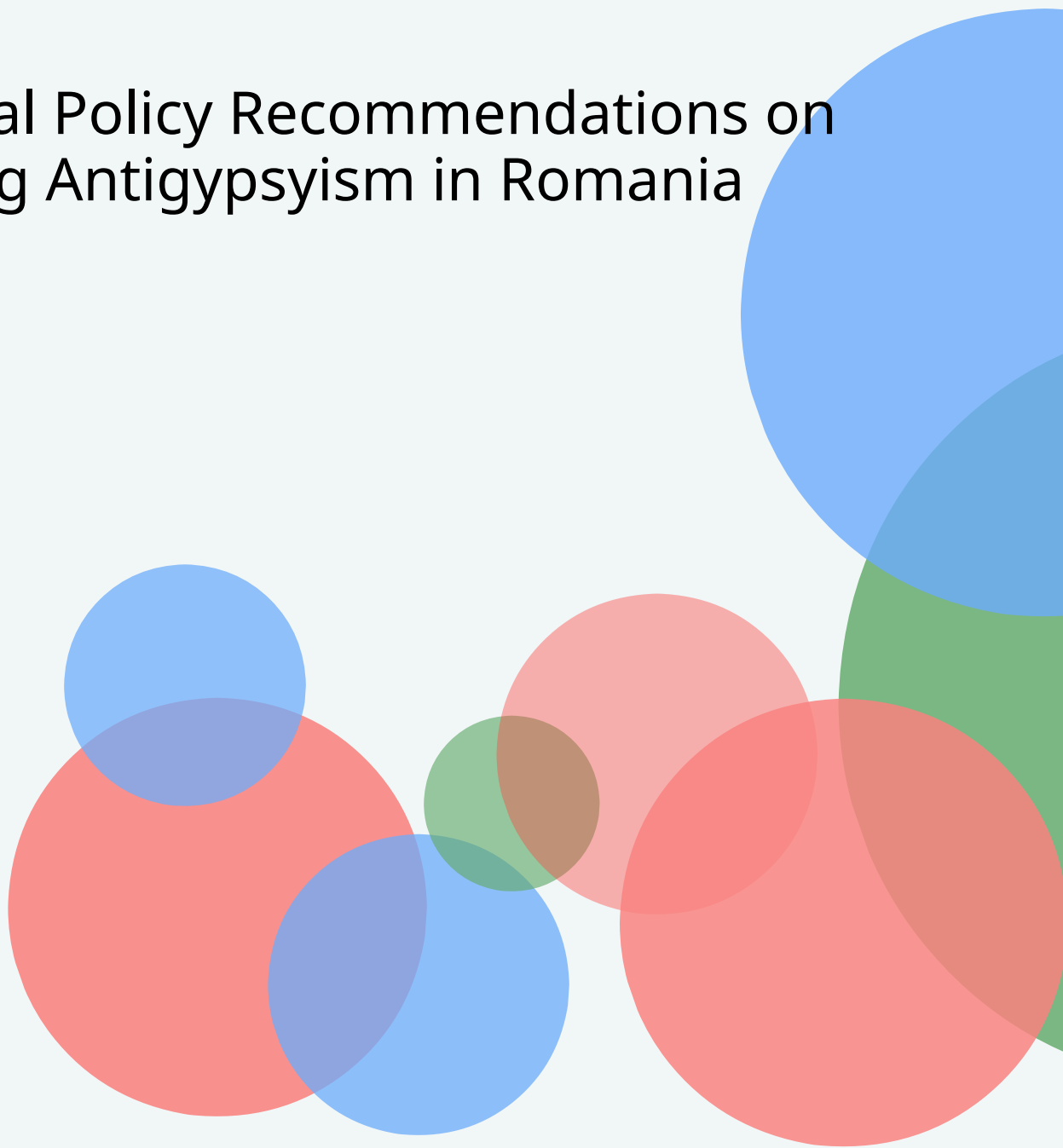

National Recommendation

National Policy Recommendations on Fighting Antigypsyism in Romania



Amare Rromentza

2025



JEKHIPE
RECLAIMING OUR PAST, REBUILDING OUR FUTURE.
NEW APPROACHES TO FIGHTING ANTIGYPSYISM

The JEKHIPE Project

Reclaiming Our Past, Rebuilding Our Future: New Approaches to Fighting Antigypsyism (JEKHIPE) is a CERV-funded project aimed at improving the lives of Roma by addressing systemic and institutional antigypsyism, promoting transitional justice, fostering knowledge-building and awareness, and strengthening Roma identity and participation.

It is a follow-up to an earlier CERV project called 'CHACHIPEN', officially titled 'Paving the way for a Truth and Reconciliation Process to address antigypsyism in Europe. Remembrance, Recognition, Justice and Trust-Building'. Concluded in 2023, CHACHIPEN introduced an innovative transitional justice-based approach to raising awareness of systemic injustice and ongoing antigypsyism in policymaking, while advocating for a comprehensive truth and reconciliation strategy.

JEKHIPE focuses on multiple levels of policy-making, including research, monitoring, advocacy, networking, alliances building, awareness raising, capacity building, and empowerment. It aims to engage with national and European institutions, academia, politicians, justice mechanisms, state authorities, civil society, and Roma communities themselves to challenge the status quo on approaching Roma issues, particularly antigypsyism, and propose mechanisms for increased accountability by national governments.



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Executive Summary

In Romania of the last years, the anti-Roma racism/antigypsyism increased and diversified, as the National Research Report “Antigypsyism in Romania: Lessons (not) learned” (17 November 2022), the most recent report on the anti-Roma racism in Romania, shows, underlining that “The most egregious manifestations of antigypsyism in Romania include school segregation, police violence, inequality in administration of justice, hate speech, lack of environmental justice, exclusion from knowledge production, and the absence of Roma cultural institutions. Roma are the least trusted persons in Romania, according to a survey conducted by the Institutul Roman pentru Evaluare si Strategie (IRES) [Romanian Institute for Evaluation and Strategy] in July 2020, with 70% percent of respondents claiming not to trust Roma. Seven of the eight characteristics which respondents used to describe Roma were negative and only one was neutral (Europa Libera, 2020). These results are consistent with other polls assessing trust in Roma, indicating that distrust in Roma is widespread.” (Rostas and Nodis 2022: 9-10).

