

# Roma and Memorialization:

**Advancing Recognition and  
Remedy for the Dark Chapters  
off the Romani Past and their  
Impact on the Present**

**Outcome Document  
International Roundtable,  
15 September 2022,  
Geneva**



UNITED NATIONS  
HUMAN RIGHTS  
OFFICE OF THE HIGH COMMISSIONER

1992 - 2022



UNITED NATIONS DECLARATION ON  
MINORITY RIGHTS



**#AllIn4MinorityRights**

# Executive Summary

Roma and related communities exist throughout the world. Romani history includes periods of slavery, the Holocaust and other episodes of persecution, evictions and expulsion, and coercive sterilization of Romani women. The dark chapters of Romani history have yet to be properly acknowledged or memorialized. As a result, legacies of antigypsyism continue to be a vivid and powerful force today in societies throughout the world.

The international roundtable convened in September 2022 highlighted the ways in which structural and historically rooted antigypsyism affects Roma communities today. The roundtable examined states-of-play of recognition of antigypsyism in countries in Europe, the Americas and the Middle East. The roundtable also looked into the future and the possibility that transitional justice tools could help to rebuild the trust between Roma and non-Roma.

Transitional justice is based on five key principles: truth, justice, reparations, guarantees of non-recurrence, and memorialization. Justice for the Roma communities relies on full recognition of the past and guarantees of non-recurrence. It is thus crucial that past violations are investigated in order to establish truth and recognize the past, following bringing cases to court. To create more inclusive and vibrant societies based on the celebration of diversity, a profound social transformation is needed to restore the truth, justice and trust of Roma communities.

Public policies focused on socio-economic inclusion and cultural rights will only be effective if they are accompanied by transitional justice, the rule of law and racial justice. The roundtable has drawn the following recommendations that should be addressed by the UN and regional human rights bodies, as well as by national governments and other stakeholders:

1. Adopting measures in the field of truth, justice, reparations, memorialization and guarantees of non-recurrence – legal obligations under international human rights law – to address the serious human rights violations committed against Roma people and to foster reconciliation, inclusion and the advancement of diversity.
2. Establishing the truth about past violations by collecting data and testimonies of victims, recognizing their impact on the present – and identifying, collecting and preserving existing documentation and records of such violations, for transmission to current and future generations.
3. Advancing recognition of the problem of antigypsyism, and addressing its manifestations – such as anti-Roma hate speech, stigma, discrimination, segregation, and other forms of exclusion – through legal, policy and administrative measures.
4. Establishing policies and practices providing reparations to Romani victims of past human rights violations and their descendants, including, compensation, rehabilitation, restitution, and memorialization and guarantees of non-recurrence.

5. Adopting safe spaces where survivors/victims and civil society can actively participate in the process of transitional justice, where the state acknowledges past abuses and takes responsibility for them.
6. Reforming the police and the judiciary and ensuring that public officials are adequately trained in regards to antigypsyism and modes of addressing racial or ethnic profiling.
7. Reviewing and rewriting textbooks to advance inclusion of the history, culture and language of Roma in school curricula at all levels, including a focus on the violations endured by Roma peoples and the positive contributions of Roma to the society in which they live.
8. Promoting Roma artists and ensuring their full participation in memorialization processes, through exhibitions, the establishment of remembrance sites, and through their own works.
9. Establishing sites of memory at key locations related to Romani history and documenting a centralized record of existing sites of memory.
10. Establishing an international Museum for Roma Victims that would offer on-site and itinerant exhibitions detailing the plight of Roma groups and house an oral history project collecting testimony.
11. Recognizing research as a cornerstone of every transitional justice process and promoting research on Roma in all areas of knowledge, with active participation and leadership from members of this community.
12. Ensuring increased international cooperation among different states but also between universities and other educational institutions and archives in order to advance the understanding of the Romani past and present.
13. Calling on States to create the mandate of a Special Rapporteur on Roma issues at the United Nations Human Rights Council and the Inter-American Commission on Human Rights.
14. Ensuring the genuine participation and leadership of Roma in all processes and instances of transitional justice.
15. Developing specific programs for Roma youth and enabling the empowerment of Roma women and girls.

***“Those who cannot remember the past  
are condemned to repeat it.”***

**George Santayana**

***“The past is never dead. It’s not even past.”***

**William Faulkner**

***“We need surgery, not first aid”***

**Soraya Post**

# Index

7	<b>1. Introduction</b>
9	<b>2. Background</b>
9	Roma, Antigypsyism and the UN Human Rights System
10	Memorialization as a Component of Transitional Justice
11	Roma and Memorialization
13	<b>3. The 15 September 2022 International Roundtable</b>
13	The Dark Chapters of the Romani Past and Memorialization
16	The Present and the Past: human rights situation of Roma and related groups worldwide, state of recognition of the dark chapters of the Romani past and antigypsyism
17	Summary of Country-Specific Issues Discussed at the Roundtable
	<b>Annex 1</b>
24	<b>Partners</b>
	<b>Annex 2</b>
28	<b>Roundtable Agenda</b>





# 1. Introduction

A confluence of initiatives makes 2022 a timely moment to examine the current state of recognition of the dark chapters of history related to racism and discrimination against Roma; the impact of these legacies on the present and the continuing legacies of antigypsyism<sup>1</sup>/anti-Roma racism in impeding the right to truth, justice, reparations and guarantees of non-repetition; as well as in driving current forces of discrimination, exclusion, segregation and violence against Roma.

The Office of the United Nations High Commissioner for Human Rights, Indigenous Peoples and Minorities Section (OHCHR IPMS) convened the international stocktaking roundtable *Roma and Memorialization: Advancing Recognition and Remedy for the Dark Chapters of the Past and their Impact on the Present* jointly with the Centre for European Policy Studies (CEPS)-led project CHACHIPEN and its partners, namely the Central Council of German Sinti and Roma, Federación de Asociaciones Gitanas de Cataluña (FAGIC), the European Roma Grass-root Organizations (ERGO) Network and Asociatia Fast Forward (AFF). Other partners to this event were the World Council of Churches (WCC), European Roma Institute for Arts and Culture (ERIAN), Dikh He Na Bister! (*Look and don't forget!*), and the Roma Advisory Council (RAC, North America). The United Nations Special Rapporteur on Minority Issues and the United Nations Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence took active part in the design and implementation of the meeting, and guided discussion at the event.

The objectives of the roundtable included:

- advancing recognition and memorialization of the problematic chapters of the history of Romani people and the structural racism that affects them (Holocaust, slavery, coercive sterilization of Romani women, expulsion from housing and country, racially segregated education, etc.) and their impact on the present;
- examining ways of combating antigypsyism/anti-Roma racism by advancing truth, recognition, reparations, trust and reconciliation processes at local, national and international levels;
- advancing recognition in education and public memorialization of the affirmative contributions of Roma to all societies, as well as of the dark chapters of the past. Strengthening the Romani voice in education and in public life;
- strategizing as to promoting awareness and recognition of antigypsyism as a specific form of racism against Roma, Sinti, Travellers, Dom and others stigmatized as “Gypsies” in the public imagination, and as a root-cause impeding sustainable Roma inclusion;



- promoting effective policies and strengthening structures to analyze, monitor and combat antigypsyism, in particular through modes such as independent antigypsyism commissions, truth and reconciliation processes and other transitional justice tools initiated by both civil society and state actors;
- advocating for the recognition and remembrance of the Roma Holocaust (*Samudaripen*), including in the context of 27 January International Holocaust Commemoration Day and 2 August Roma Holocaust Memorial Day, as well as on national-level commemoration days;
- and advancing other forms of memorialization and commemoration as a component of the right to truth and the right to an effective remedy for Roma, as concerns present discrimination and abuses of the past.

The event aimed at taking stock of the state-of-play, identifying the next steps in this regard, and drawing up a list of recommendations for further action. The roundtable has been intended not as a one-off, but rather as part of wider processes to strengthen Roma and memorialization, and advance recognition and remedy for the dark chapters of the past and their impact on the present.

The roundtable took place on 15 September 2022 at the World Council of Churches in Geneva, Switzerland. This event included representatives of civil society such as Romani human rights defenders, public officials, academics, UN special rapporteurs and other officials (please see Annex B). It is hoped that the roundtable was more than a sum of discussions, but a co-creation of the momentum that will be taken up by the event's partners, speakers and participants, as well as by the wider public.

The hybrid event had both in-person and online participants from all over the world, and was accessible in 3 languages: English, Spanish and Romani. In addition, the event was able to cover countries in the Americas with a strong Romani presence and discussions about Roma and transitional justice, including Argentina, Brazil, Colombia and the United States. The hybrid event was streamed online and recorded. This outcome document is a summary of the roundtable discussions.

