

**Recommendation for a resolution and report
of the Committee on Internal Affairs and Community (4th Committee)**

on the information provided by the Federal Government

- Printed papers 19/30310, 20/1207 No. 4 -

Report of the Independent Commission on Antigypsyism Change of Perspective - Rectifying Omitted Equity - Participation

A. Problem

In its report, the Independent Commission on Antigypsyism calls on the Federal Government to appoint a "Commissioner against Antigypsyism" to coordinate measures to overcome antigypsyism and to be advised by an independent group of academics, practitioners and civil society. To ensure the implementation of the numerous recommendations, the commission also calls for the creation of a permanent federal-state commission.

The Commission's central demands include, in particular, comprehensive recognition of the Nazi genocide against Sinti and Roma and compensation for the health, social and economic damage caused to the second generation by the massive discrimination in reparation practices and continued antigypsyism after 1945. Furthermore, the committee urges the establishment of a commission to investigate the injustices committed against Sinti and Roma in the Federal Republic of Germany. With a view to the practical application of the provisions of the Residence Act, it should also be made clear that the Roma living in Germany are to be recognized as a group particularly worthy of protection for historical and humanitarian reasons.

B. Solution

The SPD, CDU/CSU, Alliance 90/The Greens and FDP parliamentary groups take note of the information and adopt a resolution, with the AfD parliamentary group abstaining.

C. Alternatives

Refraining from issuing an opinion.

D. Costs

Not discussed by the committee.

Recommended resolution

The Bundestag wishes to resolve

having regard to the information provided in printed matter 19/30310, to adopt the following resolution:

„I. The German Bundestag states:

The German Bundestag condemns and opposes all forms of antigypsyism.

The German Bundestag recognizes the injustice done to Sinti and Roma during the National Socialist era. The National Socialist crimes against Sinti and Roma were denied for many years after the end of the Second World War. Against the backdrop of the Holocaust and the disenfranchisement and murder of up to half a million Sinti and Roma in Nazi-occupied Europe, the Federal Republic of Germany bears a special responsibility in the fight against antigypsyism and for the equal participation of survivors and their descendants. Since 2012, the Memorial to the Sinti and Roma of Europe Murdered under National Socialism in Berlin has commemorated the genocide. Since 2018, there has been a regulation on the preservation of the gravesites of Sinti and Roma persecuted by the Nazis between the federal and state governments.

On 24 October 2022, Federal President Frank-Walter Steinmeier publicly acknowledged the continued injustice done to Sinti and Roma in both German states after 1945 as the "second persecution". He asked the Sinti and Roma community for forgiveness on behalf of the Federal Republic of Germany. The occasion was the tenth anniversary of the handover of the Memorial to the Sinti and Roma of Europe Murdered under National Socialism. The Independent Commission on Antigypsyism has intensively investigated the injustice after 1945.

The Sinti and Roma associations, which came together in 1982 as the official representative of the civil rights movement in the Central Council of German Sinti and Roma under the chairmanship of Romani Rose, make a significant contribution to democracy and the rule of law. Their work and that of other societal organizations deserves special recognition.

Thanks to their efforts, the crimes committed against the minority before 1945 were brought to light and the systematic denial of civil and human rights during the "Second Persecution" was uncovered. The civil rights movement of the Sinti and Roma provided decisive and indispensable impetus for the denazification and democratization of society. To this day, it draws attention to the injustices caused by continued antigypsyism. The commitment of self-organizations is indispensable for overcoming antigypsyism. We must create and strengthen awareness of the causes, mechanisms, effects and necessary ostracism of antigypsyism, warn against it and take a visible stand against it. The racist attacks in Hanau and at the Olympia shopping center in Munich clearly show the threat to which members of minorities are exposed.

However, antigypsyism is not limited to right-wing extremist circles. The situation report "Racism in Germany: Initial Situation, Fields of Action, Measures" concludes in 2023 that antigypsyist attitudes are anchored in the center of society. According to the report, Sinti and Roma are the most strongly rejected minority in Germany.

The German Bundestag condemns all forms of hatred and hate speech against Sinti and Roma, both above and below the legal threshold of criminal liability. It must be clear that antigypsyism has no place in Germany. Any attempt to question the dignity of a member of the Sinti and Roma community calls into question our country's liberal polity as a whole. The fight against antigypsyism is therefore a task for the state and society as a whole.

