

10 December 2010

President of Romania, Traian Basescu
Prime Minister of Romania, Emil Boc
President of the Senate, Dan Mircea Geoană
President of the Senate Human Rights Committee György Frunda
President of the Senate Equal Opportunities Committee, Vasilescu Lia-Olguta
President of the Chamber of Deputies, Roberta Anastase

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Re: Romanian proposal to rename Roma “Tigan”

Dear Excellencies,

The European Roma Rights Centre (ERRC), an international human rights law organisation combating anti-Roma racism and discrimination, is deeply concerned about the motion currently before the Romanian Parliament to change the official name of Roma to “Tigan” (“Gypsy”), which is reportedly scheduled for debate in the Romanian Senate’s Human Rights and Equal Opportunities Committees on 14 December 2010.

The current proposal, reportedly pursued by Romanian authorities to address confusion between the terms “Roma” and “Romania”,¹ is discriminatory and regressive. In reaction to the proposal, Romanian Romani representatives have rejected the proposal because they consider “Tigan” to be a pejorative term which recalls centuries of slavery and Second World War collective deportations of Romanian Roma.² The ERRC also recalls that the word “Tigan” originates from Greek, meaning “pagan”, “heretic” or “untouchable” and represents a racist characterisation of Roma.³ Since at least 1995, intergovernmental organisations such as the Organization for Security and Cooperation in Europe have urged Romanian authorities to reject renaming Roma “Tigan”.⁴ Furthermore, the Romanian Foreign Ministry has opposed this initiative, noting that the change would affect domestic business.⁵ In addition, the Romania Senate’s Legislative Council and the Committee for Public Administration have issued opinions stating that the proposal is counter to EU community law and that any group should have the right to self-identification.⁶

The proposed motion is inconsistent with both international and domestic law. At Article 6(1), the Romanian Constitution affirms, in compliance with the principles of equality and non-discrimination, that: “The State recognises and guarantees persons who belong to national minorities the right to maintain, to develop and to express their ethnic identities, and their cultural, linguistic and religious rights.” Romania’s National Council for Combatting Discrimination issued a decision in 2008 against naming Roma “Tigan”.⁷ Under international law, Article 3(1) of the Framework Convention for the Protection of National Minorities guarantees, “Every person belonging to a national minority shall have the right freely to choose to be treated or not to be treated as such [...]” In its April 2001 Opinion on Romania, the Advisory Committee to the Framework Convention stated that, “Article 3 of the Framework Convention guarantees persons belonging to national minorities the right to choose freely whether or not to be treated as such. Freedom to identify, or not to identify, with the name used to designate a minority is one essential aspect of this right.”⁸

¹ See: <http://www.prigoana.ro/activitate-parlamentara/propuneri-legislative/80-proiect-de-lege-privind-terminologia-oficial-utilizat-pentru-etnia-iganilor.html>

² See: <http://www.prigoana.ro/activitate-parlamentara/propuneri-legislative/80-proiect-de-lege-privind-terminologia-oficial-utilizat-pentru-etnia-iganilor.html>

³ See: http://www.economist.com/blogs/easternapproaches/2010/12/romanas_romanies

⁴ See: http://www.osce.org/documents/odhr/1995/10/1795_en.pdf

⁵ See: <http://www.ziare.com/politica/stiri-politice/peter-eckstein-kovacs-crede-ca-ar-trebuie-mentinuta-terminologia-de-rom-1060173>

⁶ Opinion No 1209 of 11 October 2010 and No 426 of 24 November 2010, respectively.

⁷ See: <http://www.cncd.org.ro/noutati/Comunicate-de-presa/Dezbaterile-publice-privind-utilizarea-sintagmei-rom-tigan-63/>

⁸ See: http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_1st_OP_Romania_en.pdf

The ERRC joins Romanian Roma, intergovernmental institutions and NGOs in calling for Romanian authorities and Members of Parliament to immediately reject this discriminatory proposal and ensure that Roma continue to be identified in an accurate manner, in accordance with their preference.

Sincerely,

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