# 2. Background

## **ROMA, ANTIGYPSYISM AND THE UN HUMAN RIGHTS SYSTEM**

Soon after their arrival in Europe, the Roma were socially and politically excluded in both Western and Eastern Europe, and periodically subjected to raw persecution. In the Ottoman Empire, which until the late 19th and early 20th centuries included much of southeastern Europe, the Roma had a low status in the eyes of both the privileged Muslim community and the Christian minorities. In the Iberian peninsula, Roma were pressured to perform forced labor and were victims of episodes of targeted killing, as was the case of the Great Round-Up (*Gran Redada*) of 1749 in the Spanish territories. Roma were also enslaved in the Romanian principalities. Worldwide, many Roma communities are descendants of people enslaved in Romania, who left those territories when the slave system broke down in the late 19th century. From the beginning of the modern states, significant efforts were periodically undertaken – with mixed success – to forcibly assimilate the Roma. During World War II, Romani people were among primary victims of the Holocaust. The period since 1989 has seen a renewal of active anti-Romani antipathy throughout Europe.<sup>2</sup> Tens of thousands of Roma and other groups regarded as “Gypsies” were ethnically cleansed from Kosovo in the period from 1999 to the present.<sup>3</sup> Outbreaks of anti-Romani racism have plagued every European society without exception, and antigypsyism is a force on other continents as well.

Several communities in Latin America are rooted in expulsion of distinct populations from Iberian peninsula to the “New World” during the colonial period and flight from 20th century persecution in Europe. In the Americas, prejudice and discrimination also marked the trajectory of Romani families since their arrival in the 16th century, subjecting them to persecution, deportation and anti-Gypsy legislation enacted by successive governments.

In addition, outbreaks of anti-Roma racism, persecution and discrimination have plagued every European and American society without exception. In times of crisis, as was the case with the COVID19 pandemic and the armed conflicts in Syria and Ukraine, prejudice can erupt into open hostility.

The troubled situation of Roma and Travelers<sup>4</sup> is at the heart of the human rights review of States in Europe,<sup>5</sup> as well as increasingly outside Europe. Discrimination against Roma has been the subject of the Committee on the Elimination of Racial Discrimination (CERD) General Recommendation 27 of 2000, and the United Nations Human Rights Council Resolution 26/4 of 2014, which recognized that Roma have

2. See Organization for Security and Co-operation in Europe, “Recent Migration of Roma in Europe” (2010), <https://www.osce.org/files/f/1/docu-ments/4/d/78034.pdf>.

3. See Cahn, Claude “Birth of a Nation: Kosovo and the Persecution of Pariah Minorities” in *German Law Journal*, Volume 8, Issue 1: Special Issue - What Future for Kosovo?, 1 January 2007, pp. 81-94.

4. According to the Council of Europe Human Rights Commissioner, “the minorities labeled ‘Roma’, ‘Gypsies’ and ‘Travelers’ in fact comprise a multitude of ethnicities and distinct linguistic communities, heterogeneous groups that are viewed as a unit primarily by outsiders.” (Human rights of Roma and Travellers in Europe, p. 32) This umbrella grouping “Roma and Travellers” is not intended to deny the self-identification of any person or group.

5. The situation of Roma is the subject of several European Court of Human Rights judgements and a comprehensive report by the Council of Europe’s Human Rights Commissioner. The European Union has opened infringement proceedings against a number of EU Member States for racial and ethnic discrimination in the field of education, on the basis of Directive EC/2000/43, known as the “Race Equality Directive.” Other relevant EU legislation includes Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law. The European Parliament has repeatedly expressed concern about the human rights situation of Roma in Europe, including most recently in November 2017. In 2011, the EU adopted a Framework for Roma Inclusion Strategies at the national level. ([https://www.europarl.europa.eu/doceo/document/TA-7-2011-0092\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-7-2011-0092_EN.html)).

faced, for centuries, widespread and enduring human rights violations, discrimination, rejection, social exclusion and marginalization all over the world and in all areas of life. The situation of Romani people has been the focus of extensive commitments during the World Conference against Racism of 2001 and its 2009 follow-up conference.<sup>6</sup>

In 2015, the Special Rapporteur on Minority Issues published a Global Study on the Human Rights Situation of Roma Worldwide, focusing in particular on human rights violations driven by antigypsyism.<sup>7</sup> The report was undertaken as a result of the UN Human Rights Council Resolution 26/4 adopted on 14 July 2014. In the period since the publication of the 2015 report, successive UN Special Rapporteurs on Minorities Issues have dedicated concern, attention and recommendations to the situation of Roma worldwide. Other UN Special Rapporteurs have also dedicated attention to the situation of Roma in particular situations, such as the lead poisoning of Roma in camps for displaced persons in and around Mitrovica, northern Kosovo.<sup>8</sup>

Outside Europe and also under the leadership of the Special Rapporteur on Minority Issues, the UN human rights system has highlighted the human rights situation of Roma and encouraged action for equality. For example, in 2015 the report of the “Regional Workshop on the Situation of Roma in the Americas” was produced after the “Roma in the Americas” meeting held in Brasilia, Brazil.<sup>9</sup> In 2017, a second “Roma in the Americas” meeting was held. The main results and recommendations of the meeting were published in the annual report of the Special Rapporteur on Minorities Issues in 2017.

## **MEMORIALIZATION AS A COMPONENT OF TRANSITIONAL JUSTICE**

The UN Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence has dedicated increasing attention to questions of memorialization, in particular in a 2020 report specifically dedicated to the theme. In that report, he told the United Nations Human Rights Council:

*“... the crucial role played by memorialization processes in the context of transitional justice, which is fully recognized by the rules and standards of contemporary international law. The work carried out on these past violations serves as a basis for reflection on the present and identification of contemporary issues related to exclusion, discrimination, marginalization and abuses of power, which are often linked to toxic political cultures. Positive work in the area of memory not only helps to build democratic cultures in which human rights are respected but also fulfills the legal obligation of States to guarantee human rights.”<sup>10</sup>*

In this sense, memorialization can be understood as a rich and broad basket of methods, programs and practices that are recognized as part and parcel of transitional justice.<sup>11</sup> Such initiatives aimed at preserving and transmitting to future generations the memory of past violations and the experiences of victims include rewriting history textbooks used in schools; changing the names of localities, streets and parks; marking sites of terror with plaques that explain the past; erecting new memorials and statues to

6. See: United Nations, Durban Review Conference, Geneva, 20-24 April 2009. Available at <http://www.un.org/en/durbanreview2009/ddpa.shtml>.  
7. A/HRC/45/45

8. For more information, see <https://www.ohchr.org/en/special-procedures/sr-toxics-and-human-rights/lead-contamination-kosovo#:~:text=The%20facility%20was%20known%20to,for%20peacekeeping%20soldiers%20in%202000.>

9. A/HRC/31/CRP.2

10. A/HRC/45/45, para. 15.

11. For more information, see Pierre Nora, *Les Lieux de memoire*, 3 vol. (Paris, Gallimard, 1998-2003); and Louis Bickford, “Unofficial Truth Projects,” *Encyclopedia of Transitional Justice*, 1st edition (New York: Cambridge University Press, 2013, pp. 106-111)

change the “memoryscape”; organizing official and unofficial commemorations of various historical events and figures; establishing on-site, itinerant and online museums and exhibitions; delivering official apologies for and condemnations of the past; as well as initiating unofficial truth projects that might rely on oral history and other documentation method. Past examples further include citizens’ opinion tribunals, as well as art, film and other creative projects. While judicial methods of reckoning (court trials, lustration/ vetting or property restitution) must be implemented by the government, non-judicial memorialization processes have the advantage of allowing both state actors and civil society actors to formulate, initiate, and implement reckoning at local, national and/or international levels. In short, memorialization is not a “one-size-fits-all” method to come to terms with a violent past. Rather, it is diverse enough to allow for concerted action from both governments and Roma communities that addresses a wide diversity of past experiences characterized by various levels of repression perpetrated through a range of methods against victims with diverse characteristics. The success of memorialization also:

*“depends on whether the authorities in charge of the public space adopt and implement policies on memory that represent different points of view and foster good collaboration with civil society, whose actions mobilize groups of people, launch initiatives and debates and facilitate the taking of ownership by the public.”<sup>12</sup>*

In this way, memorialization can be used as an instrument of backward reckoning with the past but also of forward-looking social transformation by fostering trust, toleration, inclusion, and ultimately reconciliation. Importantly, memorialization can create the possibility for fruitful dialogue among a plurality of civil society voices representing diverse Roma communities, and between them and various state actors. To do so, such memorialization practices and processes must be consistent with a human rights approach, and contribute to an understanding of “the mechanisms of oppression and dehumanization that always precede large-scale violence.”<sup>13</sup>

## **ROMA AND MEMORIALIZATION**

Attention to the dark legacies of the past that directly affected the Roma and their impact on current forms of discrimination, exclusion and antigypsyism has grown exponentially in recent years. As a result of activism on the part of civil society organizations worldwide, antigypsyism has received increasing attention from regional bodies such as the European Union, the Council of Europe and the Organization for Security and Co-operation in Europe (OSCE). This has advanced recognition and memorialization by states of past injustices perpetrated against Roma – including the Holocaust, forced sterilization, forced assimilation and forced settlement, collective expulsion, slavery, and ethnic cleansing.