Sinti and Roma have lived on the territory of today's Federal Republic for centuries. Based on the European Convention for the Protection of National Minorities, the German Sinti and Roma are one of the four recognized national minorities in Germany. The Advisory Committee on German Sinti and Roma Issues and the Federal Government Commissioner for Ethnic German Resettlers and National Minorities are tasked with ensuring that the related rights are guaranteed. The culture and language of the Sinti and Roma are part of the cultural diversity in Germany and Europe, and the Romani language is protected and promoted on the basis of the European Charter for Regional and Minority Languages.

In recent decades, Roma from the Western Balkans and South-East Europe have come to Germany. The German Bundestag sees it as its duty to protect them from racial discrimination (and disadvantage).

The Russian war of aggression against Ukraine is leading to great suffering among the Ukrainian civilian population and to refugee movements within Ukraine and to neighboring European countries. The victims also include Ukrainian Roma, among them survivors of the Nazi genocide and their relatives. The German Bundestag emphasizes the historical responsibility of the Federal Republic of Germany towards these people and welcomes the assistance already provided, including by the Foundation Remembrance, Responsibility and Future and civil society organizations.

Several thousand Ukrainian Roma have also come to Germany fleeing violence and war. The reports of discrimination against Roma refugees when it comes to accessing aid once again highlight the antigypsyism and exclusion faced by members of Europe's largest minority.

In the 19th legislative period, the German Bundestag set up the Independent Commission on Antigypsyism (UKA) following expert consultations with the Central Council of German Sinti and Roma. This commission prepared a report that was presented by Federal Minister of the Interior Horst Seehofer and the Chairman of the Central Council of German Sinti and Roma, Romani Rose, on July 13, 2021. An initial debate took place in the German Bundestag on June 24, 2021.

II The German Bundestag welcomes

the UKA report "Change of perspective. Rectifying omitted justice. Participation", as it composes an impressive picture of antigypsyism and the lives of Sinti and Roma in Germany and is at the same time a self-critical assessment of persecution and its continuity;

the call for a change of perspective in society that recognizes the relevance of racism against Sinti and Roma;

furthermore, the steps already taken, such as the implementation of the first central demands of the report of the Independent Commission on Antigypsyism with the appointment of a Federal Government Commissioner against Antigypsyism and for the Life of Sinti and Roma, the establishment of an advisory board to advise the Commissioner on the identification of fields of

action and the implementation of measures, and an independent reporting and information office on antigypsyism, as well as the adoption of the definition of antigypsyism of the International Holocaust Remembrance Alliance (IHRA) by the Federal Government and the Federal Criminal Police Office. The adoption of the IHRA definition of antigypsyism is recommended to all public institutions;

the "Joint Recommendation of the Standing Conference of the Ministers of Education and Cultural Affairs (KMK) with the Central Council of German Sinti and Roma and the Alliance for Solidarity with the Sinti and Roma of Europe on teaching the history and present of Sinti and Roma in schools".

III The German Bundestag calls on the Federal Government, within the framework of the available budget funds,

1. to ensure the necessary support for the permanent Federal-State Commission on Antigypsyism, as many of the measures to overcome antigypsyism are the responsibility of the federal states;
2. to specifically promote the participation of Sinti and Roma and to continue to support self-organizations in the implementation of social participation;
3. to raise social awareness of our history with regard to the lives of Sinti and Roma, to recognize their cultural achievements and their belonging to German society;
4. to strengthen political education work, for example through the Federal Center for Political Education;
5. to work towards making the offers of the existing organizations for the promotion of talented young people more accessible to Sinti and Roma;
6. to strive for the conclusion of a state treaty;
7. to continue to provide the Federal Government Commissioner against Antigypsyism and for the Life of Sinti and Roma in Germany and the Federal Government Commissioner for Ethnic German Resettlers and National Minorities with the necessary resources;
8. to promote the recognition of 2nd August as European Holocaust Remembrance Day for Sinti and Roma at European level and to commemorate 2nd August 2024 with dignity;
9. to further develop the national strategy "Combating Antigypsyism, Ensuring Participation!" of the Federal Ministry of the Interior and Home Affairs and to take up the recommendations of the UKA;
10. to further develop the "Advisory Committee on German Sinti and Roma Issues at the Federal Ministry of the Interior and for Home Affairs" through regular participation by the Federal Government Commissioner against Antigypsyism and for the Life of Sinti and Roma in Germany;
11. to promote and support the participation of representatives of the Sinti and Roma minority in structures in the public sector, e.g. in scientific institutions and authorities, and to make their involvement as permanent as possible. This applies in particular against the background the allocation of funding for the visualization of antigypsyism by these same bodies;
12. to establish a commission for reappraisal of the injustice committed against Sinti and Roma in the Federal Republic of Germany and the GDR for the period after 1945 up to the present day, to participate in the reappraisal; to promote the collection, indexing and accessibility of the relevant files, in particular sources from the National Socialist era, from the area of reparations, the legal reappraisal and personal files of the perpetrators; To examine, with the involvement of the Central