The aim of this policies recommendations’ document is to conduct a process of lobby, advocacy and pressure on the state authorities to recognize and assume the issue of the anti-Roma racism/antigypsyism and to realize and understand the concept of transitional justice as a mean to prevent and combat the anti-Roma racism/antigypsyism, to repair and compensate, at least partially, the chronic/historical and current racial discrimination and to build reconciliation among the Roma and the majority society and to create an intercultural public space.

To achieve this aim, our association conducted a qualitative research by applying a survey using a questionnaire with 12 questions sent, individually and collectively, by electronic means (e-mail, WhatsApp, google forms), to governmental central authorities (relevant ministries such a Ministry of Education, Ministry of Culture and Ministry of Labor and Social Protection, Roma National Agency, National Center for Roma Culture - Romano Kher), Roma and pro-Roma nongovernmental organizations, individual Roma activists, Roma and non-Roma students, Roma and non-Roma teachers. There were 30 filled in questionnaires received, among them only three completed by public authorities (Roma National Agency, National Center for Roma Culture - Romano Kher, Ministry of Education).

Analyzing the questionnaires, but also using our previous experience in observing and empirically monitoring the anti-Roma racism/antigypsyism, we identified some key messages. The anti-Roma racism not only still exists, but it increased and diversified in the

last years. Extreme right racist speech is more and more spread in the public space and it has more and more followers and supporters. The concept of transitional justice is totally unknown in the Romanian society neither by the public authorities, nor by the civil society. In spite of the existing legislation against discrimination (Government Ordinance no. 137/2000 on preventing and sanctioning all types of discrimination with all its changes that followed) and against antigypsyism (Law no. 2/04.01.2021 referring to some measures of preventing and combating the antigypsyism), the responsible institutions such as the National Council for Combating Discrimination, the Prosecution and the People's Advocate are quite weak, less eager and very slow in applying the laws.

"The impact of antidiscrimination legislation on Roma remains limited. Romanian law has thus far failed to tackle major, systemic issues including school segregation, forced evictions, and environmental racism, or even the label used in the public sphere; 'the minority'. Political influence over appointments to the equality body NCCD further limit the impact of the law. The new law on antigypsyism – Law No. 2/04.01.2021 - is a copy paste of the law on antisemitism in Romania and fails to define antigypsyism in coordination with Roma activists and scholars." (Rostas and Nodis 2022: 12).

The Romanian state does not assume its responsibility for not being able to efficiently prevent and combat the anti-Roma racism/antigypsyism, despite the existing anti-discrimination and legislation and institutions. So, it should assume its responsibility by adopting a series of public policies aiming to prevent and combat the anti-Roma racism/antigypsyism.

The key recommendations we advocate for are, on one hand, linked with legislation's revision and adoption and, on the other hand, linked with sectorial public policies in education, research, culture and monitoring antigypsyism.

About the laws, we speak about the revision of the existing legislation against discrimination (Government Ordinance no. 137/2000 on preventing and sanctioning all types of discrimination with all its changes that followed) and against antigypsyism (Law no. 2/04.01.2021 referring to some measures of preventing and combating the antigypsyism), by making it clearer, by toughening of punishments and by reversing the burden of proof. We also advocate for the adoption of the National Minorities Law, a legislative project several times postponed and now forgotten in a drawer because the lack of political will for this project of law to be submitted to the Parliament to be debated and eventually adopted. The adoption of such a law will better ensure and guarantee the rights of the national minorities in Romania, including by provisions about discrimination.

In education we speak about school curriculum changes, meaning to introduce information about the Roma minority in the curricula of different school disciplines (history, geography, literature, civic education etc.), to make mandatory the newly established optional discipline “Roma History, Slavery and Deportation” and to include intercultural approach and diversity in all curricular and extra-curricular school activities.

In research we advocate for the establishment of the National Romany Institute for Research, with a national plan of research to implement, meant to produce knowledge about Roma history.

In culture we speak about the establishment of some fundamental institutions: the National Museum of Romany Culture and History, meant to search, to preserve and to develop the memory of the Roma history and to promote the Romany culture, the Roma Slavery public monument / memorial, as a memory site aimed for the recognition of Roma Slavery, the National Romany Theatre, meant to promote the Roma performing arts and to publicly show the Roma history and culture, but also to prevent and combat antigypsyism through arts.

We also advocate for the establishment of the National Commission for Transitional Justice, under the Prime-Ministers’ National Office, with members from all relevant ministries (Education, Culture, Justice, European Projects and Investments etc.), national agencies (National Agency for Roma) and other public institutions (National Center for Roma Culture - Romano Kher), institution aiming to write, to establish methodology, to coordinate and to monitor a national plan of reparations and compensation for the Roma national minority’s historic persecutions and destruction.

To monitor and report on the antigypsyism, we lobby for the establishment of the National Observatory on Antigypsyism, a public institution under the Romanian Parliament, created in partnership with the Roma civil society.

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1. National Context

1.1 Structural nature of antigypsyism in Romania

The antigypsyism in Romania is a historical chronic phenomenon, beginning with the half millennium of Slavery, continuing with the Holocaust against the Roma during the Second World War and with the cultural ethnocide through a state policy of assimilation during the socialist regime and arriving to the strengthened return of hate speech, abuse and violence against the Roma in today's democracy.

The history of negative social representations regarding the Roma begins with the false name given to the Roma: "Gypsy" or "Tsigan". In the Romani language, the word "Gypsy" or "Tsigan" does not exist. The exonym, which referred, at its first attestation, in the Byzantine Empire, to a group considered heretical by the official Orthodox religious system, comes from the Middle Greek, from "Athinganos" or "Athinganoy", the meaning being that of "pagan", "untouchable" or "impure". The first reference regarding the presence of the Roma in Constantinople comes, most likely, from the Georgian hagiographic text "The Life of Saint George the Anchorite", written at the Iberon Monastery on Athos Mountain, around the year 1068. The work recounts how the Emperor Constantine Monomachus, in the year 1050, sick with the plague, invoked the help of the Samaritan people, descendants of Simon the Magician, called "Athinganos", notorious for predictions and sorcerers, with the request to destroy, through witchcraft, the wild animals in Philopation Park, suspected of being responsible for his illness.

