



NEWS REPORT

Date:	7 December, 2010
Expert:	Romanița Iordache
Title:	Draft law imposing the use of the term “Gypsy” instead of “Roma” endorsed by the Romanian Government
Country:	Romania
<u>Context</u>	
Issue at stake:	A draft law prohibiting the use of the term “Roma” and imposing the term “Gypsy” instead for official documents is supported by the Romanian Government in spite of criticisms and negative feed-back from relevant authorities and the Roma minority
Ground of discrimination:	Roma
Source:	political development
Field:	All fields
Legislative provisions:	Draft Law BP668/2010 “regarding the official terminology used for the Gypsies’ethnicity.” Also applicable are: Article 6 of the Romanian Constitution which guarantees the right to identity. ¹ Romania also signed and ratified the Council of Europe Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages.

Content

Political development: In 2000, the Romanian Ministry of Foreign Affairs issued the Memorandum D2/1094/2000 establishing that the term “Roma” shall be used together with the similar terminology of

¹ Art. 6: (1) The State recognizes and guarantees the right of persons belonging to national minorities to the preservation, development and expression of their ethnic, cultural, linguistic and religious identity. (2) The protection measures taken by the Romanian State for the preservation, development and expression of identity of the persons belonging to national minorities shall conform to the principles of equality and non-discrimination in relation to the other Romanian citizens.

“Romanes/Gypsies/Roma” in the correspondence of the Ministry with international organizations. Subsequently, Romanian authorities used the term Roma in all official documents.

Following the discussions regarding the repatriations of Roma from France and Italy, the Romanian President, Mr. Traian Băsescu, declared in September 2010 that the decision regarding the use of the term „Roma” (*Rom*) instead of „Gypsy” (*Țigan*) in Romanian official documents was a mistake as „it is misleading Europeans and triggers confusion between Roma and Romanians.”²

Subsequently, a member of the European Parliament,³ as well as a Romanian Senator of the Democrat-Liberal Party called for an official decision regarding the use of the term „Gypsy” instead of „Roma”.

On September 1st, a draft law was submitted to the Romanian Chamber of Deputies as decisional chamber, by Senator Prigoană (DLP), in September 2010.⁴ The proposal received negative feed-back from the national equality body, the Ministry of Culture, the Ministry of Foreign Affairs, the National Agency for Roma and the Roma NGOs, as well as human rights groups in Romania as it violates the right to self-identification of the Roma minority.⁵ In spite of the protests, on December 2nd, 2010, the Government convened in the governmental meeting endorsed the draft proposal claiming that the current use of „Roma” leads to confusions and invoking the position of the Romanian Academy which supported the proposal.⁶

The National Council for Combating Discrimination (NCCD) previously criticised the initiative of a Romanian newspaper, *Jurnalul Național*, which coordinated in March 2009 a proposal for a citizens’ initiative by starting to collect signatures for a petition aimed at imposing the use of the term

² See: <http://www.mediafax.ro/social/guvernul-este-de-acord-cu-schimbarea-denumirii-de-rom-in-tigan-7773030> (07.12.2010).

³ Initiative of MEP Bodu was reported in: <http://www.9am.ro/stiri-revista-presei/Politica/200887/PDL-cere-la-PE-inlocuirea-termenului-rom-cu-tigan.html> (07.12.2010).

⁴ Form of the draft law as well as its justification and the reports of various relevant institutions is available at: http://www.cdep.ro/pls/proiecte/upl_pck.proiect?cam=2&idp=11279 (07.12.2010).

⁵ Media reporting available: <http://www.hotnews.ro/stiri-esential-8052317-guvernul-analizeaza-oportunitatea-schimbarii-denumirii-denumirii-rom-tigan.htm> (7.12.2010).

⁶ Media reporting of the governmental position available at: <http://www.mediafax.ro/social/guvernul-este-de-acord-cu-schimbarea-denumirii-de-rom-in-tigan-7773030> (7.12.2010).



“Gypsy” instead of “Roma.”⁷ In its position, the NCCD recalled the international standards for the protection of national and ethnic minorities and underlined the right of the Roma minority to self-identification.

Internet link source and additional information: The draft law as well as its legal history are available in Romanian at:

http://www.cdep.ro/pls/proiecte/upl_pck.proiect?cam=2&idp=11279
(7.12.2010).

⁷ Information regarding the campaign of Jurnalul National is available at: <http://www.jurnalul.ro/campaniile-jurnalul/jurnalul-national/propunere-jurnalul-national-tigan-in-loc-de-rom-145427.html> (7.12.2010). For press release from 3.03.2009 issued by the National Council for Combating Discrimination see: <http://www.cncd.org.ro/presa/pagina-5/> (7.12.2010)