In 2020, the European Commission has committed to “raising awareness on Roma history and culture, and promoting truth and reconciliation under the citizens, equality, rights and values programme”.<sup>14</sup> Similarly, the International Remembrance Alliance has started increasing its work on education, research and commemoration of Romani genocide since 2015.<sup>15</sup> Civil society efforts leading these developments are too many to list in full here. The non-governmental grassroots initiative Alliance against Antigypsyism has undertaken a detailed examination of these initiatives, in particular those concerning Europe.<sup>16</sup>

12. A/HRC/45/45 para.58

13. Ibid., para. 59.

14. European Commission, A Union of Equality: EU Roma strategic framework for Equality, Inclusion and Participation 2020 - 2030, 2020. Available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM:2020:620:FIN>

15. The IHRA's Committee on the Genocide of the Roma, <https://www.holocaustremembrance.com/genocide-of-the-roma>

16. Alliance against Antigypsyism, The Reference Paper, 2016. Available at <http://antigypsyism.eu/>.

Memorialization is an important element of recognizing and assuming responsibility for the past injustices against the Roma community, but it should not be undertaken in isolation. Rather, to increase its impact, memorialization should be adopted in conjunction with other transitional justice methods that, for example, might offer reparation or other individual or collective remedies. Other transitional justice methods with which memorialization might be paired for increased effectiveness and impact include court proceedings against perpetrators of forced sterilization programs, reforms of the police force to eradicate intolerance, prejudice and stereotyping, and truth commissions or panels of inquiry to investigate the extent of state involvement in past abuses perpetrated against the Roma. The roundtable discussions highlighted that significant work remains to be done at each and every step of the process to redress the serious human rights violations committed against Roma peoples, including the first step – to investigate the past and find out the truth about what actually happened.



# 3. The 15 September 2022 International Roundtable

The roundtable focused on transitional justice and memorialization processes as ways to redress unremediated injustices of the Romani past, as well as to address current antigypsyism. An honest and thorough reevaluation of the past is also important for the democratic transformation of society and its institutions since historically rooted antigypsyism narratives often serve to justify structural racism in the present.

Speaking at the 15 September Roundtable, the UN Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence Fabian Salvioli explained how truth, justice, reparations, guarantees of non-recurrence and memorialization could be applied to issues facing or experienced by Roma.

In his 2020 report on memorialization processes (A/HRC/45/45), Special Rapporteur Salvioli emphasized the gap in transitional justice scholarship and practice, which leaves memorialization in the background and considers it secondary in importance to judicial reckoning. In order to achieve a truly democratic, egalitarian and non-discriminatory society, he argued, it is necessary to apply all five pillars mentioned above equally. That is because “if one pillar fails, the whole process fails,” he stressed during the event. He further emphasized that memorialization is not a question of political willingness, but a legal obligation that must be implemented through the adoption of public policies for memory. Although often neglected, memorialization can be seen as a form of collective remedy that has the potential to educate and deepen the society’s understanding of the past. This in turn would ensure the non-recurrence of past crimes and human rights abuses.

Though there was consensus on the importance of memorialization, roundtable participants proposed an approach where a combination of transitional justice tools would be applied, so that they reinforce each other and more impactfully reach the goals of redress. Such a diversified transitional justice policy might consist of efforts to establish truth commissions and adopt reparations, alongside memorialization processes. The participants also stressed that any transitional justice and memorialization strategies should rely on meaningful involvement by Roma in their design and implementation, since these tools are context-dependent and must place victims at their center. Memorialization should not take place in a vacuum, or without attention to other aspects of transitional justice.

## **THE DARK CHAPTERS OF THE ROMANI PAST AND MEMORIALIZATION**

The right to truth and the right to know are guaranteed by international law, especially in regard to transitional justice. As noted by the Special Rapporteur:

*The updated set of principles for the protection and promotion of human rights through action to combat impunity establishes the right to know the truth about such violations (also called the right to the truth) as an individual right of every victim, or his or her family members, and also as a collective right whose “full and effective exercise ... provides a vital safeguard against the recurrence of violations”. The same instrument establishes the duty of*

*States in connection with memory and their responsibility for transmitting history with a view to “preserving the collective memory from extinction and, in particular, ... guarding against the development of revisionist and negationist arguments”.<sup>17</sup>*

It is necessary to investigate the past and trace the roots of the structure of oppression experienced by the Roma. Such a process must uncover both historical mechanisms of antigypsyism and current legacies that facilitate its continuation. In short, we must understand the historically rooted antigypsyism in order to break it and achieve societal transformation.

The first sessions of the roundtable were aimed at understanding the mechanisms of oppression and illuminating some chapters of the violent past. The speakers linked the abuses against the Romani communities throughout history with the oppressive structures of the present.

The session started with a presentation of the key findings of the CHACHIPEN State of the Art Report on Transitional Justice for Roma in Europe. Although there is no explicit right to memory in international law, it was noted that this right is implicit, as international human rights law affirms a duty of the state to protect ethnic, linguistic and religious minorities and to create conditions to express minorities’ identities in the public sphere.<sup>18</sup> Thus, without memory and history, such communities would be deprived of their cultural rights.

Concerns were expressed that a 2020 European Union Fundamental Rights Agency study and the 2019 Eurobarometer on attitudes towards minorities still show that the Roma is the most negatively stereotyped, discriminated and even hated ethnic group in Europe:

*“Anti-Gypsyism, an important barrier to Roma inclusion, is deeply rooted. According to the results of FRA’s Fundamental Rights Survey among the general population, almost half of EU citizens (45 %) feel (totally) uncomfortable with having Roma or Travellers as neighbors.”<sup>19</sup>*

This situation was discussed as the result of three failures in Europe. First, European policies targeting Roma communities focus disproportionately on socio-economic inclusion, defining marginalization of the Roma as merely an outcome of social exclusion, not of historically rooted antigypsyism. Second, some of these measures also sought the cultural assimilation of the Roma. The Council of Europe study highlighted that school curricula often exclude information on Roma history (including Roma Holocaust).<sup>20</sup> Third, there is also a gap in Romani studies in university programs. In this way, the collective rights of Romani people to practice and preserve their culture, language, history, and customs are ignored. States also continue to ignore the structural racism faced by the Roma and the numerous violations of their human rights.

In addition, there are very few Roma self-representation institutions.<sup>21</sup> Roma are severely under-represented in state institutions, with the exception of bodies such as the National Advisory Council for Roma in Spain, and similar bodies in Hungary and elsewhere. In general, the advice of such bodies is not binding on the authorities. Besides various national initiatives, there has been an encouraging European cooperation drive to set up the Berlin-based European Roma Institute for Arts and Culture (ERIAN), which is a joint initiative of the Council of Europe, the Open Society Foundation, and the Roma Leaders’ initiative.

17. A/HRC/45/45, para. 27.

18. United Nations, Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 1992. Available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-rights-persons-belonging-national-or-ethnic>

19. European Union Agency for Fundamental Rights. Roma and travellers in six countries. (Luxembourg, Publications Office of the European Union, 2020).

20. Council of Europe, Ad Hoc Committee of Experts on Roma and Traveller Issues (CAHROM), 2018. Available at <https://rm.coe.int/cahrom-2017-27-en-thematic-report-on-the-inclusion-of-roma-history-hol/1680937ac6>

21. Some exceptions include the Museum of Romani Culture in Czechia, the Roma and Sinti Philharmonic in Frankfurt, and the Documentation and Cultural Center of German Sinti and Roma in Heidelberg.

It was further noted that the Holocaust has left a “deep and open wound” on the Roma community, having nearly half a million killed, and many more deported or forcibly sterilized.<sup>22</sup> Recognition of Roma as victims of the Holocaust has been delayed, with official recognition by Germany only coming as late as 1982 and at the European level in 2015.<sup>23</sup>

Specifically related to the term “Holocaust” – the use of which in relation to the Roma remains debated – the roundtable reaffirmed the importance of using the term to describe the Roma persecution during World War II, instead of employing a separate, siloed terminology. From among the possible versions of the term in the Romani language, *Samudaripen* is preferred.

During and after World War II, entire Roma families had to flee Nazi persecution and relocate in other countries within or outside of Europe. Some of these families arrived in the Americas to start a new life. In their new host countries, the Roma have been also framed as “asocial” and “criminal by nature,” terms that led to racial or ethnic profiling and related human rights violations committed by the authorities.

The speakers agreed that antigypsyism and Roma persecution continue to be present all over the world. Roundtable participants further noted that the first step towards finding and knowing the truth about the dark chapters of history has not yet been completed by either the Roma communities or the larger society. Participants called for collective brainstorming among Roma civil society, academic groups and human rights bodies towards the establishment of truth commissions, their mandates, methodologies, competencies, funding, and sustainability. The need for Roma political participation, leadership and involvement in decision-making was also highlighted. Roundtable participants highlighted the value of transnational cooperation with those communities that already tested transitional justice programs, including Latin American communities affected by forced disappearances; indigenous people in Canada, the United States and Australia; or the Sami people in Sweden and other Scandinavian countries.