In the Romanian lands, since its first attestation in the 14th century, mentioned in monastic documents, the term "ațigan," which later became "țigan," designated a social status, that of slave, and not ethnicity: in 1385, Prince Dan Vodă, the older brother of Prince Mircea cel Bătrân and son of Radu Vodă, confirmed the donation of "40 ațigani dwellings" made to the Vodița Monastery (Wallachia) by his uncle, Vladislav Voievod, the brother-in-law of Stefan Dușan of Serbia (Hasdeu 1867: 193).

This gives rise to two meanings of the word "*țigan*": first, heresy, and second, a social status outside the hierarchical system of society. The slave/*țigan* was not part of the social structure, but outside it, a mere object of exchange or movable property. Later, the word "*țigan*" remained, in the Romanian collective consciousness and in the Romanian language, with a deeply pejorative meaning.

More than that, the image of the Roma in the collective Romanian mentality is exclusively stereotypical negative. Numerous proverbs and sayings from Romanian folklore ("*When the Gypsy became emperor, he first hanged his father,*" "*Neither the willow tree, / nor the gypsy a leader,*" "*The gypsy is still a gypsy even on Easter,*" "*The gypsy is not a man until he steals,*" "*When the gypsy reached the shore, he drowned there,*" "*The devil has seen a gypsy priest and a wedding on Wednesday*"), as well as expressions from everyday vocabulary ("*To beg like a gypsy,*" "*To beg at the door of the tent,*" "*To quarrel like gypsies,*" "*To quarrel like at the door of a tent*") demonstrate that the meaning of the term "Gypsy" encompasses almost exclusively negative attributes, a linguistic reality that is also confirmed by the Explanatory Dictionary of the Romanian Language.

1.2 Current manifestations of antigypsyism in Romania

Following the long history of institutionalized anti-Roma racism beginning, *avant la lettre*, with the Roma Slavery, that lasted almost 500 years (from the Roma first attestation in 1385 to the adoption of the last law of Slavery's abolition in 1856), reaching its peak with the Holocaust against Jews and Roma (forcefully deported to Transnistria to be exterminated there, where around 25.000 Roma died being killed in different ways: hunger, typhus with no medical care, winter frost with no shelter, torture and direct shooting), the democracy after 1990 brought direct and increasing racism attitudes and behavior against the Roma, among them public hate-speech against the Roma, Police abuse and violence, forced evictions, school and residential segregation and marginalization, exclusion from equal access to education, health services, housing and labor market. The interethnic conflicts in the '90s exploded: Roma were killed and their houses were put on fire in Roma communities such as Hădăreni, Bolintin and Kogălniceanu.

The 1990 represented the first moment in the Roma history in Romania when the Roma were recognized as a national minority with all cultural, including linguistic rights coming from this status. But the democracy came with an outburst of racially motivated interethnic conflicts, also leading to setting Roma houses on fire and killing Roma, Police abuses against Roma, emerging from insults, forced evictions and displacements, to beating and even torture and hate-speech in mass-media. After a slight diminution around 2000, together with the adoption of anti-discrimination legislation and the establishment of the anti-discrimination institutions (such as the National Council against Discrimination), in the context of Romania's way towards the European Union, process during which the Roma situation was an ex-ante condition of adhesion, all these racially motivated came back even stronger and with different types of manifestations.

After years of indirect and difficult to prove racial discrimination and quite well-covered racism especially around the times of Romania's entrance the European Union, when Roma's inclusion was an ex-ante condition for adhesion, as always in times of crises, when the Roma got accustomed to be the scapegoat of all the bad situations in society, in the last 5 years, especially in the context of Covid pandemics, the antigypsyism increased and diversified its types of manifestations from the hate speech largely spread in classical mass-media to the hate speech spread in everyday social media, from old-style Police abuse against Roma to extreme violence in Roma communities under the pretext of violation of prohibitions caused by Covid, from accusing Roma of avoiding schooling and work, of being dirty and thieves to accusing them of spreading the Covid illness and of bringing back in the country, the interlope clans.

The National Research Report "Antigypsyism in Romania: Lessons (not) learned" (17 November 2022) written by Iulius Rostas and Ciprian Nodis, both Roma scholars and activists, in the framework of the project "*Chachipen*. Remembrance, Recognition, Justice and Trust-Building" is the most recent report on the anti-Roma racism in Romania. It underlines that "The most egregious manifestations of antigypsyism in Romania include school segregation, police violence, inequality in administration of justice, hate speech, lack of environmental justice, exclusion from knowledge production, and the absence of Roma cultural institutions. Roma are the least trusted persons in Romania, according to a survey conducted by the Institutul Roman pentru Evaluare si Strategie (IRES) [Romanian Institute for Evaluation and Strategy] in July 2020, with 70% percent of respondents claiming not to trust Roma. Seven of the eight characteristics which respondents used to describe Roma were negative and only one was neutral (Europa Libera, 2020). These results are consistent with other polls assessing trust in Roma, indicating that distrust in Roma is widespread." (Rostas and Nodis 2022: 9-10).

In Romania of the last years, the anti-Roma racism/antigypsyism increased and diversified. Extreme right racist speech is more and more spread in the public space and it has more and more followers and supporters. "During the 1990s, only extremist parties and politicians engaged in hate speech against Roma. By contrast, in the past two decades, hate speech targeting Roma in Romania has become a mainstream phenomenon across leading politicians and officials of all political stripes." (Rostas and Nodis 2022: 10).

"The latest release from the Advisory Committee on the Framework Convention for the Protection of National Minorities found that antigypsyism continues to constitute a serious societal problem; that there has been no significant improvement in the investigation of

police violence against Roma; and little tangible progress in overcoming segregation in education and housing, and reducing the stark gaps between Roma and the rest of the population in access to health care, clean water and sanitation.”