Council, the commissioning of an independent scientific study on the ruling practice of the Federal Court of Justice in the context of the restitution proceedings of Sinti and Roma; to involve the Documentation and Cultural Centre of German Sinti and Roma as a recognized specialist institution of the minority and self-organizations of the Sinti and Roma in all measures of reappraisal;

13. to address the research desiderata identified in the UKA report by expanding research funding accordingly and to promote long-term research projects that deal specifically with both the historical development and contemporary forms of antigypsyism; one focus should be on practice-related research projects; in addition, the Federal Government should advocate expanding the "Antigypsyism Research Centre" at the University of Heidelberg into a "Centre for Antigypsyism Research" and consider funding it;

14. to keep alive the memory of the Sinti and Roma persecuted and murdered by the Nazi regime and to promote commemorative, remembrance and educational work; to further promote the establishment of a collection, the further development of the archive and research work at the Documentation and Cultural Center in Heidelberg as well as temporary exhibitions and forms of education from the perspective of Sinti and Roma;

15. to ensure that Sinti and Roma affected by Nazi persecution are treated equally to Jewish victims of Nazi persecution in administrative practice, as well as to expand humanitarian aid programs for elderly surviving Sinti and Roma in Germany and Europe and to promote programs aimed at strengthening self-empowerment for members of the successor generations;

16. to recognize as an injustice the expatriation of German Sinti and Roma during the National Socialist era, which was mostly carried out de facto with the confiscation of German identity papers and continued after 1945 or only revised under most difficult conditions, and to come to terms with the extent and consequences for those affected and their descendants, as well as to enable them to receive special information and assistance for the re-acquisition of German identity papers or recognition of German citizenship;

17. to ensure, to the extent provided for in national, European and international refugee law, that experiences of discrimination in countries of origin within the framework of state structures and in everyday life are taken into account in asylum procedures for Roma refugees;

18. to reduce the number of unreported cases and improve the reporting of antigypsyist crimes; promote the fight against and prosecution of punishable antigypsyist posts and comments in social media, as they are among the most relevant fields of racializing ideology; existing initiatives against hate speech and racism in social media should also focus more on the topic of antigypsyism; to have the Federal Government Commissioner against Antigypsyism and for the Life of Sinti and Roma in Germany, together with the Federal Ministry of Justice, examine whether the protection of Sinti and Roma against hate crime under criminal law is sufficient and to work together with the federal states towards the introduction of crime statistics;

19. to continue the critical examination of antigypsyism in the security authorities and the judiciary, also with regard to the outdated traditions of their own authorities, and to recommend that the security authorities continue the process of understanding with self-organizations; to continue to make the leading role of the police in the Nazi genocide and the continuities after 1945 part of the training and further education of police officers and to further train the law enforcement authorities in order to further improve the recognition of antigypsyist motives; 20. to ensure funding for the civil society monitoring office "Reporting and Information Point Antigypsyism" beyond 2024;