In recent years, there has been increasing recognition of the Roma Holocaust Memorial Day and increasing recognition by the EU and its member states of antigypsyism as a specific form of racism against Roma.<sup>24</sup> This is only one step towards truth, recognition and apology on the part of the EU, but much more needs to be done. At the UN level, in 2020 the Special Rapporteur on Minority Issues urged states “to increase public knowledge about the Roma Holocaust, recommit to tackle the racism and discrimination [...], and particularly to designate an official day of remembrance [...]”<sup>25</sup>

The roundtable also discussed the forced sterilization of Roma women. Forced sterilization was used by states to regulate the number of children who were seen as ‘undesirable’. The CHACHIPEN State of the Art Report notes that “some of these [sterilization] programmes adopted during the interwar period (1929-1936) lasted until the late 1970s in Sweden, Denmark and Norway.” Forced sterilizations also took place in Central and Eastern European countries, both under and after communism. For instance, according to the reporting by ROMEA, although legal regulations required informed consent for such procedures, the execution of the law has been flawed. Adapted in 2012, Czech legislation instituted a waiting period between when sterilization is requested and when it is performed. Even so, credible reports suggest that sterilization continued to be enforced, with the last allegation being in 2018.

22. For further information, see [http://romafacts.uni-graz.at/pdf\\_view.php?i=history&s=h\\_5\\_0](http://romafacts.uni-graz.at/pdf_view.php?i=history&s=h_5_0)

23. [https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2015/2615\(RSP\)&l=en](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2015/2615(RSP)&l=en)

24. For further information, see [https://ec.europa.eu/commission/presscorner/detail/en%5E/statement\\_22\\_4764](https://ec.europa.eu/commission/presscorner/detail/en%5E/statement_22_4764); <https://www.coe.int/en/web/roma-and-travellers/antigypsyism/-discrimination>; and [https://www.osce.org/files/f/documents/d/8/510323\\_0.pdf](https://www.osce.org/files/f/documents/d/8/510323_0.pdf)

25. UN Special Rapporteur on minority issues. Roma Holocaust Remembrance Day 2 August, 2020. Available at <https://www.ohchr.org/en/press-releases/2020/07/roma-still-victims-hate-crimes-decades-after-mass-killings-says-un-expert> .

In Central and Eastern Europe, there has been a renewed outbreak of abuse against Roma both during and after the fall of communism.<sup>26</sup> The roundtable discussion turned to the problem of hate speech and hate crime, which flourish crimes perpetrated against the Roma are not recognized and an effective remedy is not sought. Discussants also pointed to the long history of tolerating the oppressors, and the fact that asking victims to remain silent is yet another form of oppression.

It was affirmed that, for positive progress, it is necessary to articulate and envision concrete strategies towards building societies which embrace diversity. A common vision of an inclusive society can help create inclusive spaces for all, where people are treated with dignity.

### **THE PRESENT AND THE PAST: HUMAN RIGHTS SITUATION OF ROMA AND RELATED GROUPS WORLDWIDE, STATE OF RECOGNITION OF THE DARK CHAPTERS OF THE ROMANI PAST AND ANTIGYPSYISM**

The 15 September roundtable proceeded to examine current manifestations of historically rooted antigypsyism. Roundtable participants discussed how structural racism against the Roma is perpetuated in society today and how it can determine whose right to survival and right to life will be upheld.<sup>27</sup>

As part of the discussion, many roundtable participants stressed that the term antigypsyism is fundamental and should be used in all transitional justice processes related to the Roma. In addition, States should legally recognize this term which is important because it goes beyond prejudice or stereotype construction to denote a structure of oppression. Therefore, the European Commission against Racism and Intolerance (ECRI) proposes the following definition:

*“antigypsyism is a specific form of racism, an ideology founded on racial superiority, a form of dehumanization and institutional racism nurtured by historical discrimination, which is expressed, among others, by violence, hate speech, exploitation, stigmatization and the most blatant kind of discrimination.”<sup>28</sup>*

In his intervention, UN Special Rapporteur on Minority Issues Fernand de Varennes, highlighted that in recent decades recurrent problems – and cases – of antigypsyism have been registered. For instance, the neo-Nazi persecution of the Roma in Hungary between July 2008 and August 2009, which resulted in six deaths, hundreds of injured and hundreds traumatized, was hardly investigated before the European Court of Human Rights intervened. Similarly, in 2021 police forces murdered eight Roma brothers in Vitoria da Conquista, Brazil. When states decide not to punish such cases, they are eradicating a key principle of the rule of law, that is the equal protection of persons before the law.

According to the Special Rapporteur de Varennes, some countries in Europe and the Americas have legally recognized the Roma Holocaust. There are some good national initiatives meant to benefit this group, but this is not enough. The unaddressed history of the violence against the Roma is repeated even today in different ways. There is great concern about the increase in prejudice, hate speech and hate crimes during the COVID-19 pandemic.

26. See Council of Europe Commissioner for Human Rights, Human Rights of Roma and Travellers in Europe (2012), available at: <https://rm.coe.int/the-human-rights-of-roma-and-travellers-in-europe/168079b434>

27. Mbembe, A., *Necropolitics* (Durham: Duke University Press, 2019).

28. Council of Europe, ECRI, General Policy Recommendation (adopted in 2011, amended in 2020). Available at <https://rm.coe.int/ecri-general-policy-recommendation-no-13-on-combating-anti-gypsyism-an/16808b5aee>

In light of the ongoing armed conflict in Ukraine, there are reports from a number of countries that displaced Roma in Ukrainian and Romani refugees from Ukraine who arrived in other European countries have not been afforded the same treatment as non-Roma during their plight, their arrival at the borders of countries of refuge, and their integration.<sup>29</sup> Similar experiences have been shared by Roma and Dom persons from the Middle East who fled the war in Syria.

Roundtable discussants emphasized the problem of hate speech against Roma. An episode in the recent Italian election campaign, when Romani women were targeted in a racist tweet, is indicative.<sup>30</sup> Today there is a growth of hate speech on social networks, alongside the rise of nationalist and far-right parties in Europe and elsewhere.

In Latin America, the history of the Roma has been marked by racism and discrimination. In the beginning of colonization, the Portuguese government deported Roma to Brazil. The Portuguese also imposed the first anti-Roma decrees and recommendations on how they should be treated by the colonial authorities in Brazil. Some anti-Roma decrees also date from this period. Roundtable participants highlighted the fact that the Roma communities throughout the Americas faced deportations, forced displacements, persecutions and even exterminations.

Policies encouraging the immigration of Europeans to the Americas adopted in Argentina and Brazil in the 19th and the 20th centuries were aimed at “whitening and civilizing” the local population. For this reason, the “good Europeans” were selected and given economic aid, while the “bad Europeans”, as Roma were perceived when they arrived in these countries, received worse treatment.<sup>31</sup>

Participants pointed out that the few documents that exist on past Roma oppression in Latin America were written by non-Roma people without Roma participation. This makes it difficult to reach the truth, as Roma often do not open up about their experiences, and may be wary of the authorities.

### **SUMMARY OF COUNTRY-SPECIFIC ISSUES DISCUSSED AT THE ROUNDTABLE**

Participants discussed a number of country scenarios. A summary of particular country issues discussed at the roundtable follows below. This list is not exhaustive.

According to the analysis prepared by the OHCHR Regional Office for South America on human rights and Roma peoples in Argentina, only three studies on discrimination include Roma. These studies show that this group appears as the most discriminated against. The latest survey concerning the acceptance of minorities in the labor market revealed that: 0% of respondents would choose to work with a Roma person; 5% of respondents think Roma employees are supportive; 17% think they like to work; 18% think they are smart; 5% think they are respectful; 52% think they are individualistic.<sup>32</sup> This shows the high level of antigypsyism, and the culturally constructed prejudice shared across generations. Discussants noted that strong racism prevents Roma from accessing the formal job market, health care, education and even

29. For more information about the situation of Roma people fleeing the Ukrainian war: [https://www.europarl.europa.eu/RegData/etudes/ATAG/2022/729411/EPRS\\_ATA\(2022\)729411\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2022/729411/EPRS_ATA(2022)729411_EN.pdf)

30. See <https://www.theguardian.com/world/2022/sep/06/italian-far-right-politician-sparks-row-over-roma-comments> - acceptable source?

31. For more information, see Domínguez, E. Matías. *Tramas de resistencia. La identidad gitana/romani en Buenos Aires: transformaciones socioculturales entre lo global y lo local*. Tesis doctoral en antropología. (Facultad de Filosofía y Letras, Universidad de Buenos Aires, 2022) and Pudlitzsak, Aleksandra, “Los indeseables. ‘Gitanos’ como problema social en Argentina en las primeras décadas del siglo XX”. *Boletín de Historia Argentina y Americana* Dr. Emilio Ravignani, 2013.

32. See Daia, Informe sobre el antisemitismo en la Argentina, 2018. Available at <https://www.daia.org.ar/wp-content/uploads/2019/10/informe2018-web.pdf>



identity documents. In addition, Argentina collects very little data on the Roma people. Despite calls from several Roma NGOs, this group was not included in the latest national census conducted in 2022. Statistical invisibility is a consequence of structural racism. To remedy this situation, the first Roma-related public policy was created in Argentina only in 2021, when it was launched the guide Recommendations for treatment with a focus on the rights of the Roma population and culture in audiovisual media. In the same year, a province in northern Argentina, Salta, also passes a law establishing April 8 as the Regional Day of the Roma People.