(<https://www.errc.org/news/romania-council-of-europe-deplores-the-high-level-of-antigypsyism-and-remains-concerned-about-police-violence-against-roma>)

Roma Slavery is not recognized, Holocaust against Roma is partially recognized, the laws against discrimination and antigypsyism are not implemented in a satisfying manner, the concept of transitional justice does not exist at all in Romanian society, the Roma cultural rights as a recognized national minority are implemented at a very low level, main Roma cultural public institutions such as Roma museum or Roma theatre do not exist, there is still little information about Roma in the school curricula and nothing that exists is not mandatory, but optional.

2. Public Policies and Anti-racist Legislation's Overview

With regard to the public policies addressed to or affecting the Roma national minority, they are good as aim, but quite short as results:

1. Law no. 2/2021 on certain measures to prevent and combat anti-Gypsyism

According to **Art. 1**, *this law aims to establish measures to prevent and combat antigypsyism*. The law was adopted by the Romanian Parliament in January 2021, contains six articles and, according to **Art. 2**, *"antigypsyism" means both the perception of Roma expressed as hatred towards them and verbal or physical manifestations motivated by hatred towards Roma, directed against Roma or their property, against institutions/NGOs, Roma community leaders or their places of worship, traditions, and language*.

In order to combat negative attitudes towards Roma, several offences are regulated as follows:

Art. 3 *The act of a person promoting, in public, in any way, anti-Roma ideas, concepts, or doctrines constitutes a crime and is punishable by imprisonment from 3 months to 3 years and the deprivation of certain rights.*

Art. 4 *Distributing or making available to the public, by any means, anti-Roma news, information, or materials is a crime and is punishable by imprisonment for one to five years.*

Art. 5 (1) *The manufacture, sale, distribution, and possession for distribution of anti-Roma symbols constitutes a criminal offense and is punishable by imprisonment of between three months and three years and the deprivation of certain rights.*

Art. 6 (1) *Initiating or establishing an anti-Roma organization, or joining or supporting such a group in any way, constitutes a crime and is punishable by imprisonment of 3 to 10 years and the deprivation of certain rights.*

Although the law was adopted in 2021, to date there has been no case brought to justice under this law. Moreover, information about the adoption of Law 2/2021 has been rather poor, with the vast majority of the population unaware of its existence and of the possibility of punishing and diminishing discrimination/racism through it.

2. Affirmative action for Roma students to be enrolled in high schools and universities

Without realizing that affirmative policies are a part of transitional justice as reparations for historical persecutions of the Roma in Romania or as measures coming from the compensatory law, affirmative action for Roma in high school education first appeared in the 1992-1993 academic year, being introduced by the Social Work Department of the Faculty of Sociology - University of Bucharest, with 10 seats allocated to Roma students. From the following academic year, the action was taken up by other relevant faculties at the universities of Cluj, Iași, and Timișoara, and was then implemented at the national level (see the *Report on affirmative action for Roma in universities*).

Currently, the Ministry of Education allocates a number of seats for Roma students each academic year on the basis of a Ministerial Order, but the distribution and admission process are not included in a framework methodology adopted at national level, each university being able to apply its own methodology, retaining only the element of a recommendation from an NGO certifying the candidate's ethnicity.

With regard to affirmative action measures for Roma in pre-university education, according to Order 5166/2008, Art. 55 (2), *special seats for Roma candidates were allocated in addition to the number of seats granted through the schooling plan, within the limit of 30 students per class.*

Special seats in high schools and universities are accessed and occupied every year, but there are no studies showing the degree of occupancy or the impact they have on young Roma, both in terms of educational performance and ethnic self-esteem.

3. The Romanian Government's National Strategy for the inclusion of Romanian citizens belonging to the Roma minority

Since 2001, mainly under pressure from the European Commission, the Romanian Government has issued four public policies documents on measures to improve the situation of the Roma, as follows:

- Government Decision no. 430/2001 - National Strategy for Improving the Situation of Roma 2001-2010;
- Government Decision no. 1221/2011, approving the Romanian Government's Strategy for the Inclusion of Romanian Citizens belonging to the Roma Minority 2012-2020;

- Government Decision no. 18/2015 approving the Romanian Government's Strategy for the inclusion of Romanian Citizens belonging to the Roma minority 2015-2020;
- Government Decision no. 560/2022 approving the Romanian Government's Strategy for the Inclusion of Romanian Citizens belonging to the Roma minority 2022-2027.

The Romanian Government's Strategy for improving the situation of Roma should focus on the social and economic inclusion of the Roma minority and on its cultural rights through coordination, monitoring, and financing mechanisms.

In reality, the Roma Inclusion Strategy remains a well-crafted document - with contributions from the National Agency for Roma and the civil society, with clear lines of action in all areas of interest, which the Romanian Government takes care to put in writing. In fact, no financial resources are allocated for the implementation of the adopted measures, and so the obtained results are few and at a low level, as shown in the Roma Civil Monitor's "Civil society monitoring report on the quality of the national strategic framework for Roma equality, inclusion, and participation in Romania" (2022).

The responsibility for implementing a small part of the agreed actions, the ones on cultural rights, lies with the National Agency for Roma and the National Centre for Roma Culture – Romano Kher, both institutions reporting to the General Secretariat of the Government, but understaffed and underbudgeted, receiving poorer subsidies from year to year.

4. The National Centre for Roma Culture - Romano Kher

The National Centre for Roma Culture – Romano Kher is the only national specialized institution in the field of Roma culture, aiming to preserve, promote and develop the ethno-cultural values of the Roma community, established in 2003 under the Ministry of Culture and, since 2013, being moved under the National Agency for Roma.

Although the institution receives an extremely small subsidy, the cultural activities initiated by it are in line with the action plan in the field of culture (Chapter 7 - Areas of Action, E. Culture and Annex 2 - Sectoral Action Plans - E. Culture), established by the Romanian Government through the Strategy for the Inclusion of Romanian Citizens belonging to the Roma Minority 2022-2027.

5. The National Agency for Roma (NAR)

Established in 2004, the National Agency for Roma is organized and operates as a specialized body of the central public administration, with legal personality, under the coordination of the Prime Minister, through the General Secretariat of the Government.