21. to work towards recognizing antigypsyist attitudes, which the UKA report has identified as a central obstacle to the equal participation of Sinti and Roma, through education and training measures, process analyses and scientific studies in federal authorities and, where present, to dismantle them and to stimulate a comparable process in the federal states and municipalities. The Federal Criminal Police Office and the Federal Police are already taking numerous measures to perform their duties without prejudice or discrimination;
22. to promote national and international child and youth work for Sinti and Roma;
23. to promote the nationwide action week against antigypsyism and for the life of Sinti and Roma in Germany under the auspices of the Federal Government Commissioner against Antigypsyism;
24. to work at European level to ensure that antigypsyism is also outlawed there and that the human rights of Sinti and Roma are also strengthened in other European countries within the framework of bilateral relations and the institutions of the EU and the Council of Europe. In particular, this means working towards the implementation of the EU Strategic Framework for Equality, Inclusion and Participation of Sinti and Roma (2020-2030) in exchange with European partners and taking into account the recommendations for action made by the Parliamentary Assembly of the Council of Europe in Resolution 1927 (2013: "Ending discrimination against Roma children") and 2153 (2017: "Promoting the inclusion of Roma and Travellers") and the Committee of Ministers on the Council of Europe Framework Convention for the Protection of National Minorities adopted by Germany;
25. to emphasize the importance of equal participation of the minority and the fight against antigypsyism also in the context of the EU accession processes of the countries in the Western Balkans, but also for Ukraine and Moldova, and to strengthen this focus in the programmes and measures funded by Germany;
26. to include the situation and needs of the Roma in Ukraine in the area of humanitarian aid and in reconstruction planning in all bilateral and multilateral processes with the participation of Roma self-organizations, and to strengthen social acceptance of the Roma minority as an integral part of Ukraine;
27. to instruct the Federal Government Commissioner against Antigypsyism and for the Life of Sinti and Roma to submit a report to the Bundestag on the status of the fight against antigypsyism in Germany, inter alia against the background of the UKA recommendations for action, during the 20th legislative period and every four years from 2025 onwards.

IV. The German Bundestag reiterates its commitment to

resolutely oppose any form of antigypsyism as soon as it arises. The working definition of the International Holocaust Remembrance Alliance (IHRA) defines antigypsyism as follows:

"Antigypsyism manifests itself in individual expressions and actions as well as institutional policies and practices of marginalization, exclusion, physical violence, degradation of Sinti and Roma, and hate speech directed at Sinti and Roma and other individuals or groups who were or are stigmatized or persecuted during the Nazi era and still today [...]."

A strong and diverse Sinti and Roma community enriches coexistence and strengthens cohesion in our country and Europe."

Berlin, December 13, 2023

The Committee on Internal Affairs and Community

Dr. Lars Castellucci

Deputy Chairman

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I. Referral

At the 236th session of the 19th German Bundestag on June 24, 2021, the briefing on printed matter 19/30310 was referred to the Committee on Internal Affairs and Community as the lead committee and to the Committee on Sports, the Committee on Legal Affairs, the Committee on Labour and Social Affairs, the Committee on Human Rights and Humanitarian Aid, the Committee on Culture and the Media and the Committee on Digital Affairs for joint deliberation. With number 4 of printed matter 20/1207, the information was referred again to the committees involved at the 28th session of the 20th German Bundestag on April 7, 2022.

II Opinions of the committees providing advice

The Committee on Sports, the Committee on Legal Affairs, the Committee on Labor and Social Affairs, the Committee on Human Rights and Humanitarian Aid, the Committee on Culture and the Media and the Committee on Digital Affairs recommended taking note of the information in their respective meetings.

III Course and results of the deliberations in the lead committee

At its 66th meeting on 13 December 2023, the Committee on Internal Affairs and community conclusively discussed the briefing on printed matter 19/30310 and, with the votes of the SPD, CDU/CSU, Alliance 90/The Greens and FDP, with the abstention of the AfD parliamentary group recommended the adoption of the recommended measures defined in the resolution (motion for a resolution by the SPD, CDU/CSU, Alliance 90/The Greens and FDP parliamentary groups and Stefan Seidler on committee document 20(4)362).

IV. Justification

The **SPD parliamentary group** argues that one in three people are prejudiced against Sinti and Roma. They are the most rejected group, which is alarming in view of their historical responsibility. The report provides many important findings and recommendations for action. Thankfully, there is now a broad majority in Parliament that is dedicated to combating antigypsyism. This is why there is the intergroup resolution, which makes two things clear: we stand by our historical responsibility and recognize and combat current discrimination. This broad basic consensus be a clear sign against antigypsyism. Thanks were expressed for the cooperation and in particular to Petra Pau MP for her longstanding commitment to the rights of Sinti and Roma. The results of the UKA and the figures from the registration office show that there is a serious problem. There is a broad community of Sinti

and Roma in Germany, families who have lived here for centuries, survivors of the Nazi era, the Porajmos and immigrants from Eastern Europe, as well as numerous civil society organizations such as the Central Council of German Sinti and Roma. This diversity must be recognized. The Independent Commission on Antigypsyism was involved in the drafting of the motion, as were the federal commissioners Dr. Daimagüler and Pawlik. While social cohesion is in danger, democrats must be upright and not allow minorities to be marginalized. It was therefore valuable that the motion was so widely supported.