Austria had World War II concentration and transit camps for Roma.<sup>33</sup> In January 2023, the Austrian parliament passed a resolution recognizing August 2nd as Holocaust Memorial Day for Roma and Sinti.

Since 2006, Brazil has made some progress on the agenda of the Roma. Besides other actions, we can mention the recognition of May 24 as the National Roma Day in 2006; the holding of the meeting I NATIONAL ROMA WEEK in 2013. Also in 2013, the Brazilian state published the Guide to public policies for the Roma people. In addition, the Statute of the Roma People has been tabled in the parliament in 2015, but it has not been approved yet. Despite this progress, at the time of the 15 September roundtable, no state agency in Brazil had Roma issues explicitly in its competences. The roundtable suggested that the Roma in Brazil face problems that are very similar to those faced by the Roma in other countries: lack of documentation, inadequate housing, or no access to justice and education, among others. In 2022, in its last report on Brazil, CERD recommended to the Brazilian State to eliminate all barriers and forms of discrimination against Roma related to birth certificates.<sup>34</sup> It also recommended the collection of comprehensive data on this group.<sup>35</sup>

The government of Colombia has recently adopted special measures recognizing injustices against Roma in the past. Colombia is one of the few countries where the Roma were included in two national censuses (2015 and 2018) and where a Commission for the Clarification of Truth, Coexistence and Non-Repitition<sup>36</sup> adopted an ethnic approach and included the Roma in its final report. The report, which was released in June 2022, recognizes the cultural and social specificities of the Roma and the abuses they suffered during armed conflicts (including cultural persecutions, murders, forced disappearances, threats, kidnappings, torture, attacks on freedom and sexual integrity, dispossessions, loss of property, forced displacements and exile). According to data presented at the September roundtable and based on the work of the Special Jurisdiction for Peace (JEP), the Commission for the Clarification of Truth, Coexistence and Non-Repitition (CEV) and the Human Rights Data Analysis Group (HRDAG), the Colombian armed conflict registered the following casualties among the Roma: around 198 victims of homicide in 1985-2018; around eight victims of forced recruitment in 1990-2017; around 89 disappearances in 1985-2016; and around 22 victims of kidnapping in 1990-2018.

Czechia has had a three-decade-long discussion about the World War II-era concentration camp for Roma at Lety u Písku, until recently the site of an industrial pig farm. In the Protectorate of Bohemia and Moravia in 1940, disciplinary and labor camps were established at Hodonín u Kunštátu in Moravia and at Lety u Písku in Bohemia. In 1942, both became "Gypsy Camps" for exclusively Roma and Sinti prisoners of all ages and genders. At Lety, about 1,309 Roma were prisoners and many died or were

33. <https://encyclopedia.ushmm.org/content/en/article/lackenbach>.

34. CERD/C/BRA/CO/18-20.

35. Ibid.

36. In Colombia, the Commission for the Clarification of Truth, Coexistence and Non-Repitition was established by Legislative Act 01 of 2017 and Decree 588 of 2017. The Colombian government and the Revolutionary Armed Forces of Colombia (FARC-EP) signed an agreement whose objective is to clarify the violations committed during the armed conflict and offer a comprehensive explanation to the whole society. See <https://www.comision-delaverdad.co/que-es-la-comision-de-la-verdad>.

deported to Auschwitz Concentration Camp in 1943, when both “Gypsy Camps” were closed. During the 1970s, a large pig farm was built over the former camp at Lety and only in 1995 did the Czech state construct a small memorial there, in honor of the Holocaust victims. Since the 1990s, Roma activists, together with the EU, the International Holocaust Remembrance Alliance, the Council of Europe, and the UN Human Rights Committee<sup>37</sup> repeatedly urged the Czech authorities to remove the pig farm, which was bought by the state and closed only in 2018. Since then, the Museum of Romani Culture has been actively involved in the demolition of the pig farm and the construction of a new monument that will be opened in 2023. A similarly renovated memorial already exists at the site of the Hodonín u Kunštátu camp and is also managed by the museum.

In 2021, the Czech government approved a compensation mechanism for victims of coercive and forced sterilization between 1966 and 2012, the overwhelming majority of whom are Romani women. While some women have received compensation, others have been arbitrarily refused because their original medical records no longer exist, as hospitalization records are only preserved for 40 years; the ministry executing the compensation scheme is failing to recognize other sources of evidence as proof that these women were sterilized without their free and informed consent. Many Roma survivors of sterilization are still waiting for justice and compensation, especially the oldest victims who have suffered the longest. The implementation of the aforementioned law and the actual payment of compensations also remains a challenge because the state is not complying with its own timelines for administering the claims, taking far longer than the legislated 60 days to issue its decisions.<sup>38</sup>

An official Commission on antigypsyism recently delivered an 800-page report on antigypsyism in Germany, assessing the historically rooted but ongoing structural racism against Sinti and Roma in various fields ranging from knowledge production to law. Germany only recognized Roma as victims of the Holocaust for the first time in 1982. In 2022, Germany’s president asked for forgiveness for the Holocaust from Roma and Sinti.<sup>39</sup> After the fall of the Nazi regime, Roma continued to be denied German citizenship and continued to be seen as second-class citizens.

The Independent Antigypsyism Commission in Germany was mentioned as a promising example because its 2022 Report, has called for setting up a Truth and Reconciliation Commission that would further look into the crimes against the Roma committed after the end of the Nazi regime in Germany.<sup>40</sup> While talking about memory, truth and justice related to the Roma, the head of the Independent Antigypsyism Commission touched on (1) the lack of recognition of existing racism within governmental institutions and (2) the lack of empathy. He stressed that the dark chapters of German history affect not only the Roma, but also the whole society and their legacy persists to this day. After the end of World War II, a second persecution of the Roma began when they were considered as second-class citizens and even non-citizens. To this day, some Roma in Germany have no passports or identification documents, and are often ethnically profiled by German police.

37. See CCPR/C/CZE/CO/3 . Available at <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICAqhKb7yhsqYZbsss-GdWEvN0SYW6jwU%2BSnlGcE7KqgN%2F9T0YUwGPEQxWpMZeAqykpqHzaqoHU0wBCWwoOOOrSadzlpaz9Mr4Oz21tkQoH2brDAoVv-jWs0n8>

38. See <https://romea.cz/en/uncategorized/commentary-how-the-czech-compensation-mechanism-for-illegal-sterilizations-is-not-working-so-far>

39. See <https://zentralrat.sintiundroma.de/en/10th-anniversary-of-the-memorial-federal-president-steinmeier-asks-sinti-and-roma-for-forgiveness/>

40. See Germany, Tackling Antigypsyism, Ensuring Participation National Strategic Framework to Implement the EU Roma Strategic Framework in Germany, 2022. Available at [https://www.bmi.bund.de/SharedDocs/downloads/EN/publikationen/2022/2022-eu-roma-strategic-framework.pdf?\\_\\_blob=publicationFile&v=4](https://www.bmi.bund.de/SharedDocs/downloads/EN/publikationen/2022/2022-eu-roma-strategic-framework.pdf?__blob=publicationFile&v=4)

Roundtable participants also discussed the situation in Kosovo,<sup>41</sup> where the Roma suffered grave human rights abuses, in particular during the events of 1999 and their aftermath. During the 1999 events in Kosovo, many Romani people were forced to flee and leave their homes behind. Following the end of the NATO bombing and the withdrawal of Serbian forces in June 1999, Roma, Ashkakis and Egyptians were ethnically cleansed, together with ethnic Serbs. In recognition that there has been no justice for any matters taking place after 5 June 1999 – when Kosovo was placed under United Nations administration – a special prosecutor has recently been established to prosecute acts from those events.<sup>42</sup> The prosecutor is based in the Hague, because earlier efforts to prosecute matters in Kosovo proper led to the killings of a number of witnesses.

During the ethnic cleansing in Kosovo, some of the Roma went abroad, while others were placed in camps with unbearable sanitary conditions. For instance, several of the UNMIK-run camps in Mitrovica were contaminated with lead and other heavy metals and toxic substances. The Roma living there became ill, and their children were born with deformities or died at a young age. Although an official Human Rights Advisory Panel urged the UN to apologize, to date it has not done so.

Norway has undertaken a Truth and Reconciliation process in relation to its treatment of Roma and Tatars, and Switzerland has similarly examined legacies of the treatment of Jenisch and Travellers. A number of lessons learned are available as concerns those processes.<sup>43</sup>

In 2011 the government of Romania declared 20 February as the “Day of Emancipation of the Roma in Romania” to commemorate the end of Roma slavery, which was in 1856. As concerns the Holocaust in Romania, during 1942-1944 around 25,000 Roma, mostly children, were deported to Transnistria, where half of the deported Roma reportedly died. In recent years, hundreds of Roma survivors of those deportations died without having received the compensation established under Law 189/2000 (a monthly allowance for the two years of deportation, access to medical treatment, and a burial plot free of charge). The last Roma survivors live in extremely difficult conditions because of the administrative barriers raised by the pension offices who deny them these rights.<sup>44</sup>

In Spain memorialization took the form of the Democratic Memory Law, which was passed on 27 July 2022 to amend Memory Law 52/2007. This new law offers financial compensation for victims and survivors of the Franco regime. For the first time, Romani victims were acknowledged among the groups oppressed by that regime, alongside Basques, Catalans and Galicians. The new law creates a special State Prosecutors’ Office to investigate the human rights violations during the war and under the Franco dictatorship.