The National Agency for Roma develops the Government's policy and strategy in the field of respecting, promoting, and affirming the rights of the Roma minority.

It implements, monitors, and evaluates measures in the sectoral areas of intervention included in the Romanian Government's Strategy on the Inclusion of the Roma Minority, within the limits of the subsidy received.

6. The Rromani Language and Literature Study Program, Faculty of Foreign Languages and Literatures, University of Bucharest

The University of Bucharest was the third university in the world to introduce Romani courses into its curriculum, following similar initiatives by universities in Paris in 1986 and Prague in 1991, but the first and only university that provides a full graduation program. The Rromani Language and Literature Study Program at the Faculty of Foreign Languages and Literatures of the University of Bucharest, established in 1999, being preceded by a facultative course of Rromani language that began in 1992, prepares teachers, translators and interpreters, philologists in general, at university level in Romania for 26 years now.

The Romani Language and Literature study program has contributed significantly to the initial and in-service training of Romani language teachers, school inspectors for Roma, school mediators, civil servants, representatives of national and international non-governmental organizations, as well as to the continuous training of different Roma personalities in cultural and artistic fields.

7. National Council for Combating Discrimination

The National Council for Combating Discrimination was established by the Government Decision no. 1194 of November 27, 2001, regarding its organization and functioning. It operates as a specialized central state administration body and reports to the Romanian Government.

According to Article 1(2) of the above-mentioned Government Decision, besides the role to punish discrimination through fines, the Council has also the role of implementing the principle of equality between citizens, as provided for in the Romanian Constitution, in the

domestic legislation in force, and in the international documents signed and ratified by Romania.

But the National Council for Combating Discrimination is a weak institution, political and not independent, understaffed and underbudgeted, with no branches in the country and acting after a weak law - **Government Ordinance no. 137/2000 referring to the prevention and the punishment of all types of discrimination** with all its changes and additions, the most recent ones being from 2020.

8. National Contact Point for Roma

The National Contact Point for Roma is a structure within the Ministry of European Investments and Projects, responsible for coordinating national efforts to improve the situation of Romanian citizens belonging to the Roma minority, also aiming to be involved in the process of evaluating and monitoring the progress in the implementation of the Romanian Government's Strategy for the Inclusion of Romanian Citizens belonging to the Roma Minority, for reporting on this to the European Commission, and for formulating proposals for the adaptation and revision of the Strategy.

It aims to ensure that the policies and measures proposed at national level are in line with the European recommendations and the Europe 2020 Strategy, by focusing the efforts of the National Framework for the Social Inclusion of Roma primarily on the following key areas: education, employment, health, housing, and non-discrimination.

The functioning of the National Contact Point for Roma is regulated by the Government Decision no. 18/2015 approving the Romanian Government's Strategy for the Inclusion of Romanian Citizens belonging to the Roma Minority, with subsequent amendments and additions.

In reality, the activity of the National Contact Point for Roma is almost non-existent, lacking transparency and without the active involvement of Roma (Roma institutions and civil society). Over time, non-governmental organizations have sent written requests to this institution for information on the activities carried out by its staff, but most of these letters remained unanswered.

2.1 Conclusions to the Public Policies and Anti-racist Legislation's Overview

As it can be clearly seen, Romania is one of the few countries in Europe that appears to have a constant concern for ensuring equal and fair treatment for all its citizens, regardless of their ethnicity and one of the 14 states of the European Union that recognize the Roma as a national minority, fact meaning cultural, including linguistic rights.

In spite of this, the laws are almost not implemented, the institutions do not function well, especially the ones directly addressed to Roma are understaffed and underbudgeted and the public opinion is less or wrongly informed. More than that, the anti-Gypsyism is not addressed in school education, so racial bullying in school is increasing.

As a conclusion, the anti-discrimination legislation is less implemented because, according to the law, discrimination is extremely difficult to be proven, because there is no reversal of burden of proof upon the accused part or the perpetrator and because the National Council of Combating Discrimination is weak, understaffed and underbudgeted. The antigypsyism legislation almost not implemented at all, so there are almost no cases brought to court and known at public level.

3. Stakeholder Mapping

Stakeholder	Role & Relevance	Power/Influence/Support	Tools They Hold	What Influences Them	Advocacy Message	Engagement Strategy
Ministry of Justice	Law and policy reform	High power, low support	Legislative tools	Political decision, international pressure, media scrutiny	"Justice reform must include Roma voices"	Bilateral advocacy + media outreach
Ministry of Health	Developing and implementing health legislation	High power, political support	Legislative and operational tools	Politics, International Bodies, media pressure	"Quality medical services for Roma"	Advocacy + anti-discrimination campaigns + mass-media pressure
Ministry of Education	Organizing, developing and implementing the educational system	High power, high influence, high support	Legislative, financial, operational	Politics, media, civil society	"Education with the truth" / "Quality and equality in education"	Advocacy + civil society pressure + media outreach + political influence
Ministry of Labor, Family and Social	Labor, family and social protection and legislation implementation	High power, high influence, high support	Legislative, and operational tools	Politics, media, civil society	"Labor market opened for Roma" /	Advocacy + civil society pressure + media outreach + political influence

Stakeholder	Role & Relevance	Power/Influence/Support	Tools They Hold	What Influences Them	Advocacy Message	Engagement Strategy
Ministry of Culture	Promoting national identity by conserving and valorizing cultural patrimony	High power, high influence, low support,	Legislative, and operational tools	Politics, media scrutiny, international pressure, civil society	"Recognition of Roma culture" / "Valorizing Roma culture"	Advocacy + civil society pressure + media outreach +
National Agency for Roma	Elaborating promoting politics for Roma inclusion	Low power, low influence, low support	Monitoring implementation of politics and promoting Roma identity	Politics and media outreach	"Roma institutions fighting for Roma people"	Media outreach and civil society pressure
National Council for Combating Discrimination	state authority in discrimination field	Low power, low influence, low support	Low efficiency tools: promoting anti-discrimination, investigating and mediating cases	Media scrutiny, international pressure, advocacy	"Words do not stop racists"	Advocacy, civil society pressure, international bodies pressure, politics
National Center for Roma Culture	Cultural service of public utility	Low power, low influence, low support	Conserving, developing and promoting Roma culture	Politics, media scrutiny, civil society	"Culture needs no boundaries"	Civil society support, international pressure,