The **CDU/CSU parliamentary group** summarized that the grand coalition had already given the issue appropriate attention in the last legislative period by setting up the Independent Commission on Antigypsyism, which resulted in the 2021 report. Former Interior Minister Seehofer was very committed to this. The report impressively describes the suffering and genocide of the Sinti and Roma during the Nazi era and the persecution and oppression in the post-war period. The importance of compensating the surviving victims of National Socialism and coming to terms with the injustices of the post-war period had already been emphasized earlier, as had the appointment of an antigypsyism commissioner and a federal-state commission on antigypsyism. The antigypsyism commissioner has now started his work and the federal-state commission will soon begin. Nevertheless, the commissioner would have been better placed in the Federal Ministry of the Interior. The motion is the first step and will be introduced and decided on by all parliamentary groups. The Central Council of Sinti and Roma plays an important role. They would have liked to have made this clear in the demands section of the motion, but this was not feasible. It was crucial that the demand for a state treaty and compensation for survivors was included. The motion would help to recognize injustices that have occurred and to reduce discrimination. The life, culture, traditions and history of Sinti and Roma need to be made more visible.

The **BÜNDNIS 90/DIE GRÜNEN parliamentary group** pointed out that the Central Council of Sinti and Roma had stated in its press release on this resolution that this intergroup motion would do justice to the expectations of the largest minority in Germany and Europe. It also recognizes the historical responsibility for the 600-year German history of the minority and the Holocaust. The police in particular played a role in the persecution of the Sinti and Roma, which is made clear in the motion with the BKA's reappraisal. Sinti and Roma had been racially recorded, persecuted and picked up by the police. Both the BKA and, to an increasing extent, the state criminal investigation offices are increasingly taking a self-critical look at the post-1945 process. It is therefore all the more important to strengthen the federal-state commission that has been initiated. Many other areas were also addressed in the UKA report, in particular that the judiciary, police and education should be addressed. The inter-party resolution in the Bundestag sends an important signal to the federal states, which should take action in their area of responsibility. Colleagues should draw attention to the anniversary of the Auschwitz Decree, which marked the beginning of the deportation of the Sinti and Roma in 1942.

The **FDP parliamentary group** expressed its gratitude for the colleagues who had helped to draft the motion. As is appropriate in a parliament, there had been a long struggle and much discussion. The motion was based on broad support and sent a strong signal to Sinti and Roma. It could also be a good guideline for the federal states. Special thanks are due to Christoph de Vries, Member of Parliament, for his support and work within his parliamentary group. The motion contains a good balance of the recommendations of the Independent Commission's report and the many consultations with the federal ministries, the commissioners and also those affected. Very good formulations have been found that address the importance of the various subject areas and at the same time do not convey any unrealistic expectations to the community.

The **AfD parliamentary group** emphasizes that the injustice committed against the Sinti and Roma in the past as a result of the terrible crimes of National Socialism is beyond question, as are individual cases that still need to be prosecuted today. However, the report presents antigypsyism as a current, historically evolved relationship of power imbalance and violence. Like the report on structural hostility towards Muslims, the report is permeated with assumptions in line with postmodern left-wing social theories. According to this, Germany is permeated by a structural and institutional antigypsyist racism of the present. This is completely exaggerated and cannot be proven empirically. On the contrary, the empirical reality shows Germany to be a land of longing for the Sinti and Roma. The Sinti and Roma living in Germany obviously have to report back to other countries that Germany is a country in which they can live freely and well. The Commission's conclusion is in no way comprehensible or justified. The Commission wants to reshape all areas of life under the pretext of a profound and structural antigypsyism. This is not justified by the content of the study and should be rejected.

Berlin, December 13, 2023

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