The close collaboration between the Spanish dictator Franco and the Nazi regime visibly affected Roma communities in Spain, but antigypsyism neither began nor ended with Franco’s regime. More than 250 Spanish anti-Gypsyist laws have strongly affected the Spanish Roma. During the Franco period, two laws permitted a real “hunt” against the Roma: the Law of Vagrants (1933) which presumed Roma to be guilty and allowed authorities to punish them without having committed any crime; and the Regulation of the

41. All references to Kosovo in this text shall be understood in full compliance with United Nation’s Security Council Resolution 1244 and without prejudice to the status of Kosovo.

42. <https://www.scpks.org/en>.

43. See inter alia Organization for Security and Co-operation in Europe, Office for Democratic Institutions and Human Rights, “Summary Report of the Conference Forced and Coercive Sterilization of Roma Women: Justice and Reparations for Victims in the Czech Republic Organized by the OSCE/ODIHR Contact Point for Roma and Sinti Issues Prague, 1 June 2016”, available at: <https://www.osce.org/files/f/documents/3/b/288606.pdf>.

44. Documents (an open letter to the Government of Romania), public proposals of Roma rights organizations in Romania i.e. Romani CRISS (Roma Center for Social Intervention and Studies) & Asociația Uniunea Civică a Tinerilor Romi din România

Civil Guard (1943),<sup>45</sup> whose Art. 4, 5 and 6 had the clear objective of controlling the Roma, their way of life and their movements.

In Spain, it has been difficult to document the recent past because few official documents are extant and little research has been conducted. To unveil the past, oral testimonies are extremely important, but some victims have passed away, others feeling as though they have no safe space to tell their stories even 40 years after the end of the dictatorship, and still others feeling ashamed for being abused, especially women who were victims of rape, torture and forced sterilization.

In 2014, the government of Sweden published a White Paper to set the basis for acknowledging and understanding the current situation of the Roma minority by shedding light on the historical abuse suffered by the Roma, the stereotypes and prejudices passed on from one generation to the next, and the ways in which these have shaped state policy.<sup>46</sup>

The roundtable also heard a presentation related to antigypsyism arising in the current armed conflict in Ukraine. Since the war started, the Agency for the Advocacy of Roma Culture (ARCA) has paid special attention to the situation with Roma inside and outside Ukraine. They found significant human rights and humanitarian impacts on the civilian population.

Regarding antigypsyism toward Ukrainian Roma outside Ukraine, there are widespread reports of Roma being considered second-class refugees in neighboring countries and being denied assistance, housing, education and health services. Some Roma NGOs have offered assistance to these families, but this has not been enough. Finally, it was noted that the best long-term investment from the UN and the EU would be to develop specific programs for Roma youth. In addition, when reconstructing the memory of the Roma it is necessary to remember success stories of Roma people. That is why projects such as "*Roma Heroes. Rethinking Roma Resistance*" established by ERIAC are being very successful to show the hidden side of the discourse.

In the United States, resolution S.Res. 124 celebrating the heritage of the Romani Americans, recognizing the Romani holocaust and April 8th and August 2nd as commemoration days for this group passed in the Senate Foreign Relations Committee (SFRC) by voice vote in 2022. It is currently pending further advancement by the US Congress. Other recent positive moves in the United States include the renaming of insects with anti-Romani names.<sup>47</sup>

The François-Xavier Bagnoud Center for Health and Human Rights at Harvard University and the Voice of Roma NGO have recently published the study *Romani Realities in the United States: Breaking the Silence, Challenging the Stereotypes*. It explores and documents the social and economic conditions of the Romani people in the United States, following extensive research among Roma in the United States. The study collected data on identity and culture; the access of Roma people to health, education, employment and housing; discrimination and prejudice; and the main challenges faced by Roma people. The results revealed that although Roma identity is less visible in the US than in Europe, as many members of this community hide their identities and may pass themselves off as other ethnicities, anti-Roma racism affecting this group to a similar extent. According to the study, the most alarming data relates to the educational level of the interviewees: "two-thirds of the interviewees attended day care, nursery or kindergarten;

45. For more information, see <https://heiup.uni-heidelberg.de/reader/index/650/650-69-91643-1-10-20201201.xml>

46. Government of Sweden, Ministry of Culture "The Dark, Unknown History: White Paper on Abuses and Rights Violations Against Roma in the 20th Century", 2014. Available at <https://www.government.se/contentassets/eab06c1ac82b476586f928931cfc8238/the-dark-unknown-history-white-paper-on-abuses-and-rights-violations-against-roma-in-the-20th-century-ds-20148>

47. See <https://entsoc.org/publications/common-names/spongy-moth>.

8% finished 8th grade; 10% have a high school degree; 2% trade/technical/vocational training; 2% associate degree, 5% bachelor's degree, 3% master's degree, and 0.3% doctoral degree."<sup>48</sup> In addition, the interviewees reported high discrimination levels in the health system, the work environment, the media, the access to housing and especially in the police treatment, where they are still associated with criminality. Thus, the study confirms that the virulent transatlantic migration of racist ideas continues to produce profound damage in the lives of Romani Americans.

Roma-affiliated communities are also present in Middle Eastern countries such as Egypt, Palestine, Iraq, Syria and Turkey, among others. Although state borders make Romani people's lives harder, this is especially true in countries such as Syria and Iraq, rocked by ongoing civil wars that force the Roma community to move. Due to the chaos created by the Arab Spring in 2010, much insecurity was brought to ethnic and religious minority groups. The three Roma-related communities found across the Middle East – the Ghajar, Dom and Abdal – were forced to move around. Moreover, the Romani people are found at the lowest position in society, being forced into informal work. Similar to Roma communities in other countries, the Romani people in Middle Eastern countries struggle with access to healthcare, electricity and clean water, resulting in very poor living conditions.<sup>49</sup> Since the Middle East is mostly Muslim, the Romani people are perceived as "not Muslim enough," resulting in more abuse by governments. The Roma community remains invisible in many Middle Eastern countries, being considered second-class people. Much more research and more efforts from governments are needed to provide inclusive spaces for all.<sup>50</sup>

## **FUTURE DIRECTIONS**

In all countries, additional action is needed to reconcile with the abusive past. Given the dark past endured by Roma peoples across the globe, States must acknowledge the abuses inflicted on them and the suffering of the victims and the community at large, and adopt measures to provide them reparation, truth, memory, justice and guarantees of non-recurrence.

Given the dark past of the Roma community across the globe, States must undertake thorough examination of past abuses, and provide reparations where appropriate.

Discussants highlighted the importance of including the Roma youth in designing memorialization processes for the Roma. One participant highlighted the experience of the *Dikh He Na Bister!* in commemoration of the European 2nd of August Roma Holocaust Memorial Day.

The importance of supporting Roma civil society organizations in Latin America was noted. Besides some minor local initiatives directed at the Romani people in Argentina. No Argentinian law regulates the commemoration of the Romani Holocaust on the 2nd of August. Although Argentina has done an excellent job of dealing with the evils caused by the military dictatorship, it has approached racial justice in a very

48. Center for Health and Human Rights at Harvard University and Voice of Roma, *Romani Realities in the United States: breaking the silence, challenging the stereotypes*, (November 2020, p.6). Available at <https://cdn1.sph.harvard.edu/wp-content/uploads/sites/2464/2020/11/Romani-realities-report-final-11.30.2020.pdf>

49. For more information, see Caymaz, F. C. , Tarlan, K. V. and Geziciyer, Z., "We have seen it all" Examining the Experiences of Syrian Dom and Abdal Refugees in Accessing Fundamental Rights and Services in the Temporary Protection System in the Context of Discrimination in Turkey. (Gaziantep, Kirkayak Kultur, 2021) . Available at [https://www.academia.edu/82526245/\\_We\\_have\\_seen\\_it\\_all\\_Examining\\_the\\_Experiences\\_of\\_Syrian\\_Dom\\_and\\_Abdal\\_Refugees\\_in\\_Accessing\\_Fundamental\\_Rights\\_and\\_Services\\_in\\_the\\_Temporary\\_Protection\\_System\\_in\\_the\\_Context\\_of\\_Discrimination\\_](https://www.academia.edu/82526245/_We_have_seen_it_all_Examining_the_Experiences_of_Syrian_Dom_and_Abdal_Refugees_in_Accessing_Fundamental_Rights_and_Services_in_the_Temporary_Protection_System_in_the_Context_of_Discrimination_)

50. Tarlan, K. V. , *Proposal for a Regional Social Inclusion Strategy Turkey, Lebanon and Jordan. Encouraging Integration and Social Cohesion of Syrian Dom Immigrants* (Gaziantep, Kirkayak Kultur, 2018). Available at [https://www.academia.edu/41055882/Encouraging\\_Integration\\_and\\_Social\\_Cohesion\\_of\\_Syrian\\_Dom\\_Immigrants\\_Proposal\\_for\\_a\\_Regional\\_Social\\_Inclusion\\_Strategy\\_Turkey\\_Lebanon\\_and\\_Jordan](https://www.academia.edu/41055882/Encouraging_Integration_and_Social_Cohesion_of_Syrian_Dom_Immigrants_Proposal_for_a_Regional_Social_Inclusion_Strategy_Turkey_Lebanon_and_Jordan)



superficial way, with only a few cases involving minorities, and none related to the Roma community. The roundtable participants discussed possibilities for recognition of Roma as tribal peoples within the meaning of ILO Convention 169. In Brazil, the government already considered Roma in the category of “traditional peoples and communities”. By the decrees no 6040 (2007) and no 8750 (2016), the rights guaranteed in the ILO convention 169 are extended to them. In Colombia<sup>51</sup>, these rights are also extended to the Roma through some decrees since the late 1990s. Participants from both countries spoke of the advantages of this recognition. In his 2017 report, the Special Rapporteur on Minority Issues also recommended that States in the Americas recognize the Roma as an ethnic group whose rights are ensured by this convention.