Stakeholder	Role & Relevance	Power/Influence/Support	Tools They Hold	What Influences Them	Advocacy Message	Engagement Strategy
Association "Pro-Europe Roma Party"	Public utility service association – representing Roma in Parliament	Low power, low influence, low support	Low efficiency tools: representing combating racism and discrimination, promoting Roma social inclusion etc.	Politics, media scrutiny, civil society	"Representation means power"	Bilateral advocacy, international bodies
Roma Education Fund Romania	Private organization – rise resilience of Roma communities through education	High power, low influence, high support	Scholarships, professional and vocational program, leadership and human capital, educational development	Board members, financiers, international bodies, media scrutiny	"Resilience through education"	Campaigns, advocacy

4. Key Survey Findings

In order to establish the perception and image of the antigypsyism in Romania we have conducted a survey with 12 questions that aimed to present the perception of this concept in Romanian society. Although the survey had a small range of respondents due to time and period of its development, it still reflects our current society and the perception and attitude related to the main subject, implications and responsibilities social actors assume in their professional duties. We did not aim to build statistics based on quantitative research, but to conduct a qualitative overview through the content analysis of some of the most relevant answers.

The questionnaire was sent it to be answered by different categories of respondents: state institutions, NGO's, Roma activists and individuals that work in direct contact with people (teachers, social workers, medical staff etc.). The following institutions were included in the respondent's lists as their activity it's directly related to domains that influence life of Roma citizens: Ministry of Justice, Ministry of Education, Ministry of Labor, Family, Youth and Social Justice, Ministry of Health, Ministry of Culture and National Agency for Roma, National Center for Roma Culture - Romano Kher. We have received three official letters with different approaches:

- Ministry of Justice underlined that they are not in a position to answer a direct questionnaire, but nevertheless they made specific references to normative acts, such as laws and Government Ordinances that will ensure equal treatment of all humans regardless of their ethnic origin and others that will condemn any form of discrimination against Roma citizens.
- Ministry of Education and Research through their General Direction for Minorities, gave a complex answer enunciating their specific activities related to the fight against all form of discrimination, specifically present in the educational context. Those far, the Ministry of Education and Research is sole example of what might transitional justice means as they are implementing the national program of "affirmative measures in education" – distinct / separated seats allocated in high schools and universities for young Roma. According to their response, through their national programs and vast network, Ministry of Education and Research is fighting against segregation in education – most frequent form of discrimination in the educational system. Also, having included the position of a country school inspectorate for minorities/Roma, can/could be counted as a measure of transitional justice although are not being recognized officially, by the state, by Ministry of Education, as such.

- National Agency for Roma was the last institution to answer our questionnaire and manage to emphasize one of the measures that was undertaken by the authorities: Romanian Government Strategy for Inclusion of the Romanian Citizens belonging to the Roma Minority 2022-2027. although this strategy has never been financed and, for its activities and objectives, no money was ever allocated, it is still mentioned, in every official document of the Government, as their solution for problems Roma community are facing.

Ministry of Justice and National Agency for Roma, did not answer to the question related to the definition of “transitional justice” nor the type of measures that should be undertaken, or who should be responsible for it. Ministry of Education recognized that Romania has taken a few steps to transitional justice towards Roma (affirmative measures in education, Strategy for Roma inclusion etc.) although there is no official recognition of the subject or any intention of creating a program that will include this subject.

In comparison with the answers given by individuals/specialists working in different fields, it can be concluded that most of those that have connections with the Roma civil society or are working with Roma / in projects designated for Roma communities have knowledge about what transitional justice definition (from the purpose side of understanding) and also on who should implement this concept and how.

According to those answers, several entities should contribute to achieving the goals of transitional justice: the state, through its institutions (Government, Parliament, ministries, local authorities) that adopt policies, allocate resources and create memory institutions; civil society and Roma NGOs, through advocacy, research and education and commemoration projects; academia and historians, through documenting and promoting historical truth; the press, through the correct transmission of information; and Roma communities together with the descendants of victims, by keeping memory alive and directly involved in the processes of recognition and reparation.

Transitional justice it is not a desiderate to be “operated” only by the state, it becomes a responsibility for the entire society: those who descend the perpetrators (institutions representatives of the state), those who fight to protect the oppressed (civil society) and descendants of the victims (Roma community itself) transforming this concept in an organic healing and reconciliation process for everyone.

The civil society's stakeholders addressed most of their recommendation to the state institutions:

- "The first most important action that needs to be undertaken by the state is the recognition of the historical acts that has been intentionally and exclusively conducted against Roma" (answer in one of the questionnaires);
- research of Roma history and publicly present its results;
- public denunciation of historical discrimination/extermination acts against the Roma (Slavery, Holocaust etc.);
- "There should be established institutions aimed to preserve the memory of the historical truths" (answer in one of the questionnaires);
- "There should be officially adopted a national program that will recognize transitional justice and its ways of developments in order to compensate/repay the descendants of the oppressed" (answer in one of the questionnaires).

There were also expressed recommendations on how civil society can push or motivate the state to act:

Civil society has a very important role in implementing the desiderates of the transitional justice through the following methods:

- "The civil society and the Academia should work together to document the abuses made by the state against the Roma, to raise awareness in the society and to apply pressure on the public authorities to present the truth and ensure justice";
- create the space to bring such topics on public debate of the past's lessons;
- be involved in the process of public education on this matter aiming to stop the continuation of discrimination nowadays;
- implement projects with clear and measurable objectives, that can bring impact at the national level, not only local.

5. Focused and actionable policy recommendations

1. Revision of the Law no. 2 / 04.01.2021 regarding some measures for preventing and combating anti-Gypsyism

Not implemented because unclear and contradictory provisions, this law should be revised by the Romanian Parliament and should be spread within Roma civil society and Roma communities through information campaigns.

