



## NEWS REPORT

**Update flash report no:** 566-RO-44-Flash Report of 8 December 2010

**Date:** 3 February 2011

**Expert:** Romanița Iordache

**Title:** Draft law imposing the use of the term “Gypsy” instead of “Roma” endorsed by the Human Rights and Equal Opportunities Committees of the Senate

**Country:** Romania

**Context**

**Issue at stake:** The draft law prohibiting the use of the term “Roma” and imposing the term “Gypsy” instead was endorsed by the Human Rights and Equal Opportunities Committees of the Senate

**Ground of discrimination:** Roma

**Source:** political development

**Field:** other

**Legislative provisions:** Article 6 of the Romanian Constitution guarantees the right to identity.<sup>1</sup> 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 September 2010, a draft law prohibiting the use of the term „Roma” and imposing the use of the exonym „Țigani” was submitted to the Romanian Chamber of Deputies as decisional chamber, by Senator Prigoană (Democrat Liberal Party).<sup>2</sup>

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<sup>1</sup> 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.

<sup>2</sup> 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](http://www.cdep.ro/pls/proiecte/upl_pck.proiect?cam=2&idp=11279) (07.12.2010).

The civil society, a large part of the Roma community as well as the national equality body, the Ministry of Culture, the Ministry of Foreign Affairs, the National Agency for Roma criticised the draft.<sup>3</sup> The Romanian Academy endorsed the proposal in a note which was heavily criticised for lacking scientific arguments.<sup>4</sup>

In spite of the protests, on December 2nd, 2010, the Government 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.<sup>5</sup>

On February 2<sup>nd</sup> 2011, the Human Rights Committee and the Equal Opportunities Committee of the Senate in a joint session decided in favour of the draft and issued a favourable report with ten votes for and three against.<sup>6</sup> The senators argued in favour of their votes using misleading linguistic information regarding the use of the term Gypsy around Europe, invoked the confusion between Roma and Romania for foreigners which is allegedly damaging the international image of the country and will be finally solved this way,<sup>7</sup> as well as used racist statements. For example the independent senator Cibu noted that the „pejorative meaning of the term *țigăni* is triggered by the behaviour of this ethnic group.”

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

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<sup>3</sup> Media reporting available: <http://www.hotnews.ro/stiri-esential-8052317-guvernul-analizeaza-oportunitatea-schimbării-denumirii-denumirii-rom-tigan.htm> (7.12.2010).

<sup>4</sup> Note Nr. 3117 from 26 October 2010 of the Romanian Academy.

<sup>5</sup> 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).

<sup>6</sup> Media reporting of the voting in the joint session of the two parliamentary committees available at: <http://www.hotnews.ro/stiri-politic-8264249-senat-raport-favorabil-pentru-proiectul-legii-inlocuire-termenului-rom-tigan.htm> (3.02.2011).

<sup>7</sup> The Social Democrat Senator Elena Mitrea stated that “going back to the name *țigăni* would redress a mistake and it is not normal for the name “Roma” to be assimilated with Romania.”