The continued importance of invigorating discussions on transitional justice and racial justice in relation to Roma and the struggle against antigypsyism was reaffirmed. To institutionalize the process, the appointment of a UN Special Rapporteur dealing with the historically and structurally embedded antigypsyism was proposed by Special Rapporteur Salvioli. He highlighted that the creation of such an office would elevate this issue also among states. This idea was further supported by many of the subsequent speakers during the event.

The roundtable participants agreed that when applying transitional justice approaches, ownership of such processes by Roma survivors and their families is crucial. However, there are likely to be differences in opinion on what justice and fairness means for each of them. In addition, not only key state actors need to be engaged in the process but also the whole-of-the government and the whole-of-society in order to understand and take responsibility for what their predecessors did in the past. Only in this way will trust between Roma and non-Roma be built and sustained.

Recommendations arising from the roundtable have been included in the Executive Summary, at the beginning of this document.

51. For more information, see Prorrom, “Los Gitanos de Colombia y el Convenio 169 de la OIT”, *Dehuidela – Revista de Derechos Humanos*. Vol 17 (año 9, enero-junio de 2008). Available at [https://repositorio.una.ac.cr/bitstream/handle/11056/7866/gitanoscolombiaconvenio\\_organizativo.pdf?sequence=1&isAllowed=y](https://repositorio.una.ac.cr/bitstream/handle/11056/7866/gitanoscolombiaconvenio_organizativo.pdf?sequence=1&isAllowed=y)

# Annex 1

## Partners

The 15 September International Roundtable has been intended as a wider partnership between the Office of the United Nations High Commissioner for Human Rights (OHCHR) and a range of civil society initiatives and organizations, including the CHACHIPEN consortium partners, namely, the CEPS, the Central Council of German Sinti and Roma, the FAGIC, the ERGO, and Asociatia Fast Forward, alongside other civil society partners such as the World Council of Churches (WCC), the Central Council of German Sinti and Roma, the ERIAC, Dikh He Na Bister, the Roma Advisory Council (RAC), other civil society partners named below, as well as with other human rights-based entities.

### **OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS (OHCHR)**

The Office of the High Commissioner for Human Rights (OHCHR or UN Human Rights) is the leading UN entity on human rights. It represents the world's commitment to the promotion and protection of the full range of human rights and freedoms set out in the Universal Declaration of Human Rights.

Pursuant to a Human Rights Council resolution, the UN Human Rights Office supported the Special Rapporteur on Minority Issues in 2015 in producing a global study on the human rights situation of Roma worldwide. The Human Rights Council resolution and the study recognize that antigypsyism — the specific form of racism facing Roma — constitutes a major obstacle to the successful social inclusion of Roma and the full respect of the human rights of Roma.

The OHCHR works in a number of countries to strengthen the effective exercise of human rights by Roma and Travellers. OHCHR does this through supporting work to develop government policies on Roma inclusion, strengthening the capacities of Roma—and in particular Romani women—to take part in local, regional, national and international decision-making, as well as by working to challenge patterns and practices of discrimination and abuse. A number of Roma rights activists from countries around the world have also taken part in OHCHR's Minority Fellowship Program. Details of OHCHR's Roma programming are available at link.

### **THE CHACHIPEN PROJECT**

The CHACHIPEN consortium is led by the Brussels-based think tank Centre for European Policy Studies (CEPS) in cooperation with the Central Council of German Sinti and Roma, the European Grass-roots Roma Organisations (ERGO) Network, Federació de Associacions Gitanas de Catalunya (FAGIC) in Spain, and Asociatia Fast Forward in Romania. This EU-funded project titled 'Paving the way for Truth and Reconciliation Process to address antigypsyism in Europe: Remembrance, Recognition, Justice and Trust-Building' will run during the period 2021-2023.

CHACHIPEN, meaning "truth" in the Romani language, is the abbreviation for the EU funded project, which involves research, advocacy and awareness raising regarding the structural and historically rooted antigypsyism, exploring the potential transitional justice approaches and tools to address it.

In 2022, CHACHIPEN launched its State of the Art report on Transitional Justice for Roma.<sup>52</sup> It builds on the previous CEPS study assessing the feasibility of truth and reconciliation commissions as a model to address antigypsyism.<sup>53</sup> The initial study was presented at the European Parliament along with testimonies of victims and survivors of antigypsyism.<sup>54</sup>

### **DIKH HE NA BISTER!**

'Dikh He Na Bister!' means 'Look and don't forget!' in Romani. This Roma Genocide Remembrance Initiative mobilizes each year thousands of young Roma and non-Roma all over Europe on the occasion of the 2 August – the European Roma Holocaust Memorial Day – to advance remembrance, recognition and education about the Roma Genocide.

Dikh He Na Bister is a space for learning about the past and reflecting on the role of young people in Holocaust remembrance. The initiative creates a dialogue and personal encounter between young people and Holocaust survivors. Their testimonies inspire the participants to address and resist against current challenges of antigypsyism, and other forms of racism in Europe today.

Dikh He Na Bister empowers young people in their struggle for justice and equality. Remembrance and commemoration activities take place during the international event on 2 August in Auschwitz-Birkenau, Krakow and numerous other local initiatives around Europe. In particular, youth groups promote a message of resistance and self-empowerment to mark Romani Resistance Day on the 16th of May. Dikh He Na Bister was founded by the ternYpe International Roma Youth Network and its member and partner organizations in 2010 and is co-organized with the Documentation and Cultural Centre of German Sinti and Roma and in cooperation with the Council of Europe.

### **EUROPEAN ROMA INSTITUTE FOR ARTS AND CULTURE (ERIANC)**

ERIANC has a unique mandate as the sole transnational, European-level organization for the recognition of Roma arts and culture. ERIANC exists to increase the self-esteem of Roma and to decrease negative prejudice of the majority population towards Roma by means of arts, culture, history, and media. ERIANC acts as an international creative hub to support the exchange of creative ideas across borders, cultural domains, and Romani identities. ERIANC aims at being the promoter of Romani contributions to European culture and talent, success and achievement, as well as documenting the historical experiences of Romani people in Europe.

ERIANC exists since 2017 to be a communicator and public educator, disseminate a positive image and knowledge about Romani people for social dialogue, and build mutual respect and understanding. The founding idea of ERIANC is based on the struggle for self-definition and self-determination and the thought "that in order to be able to speak of ourselves, to express our interests, to develop a suitable image, we need our own narratives and our own institutions." The main long-term aims of ERIANC are to educate and inform the non-Roma population about Roma arts and culture, to help for creating understanding, tolerance

52. I. Rostas, L. Vosyliūtė and M. Kalotay (2022), 'Transitional Justice for Roma', Chachipen State of the Art Report, 20 May, <http://antigypsyism.eu/transitional-justice-for-roma-in-europe/>.

53. Carrera, S., L. Vosyliūtė, I. Rostas, S. Danova, J. Guerin and S. Brenda Smialowski (2019), 'Scaling up Roma Inclusion Strategies: Truth, reconciliation and justice for addressing antigypsyism' [https://www.europarl.europa.eu/RegData/etudes/STUD/2019/608859/IPOL\\_STU\(2019\)608859\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2019/608859/IPOL_STU(2019)608859_EN.pdf)

54. Euroactiv (2019), 'Time for Truth, Recognition and Reconciliation for Roma in Europe', 21 March, <https://www.euractiv.com/section/justice-home-affairs/opinion/time-for-truth-recognition-and-reconciliation-for-roma-in-europe/>.

and mutual respect between Roma and non-Roma communities, to raise awareness among European institutions, policy-makers and stakeholders about the role of Roma arts and culture, and to build up a broad partnership across Europe (and beyond) for support of Roma arts, culture and communities.