2. Making the optional school discipline “Roma History, Slavery and Deportation” mandatory

This newly adopted in the Education Law optional discipline needs to be mandatory to really be studied in schools on a large scale. The History of communism and the History of the Holocaust and the Jews are mandatory. Besides lobby and advocacy at the Ministry of Education, there will be needed an information campaign within Roma civil society, Roma communities and the network of schools, especially the ones with a significant number of Roma students, for this still optional discipline to be taught in as many schools as possible, becoming a part of the optional school curriculum offered to students.

3. New mandatory high-school discipline “Intercultural Education and Transitional Justice”

There is racial bullying in Romanian schools. The intercultural education is almost not at all implemented in the Romanian schools. Transitional justice is not at all known in the Romanian society. So all these need to be taught in schools, preferably as a mandatory discipline, so it needs to be included in the national school curriculum better through Education Law’s revision.

4. Establishing the National Observatory on Antigypsyism

Anti-Roma racism increased and diversified its manifestations in the last 5 years. There is no institution, neither governmental nor non-governmental, to systemically monitor and mitigate the anti-Roma racism, so such a National Observatory, that can be established by law, as a foundation of public interest, would be fundamental for preventing and combating antigypsyism.

5. Establishing the National Museum of Romany Culture and History

The complete detailed concept of such an institution was written, in 2022, by an experts' working group under the coordination of the National Agency for Roma. The law for its establishment was issued by the Romanian Parliament in 2023. But the museum does not exist yet. This public institution would fundamentally contribute to rebuilding the memory of the Roma history, to the promotion and development of Romani culture, to the reconstruction of Roma identity, to Roma's ethnic stigma's deconstruction and self-esteem's rebuilding, to preventing and combating anti-Roma stereotypes, prejudices and racism.

6. Establishing the National Romany Theatre

There are some Roma independent theatre projects in Romania. But a public Roma national theatre would also fundamentally contribute, together with the Roma museum, to the promotion and development of Romani culture, to the reconstruction of Roma identity, to Roma's ethnic stigma's deconstruction and self-esteem's rebuilding, to preventing and combating anti-Roma stereotypes, prejudices and racism.

7. Roma Slavery's recognition in Romania by its mandatory study in schools, national plan of research and creating and placing, in an adequate location, of the Roma Slavery public monument / memorial

The Roma Slavery is not recognized in Romania, it is not approached in the public discourse, neither by politicians nor in most mass-media, with the exception of some specialized broadcastings of the public television and radio, it is not mandatory studied in schools. There is no national plan of its research and no monument / memorial. There is only the **Law no. 28/2011 regarding the commemoration of the Roma from Romania's Liberation from Slavery** that recommends the public authorities to contribute to the celebration of the liberation of the Roma from Slavery on February 20th 1856. All these measures would actually mean the recognition of the Roma Slavery in Romania, a huge step towards transitional justice's implementation.

8. Adopting the National Minorities Law

This law project is very old and not yet brought in the Romanian Parliament for debate and eventual adoption. If adopted and issued by the Parliament, this law will better ensure and guarantee the rights of the national minorities at a more adequate level.

9. Establishing the National Commission for Transitional Justice

Totally unknown in Romania, the concept of transitional justice is very important for Roma in Romania, as the most adequate policy aimed to repair and compensate the centuries of persecution, exclusion, exploitation, socio-cultural stigmatization, extermination / ethnic cleansing and cultural ethnocide / ethnic assimilation against Roma, from Slavery to Holocaust, socialist assimilation policies and contemporary anti-Roma racism. This is actually the only way towards intercultural dialogue and reconciliation. But, unfortunately, the very concept of transitional justice is not known at all in Romania neither by the civil society, including mass-media, nor by the public institutions.

10. Establishing the National Romany Institute for Research with a national plan of research to implement

Such an institute is one of the most important transitional justice policy measures because it aims to fill a huge gap in the knowledge about the Romani history, language, literature and culture and it will fundamentally contribute to preventing and combating anti-Roma racism and to promoting, through knowledge production, the Romani culture, language and literature.

All these measures are addressed mainly to the central public authorities such as the Government (public institutions' establishment, national plans' adoption), especially the Ministry of Education, and the Parliament (laws' revision and adoption), but also to local public institutions such as the local and county councils (monuments and memorials), the mayoralties, the school inspectorates and the schools (optional curriculum at school choice). The measures are difficult to be obtained, so they need national campaigning to raise awareness within the society and a huge amount of lobby and advocacy aiming to stimulate the political will of the decision makers, that is almost totally missing now. In the context of Romania, most of these proposed measures are optimistically medium- and realistically long-term envisioned to be implemented. Press conferences and constant lobby and advocacy meetings with stakeholders and decision-makers are to be organized on regular basis, accompanied by public declarations and letter campaigns. Public meetings aiming to picket the responsible institutions should also be envisaged. All these can be initiated in the framework of Jekhipe project.

6. Future Outlook and Sustainability

As it is presented in the calendar of the project, by the end of it the only targeted action can be undertaken, such as: initiating a public debate on the subject of the transitional justice by organizing a direct meeting inviting actors that should be involved in this process: state institution, NGO, community representatives. Opening this subject for discussion and debate, making sure people understand its meaning. establishing this first action as the beginning of a difficult process, that will require a complex plan of action developed on a mid- and long-term actions.

As the subject of transitional justice is not well known and also not well perceived, the civil society support needs to come first, in order to ensure a common voice. For this to be realistic a partnership or a memorandum of understanding should be created and present any future action on its behalf. For the state institutions to pay attention on our request, a common voice should rise.

A coalition of Roma and non-Roma NGO's that have interest in this domain and sustain transitional justice as a way of ensuring justice, and presenting the historical truth to the population can become a point of pressure in the state system. Bringing this repeatedly in public discussion will bring more attention to the topic and furthermore will raise more interest from authorities and citizens.

A follow-up project should first propose to focus on research and documentation, to present all the facts and introduce other countries dealing with this process. From this new initiative should rise, with a massive coverage, in order to involve local communities in this whole reparation, compensation and reconciliation process and restauration of Roma dignity and make them an active part of the transitional justice measures implementation.

7. Conclusion

Bringing, through Jekhipe project, the transitional justice as a topic in the public discourse and proposing affirmative reparatory public policies addressed to Roma, the narrative about the Roma issue should radically move from poverty and vulnerability towards equity, resilience, dignity, rebuilding ethnic self-esteem and minorities' rights.

