at: http://cncd.org.ro/noutati/Comunicate-de-presa/Precizare-privind-solutionarea-dosarului-in-cazul-Baconschi-95/ (2.12.2010)

[2] National Council for Combating Discrimination, Press Release of 26.11.2010, available at http://cncd.org.ro/noutati/Comunicate-de-presa/Precizare-privind-solutionarea-dosarului-in-cazul-Baconschi-95/.