### **ROMA ADVISORY COUNCIL (RAC NORTH AMERICA)**

During 2021 and 2022, OHCHR IPMS has been supporting the convening by groups of Romani activists from diverse backgrounds and countries in North and South America, resulting in the constitution of the Roma Advisory Council (RAC), an informal grouping of North American Roma rights activists. RAC current priorities include strengthening memorialization in line with this initiative, having carried out in 2021 a number of actions related to Roma Holocaust remembrance. RAC members are supporting a United States House of Representatives Resolution (H.Res.253) and a United States Senate Resolution (S.Res.124) in the 117th Congress “celebrating the heritage of Romani Americans” and remembering the dark chapters of the past, including the Roma Holocaust. S.Res.124 was unanimously approved on June 9, 2022 in the U.S. Senate Committee on Foreign Relations to be sent to the Senate floor. On December 8, 2022, the United States Senate passed S.Res.124 by unanimous consent (Reference link: <https://www.congress.gov/bill/117th-congress/senate-resolution/124/actions>). The group from Latin American countries has met regularly and has addressed a number of serious human rights concerns, such as police brutality against Roma in Brazil.

### **THE WORLD COUNCIL OF CHURCHES**

The World Council of Churches (WCC) is the broadest and most inclusive among the many organized expressions of the modern ecumenical movement, whose goal is Christian unity. The WCC brings together churches, denominations and church fellowships in more than 120 countries and territories throughout the world, representing over 580 million Christians and including most of the world’s Orthodox churches, scores of Anglican, Baptist, Lutheran, Methodist and Reformed churches, as well as many United and Independent churches. While the bulk of the WCC’s founding churches were European and North American, today most member churches are in Africa, Asia, the Caribbean, Latin America, the Middle East, and the Pacific. There are now 352 member churches.

For its member churches, the WCC is a unique space in which they can reflect, speak, act, worship and work together, challenge and support each other, share and debate with each other. The WCC member churches: are called to the goal of visible unity in one faith and one eucharistic fellowship; promote their common witness in work for mission and evangelism; engage in Christian service by serving human need, breaking down barriers between people, seeking justice and peace, and upholding the integrity of creation; foster renewal in unity, worship, mission and service.



# Annex 2

## Roundtable Agenda

### Opening Panel

*Memorialization and the promotion of truth, justice, reparation and guarantees of non-recurrence*

**Moderator:**

**Rita Izsak-Ndiaye**, OSCE Personal Representative on Children and Security, former UN Special Rapporteur on minority issues and former member of the UN Committee on the Elimination of Racial Discrimination

**Speaker:**

**Fabian Salvioli**, UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence

**Panelists:**

- **Soraya Post**, City of Gothenburg, Sweden and former Swedish MEP
- **Ismael Cortes**, Member of Parliament, Spain

### Thematic Session 1

*Romani Past - the Dark Chapters and Memorialization*

**Moderator:**

**Nathan Mick**, Romani American and US political strategist

**Speaker:**

**Iulius Rostas**, Independent academic and Member of the CHACHIPEN Research team, former Chair of Romani Studies at Central European University

**Panelists:**

- **Mirjam Karoly**, Political scientist and human rights professional
- **Anna Carballo**, Coordinator at FAGIC (Federación de Asociaciones Gitanas de Cataluña)/ Chachipen Research team member
- **Elena Gorolova**, Social worker, Romani activist, Czech Republic (translated by **Ms Gwendolyn Albert**, an independent human rights activist)
- **Elisa Costa**, President of the International Association Mayle Sara Kali (AMSK), Brazil (online)

**Discussants:**

- **Damian Cristo** (Zor - Association for the rights of Roma people in Argentina)
- **Murat Haliti** (Kosovo)
- **Bashkim Ibishi** (Kosovo)

## Thematic Session 2

*The Present and Legacies: human rights situation of Roma and related groups worldwide, state of recognition of the dark chapters of the Romani past and antigypsyism*

### Moderator:

**Lina Vosyliute**, Research Fellow, CEPS/ CHACHIPEN coordinator

### Speaker:

**Fernand de Varennes**, UN Special Rapporteur on minority issues (online)

### Panelists:

- **Mehmet Daimagüler**, Federal Government Commissioner against Anti Gypsyism and for the Life of the Sinti and Roma in Germany
- **Nataliia Tomenko**, Romani activist from Ukraine, ERIAC member
- **Kemal Vural Tarlan**, researcher and documentary photographer, Kırkayak Kültür - Dom Research Center
- **Ana Dalila Gomez**, General Coordinator of the Organizational Process of the Roma people of Colombia (PRORROM) (online)

## Thematic Session 3

*The Future - What Next?*

### Moderator:

**Claude Cahn**, Human Rights Officer, OHCHR

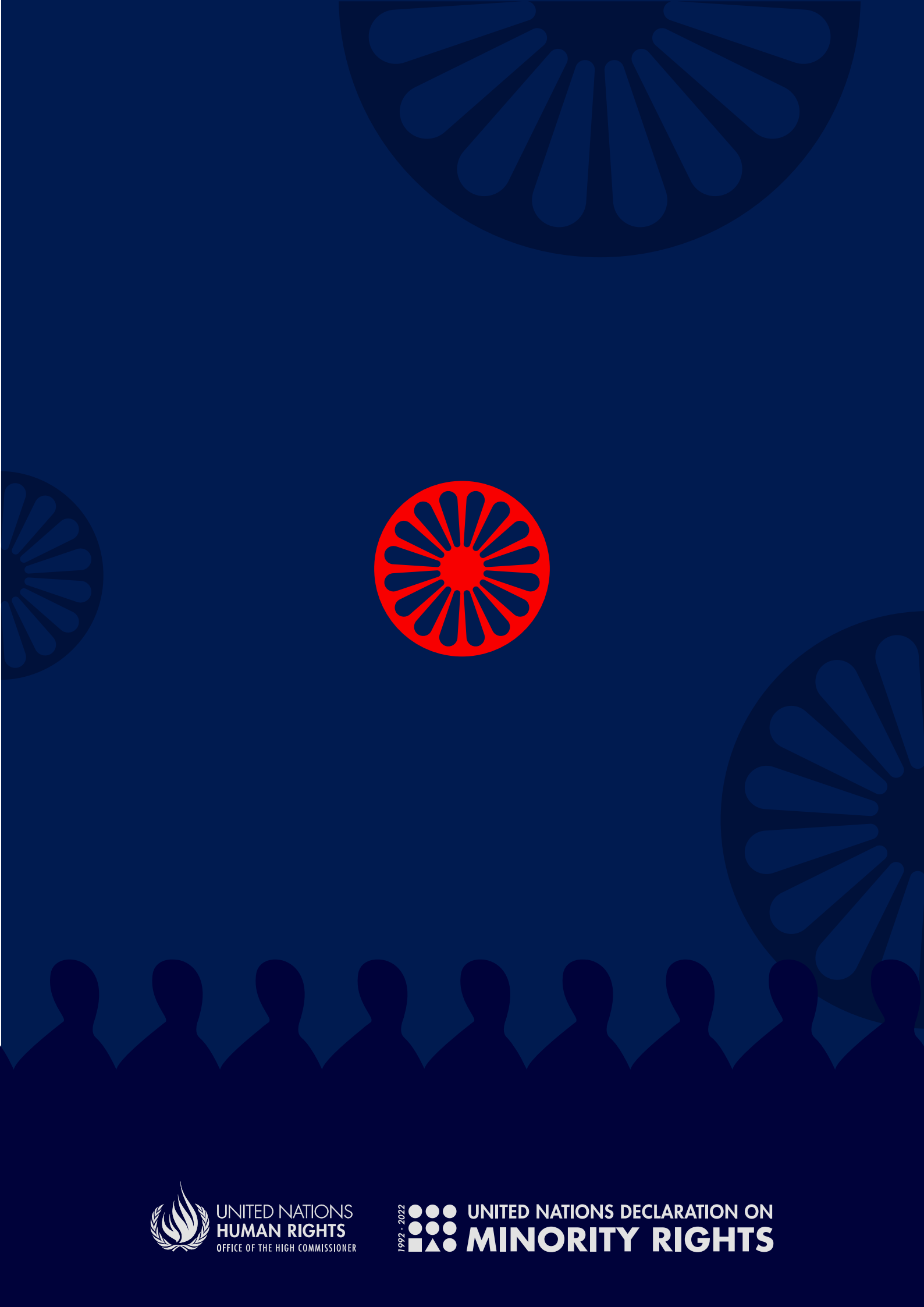
### Panelists:

- **Julissa Mantilla**, President of the Inter-American Commission on Human Rights (IACHR) (online)
- **Luciano Mariz Maia**, Public Prosecutor's Office, Brazil (online)
- **Lavinia Stan**, professor of political science at St. Francis Xavier University, Canada
- **Georgina Laboda**, young Roma activist, Dikh He Na Bister!
- **Aline Miklos**, Senior Fellow OHCHR/ South America

## Conclusion and Next Steps

- **Jan Jarab**, OHCHR/South America (online)
- **Lina Vosyliute**, Research Fellow, CEPS/ Chachipen coordinator
- **Claude Cahn**, Human Rights Officer, OHCHR





UNITED NATIONS  
**HUMAN RIGHTS**  
OFFICE OF THE HIGH COMMISSIONER

1992 - 2022



UNITED NATIONS DECLARATION ON  
**MINORITY RIGHTS**