8. References

Rostas, Iulius and Nodis, Ciprian, *National Research Report "Antigypsyism in Romania: Lessons (not) learned"* (17 November 2022) - <https://antigypsyism.eu/antigypsyism-in-romania-lessons-not-learned-2/>

Haşdeu, B. P., 1867, *Historical Archive of Romania*, under the auspices of the Ministry of Public Instruction, Bucharest, State Printing House

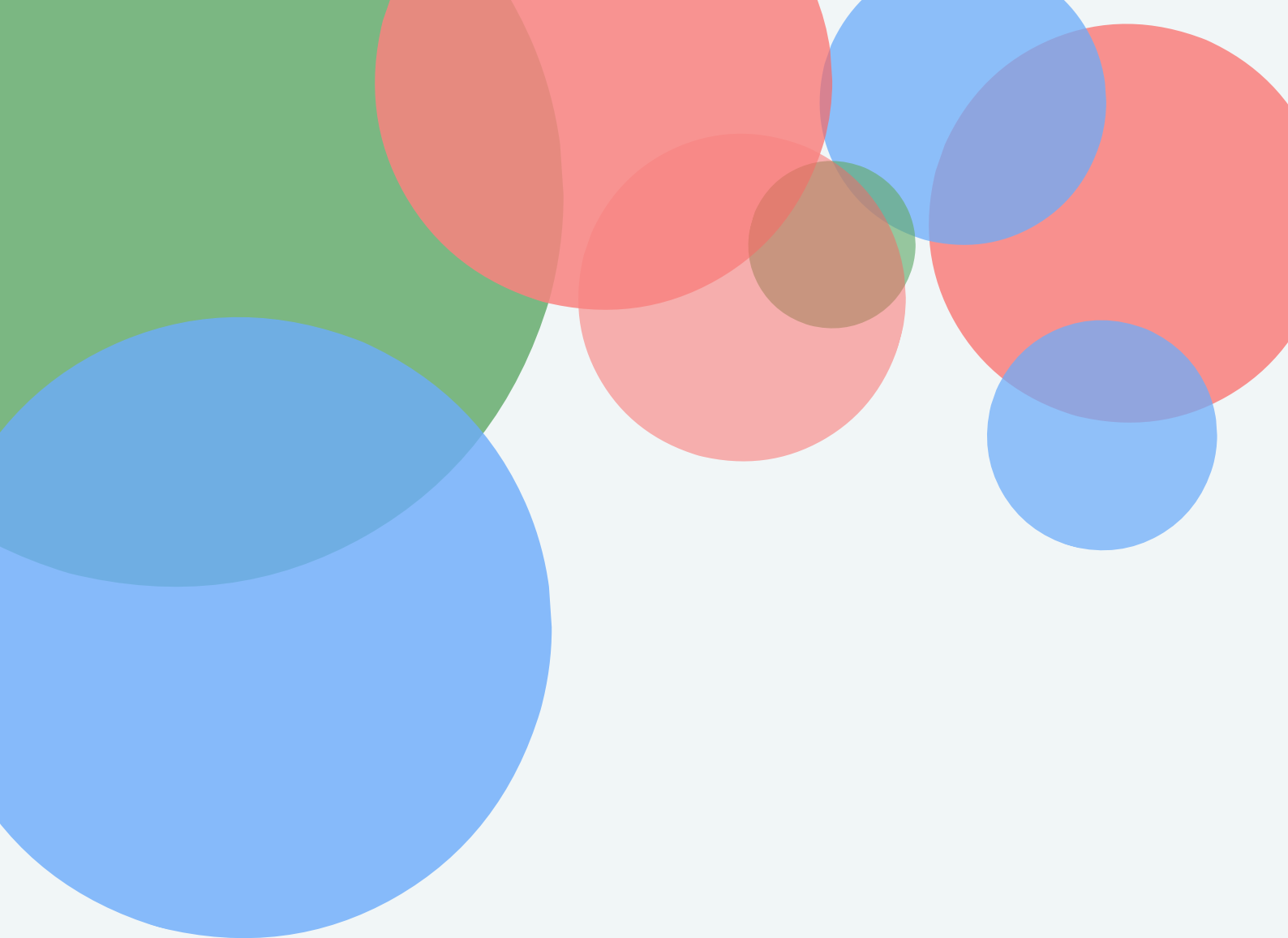
<https://www.errc.org/news/romania-council-of-europe-deplores-the-high-level-of-antigypsyism-and-remains-concerned-about-police-violence-against-roma>

Civil society monitoring report on the quality of the national strategic framework for Roma equality, inclusion, and participation in Romania (2022) - <https://www.romacivilmonitoring.eu/monitoring-reports/>

9. Annexes

Questionnaire on the presence of anti-Roma racism in Romania

1. How do you define racism against Roma? What do you consider to be the forms of manifestation of racism against Roma?
2. Do you consider that, in the history of Romania, there has been racism against Roma? If so, give some examples!
3. Do you consider that, currently, there is racism against Roma in Romania? In your work, have you encountered forms of manifestation of racism against Roma? If so, give some examples!
4. Do you consider that racism has consequences? If so, what do you think they are?
5. Do you consider that the state has any responsibility regarding racism against Roma? Do you consider that the state If so, what would this be?
6. Do you think the state is taking responsibility for anti-Roma racism? If so, how does it do it? If not, how should it do it?
7. Do you think the state should take measures to repair the consequences of anti-Roma racism? If so, what would these measures be? Which entities and/or individuals should contribute to this and how?
8. Do you think the state should take measures to prevent anti-Roma racism? If so, what would these measures be? Which entities and/or individuals should contribute to this and how?
9. Do you think the state should take measures to combat racism against Roma? If so, what would these measures be? What entities and/or individuals should contribute to this and how?
10. Have you heard of transitional justice? If so, how would you define it?
11. Do you think the state should contribute to achieving the goals of transitional justice? If so, in what way, through what measures?
12. What entities and/or individuals should contribute to achieving the goals of transitional justice and how?



JEKHIPE

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