



Amnesty International Report 2014/15 - Romania

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Romania

Head of state: **Klaus Iohannis (replaced Traian Băsescu in December)**

Head of government: **Victor Ponta**

A former senior intelligence official confirmed that Romania had co-operated with the CIA to establish a secret prison in the country. Roma continued to experience discrimination, forced evictions and other human rights violations. The parliamentary Commission for the Revision of the Constitution passed an amendment restricting protection against discrimination.

Background

In January, the European Commission expressed concerns about the independence of the judicial system. International and Romanian NGOs expressed concerns over the failure of the authorities to seriously engage with the review process by the UN Committee on Economic, Social and Cultural Rights. In December, the Committee criticized the failure of the government to ensure the effective protection of a wide range of human rights enshrined in the ICESCR, including the right to adequate housing, water and sanitation, and sexual and reproductive rights, in the Committee's first review of the country for over 20 years.

Discrimination – Roma

Roma continued to face systemic discrimination. Public officials used discriminatory and stigmatizing speech against Roma. In February, President Traian Băsescu was fined for the second time by the National Council for Combating Discrimination. During an official visit to Slovenia in November 2010, he stated that "among nomad Roma, very few want to work and many of them, traditionally, live off what they steal." In July, the Cluj-Napoca Court of Appeal found that the government had failed to implement measures promised in the wake of attacks against Roma communities in Hădăreni, including community development projects to improve living

conditions and inter-ethnic relations. The Hădăreni events were among some 30 incidents of mob violence directed at Romani communities throughout Romania in the early 1990s.

In September 2013, the High Court of Cassation and Justice upheld the 2011 decision of the National Council for Combating Discrimination that the concrete wall erected in Baia Mare to separate blocks of houses inhabited by Roma from the rest of the residential area amounted to discrimination.

Housing rights – forced evictions

The concluding observations of the UN Committee on Economic, Social and Cultural Rights called on the government to ensure access to adequate housing for disadvantaged and marginalized groups, including Roma, and to amend the legislation to prohibit forced evictions.^[1]

Local authorities continued to forcibly evict Romani communities. Some were relocated to inadequate and segregated housing, while others were effectively made homeless.

Romani families living for over 40 years in an informal settlement in Eforie Sud, Constanța county, were repeatedly forcibly evicted from their homes. In September 2013, 101 people, including 55 children, were made homeless in severe weather conditions when their homes were demolished following a municipal order. Some of the families were subsequently offered temporary shelter in two abandoned school buildings in highly inadequate living conditions.^[2] In July 2014, seven of the 10 families living in one of the former schools were relocated to segregated and inadequate containers on the outskirts of Eforie Sud, while the remaining three were left homeless. None of the families were provided with remedy or compensation for the violations suffered and for loss or damage to their possessions.

By the end of 2014, Romani families forcibly evicted in August 2013 from the Craica settlement in Baia Mare in connection with a waterworks project co-funded by the Romanian Ministry of Environment, the EU and the European Bank for Reconstruction and Development, had not been provided with adequate alternative housing.^[3] The families continued to live in the improvised housing they built after the 2013 demolitions.

In December 2013, the Cluj-Napoca County Court ruled unlawful the Mayor's decision to forcibly evict around 300 Roma in December 2010 from the centre of the city and resettle them at a site adjacent to a waste dump. The court ordered the municipality to pay damages to the applicants and provide them with adequate housing. In October 2014, following the municipality's appeal, the Cluj Court of Appeal decided to remit the case to the Cluj District Court on the grounds that the case was a matter of private – rather than administrative – law, as the municipality had acted in its capacity of landlord/landowner rather than as a public authority. The case was still pending at the end of the year.

Counter-terrorism and security

In December, a former chief of the intelligence service confirmed that Romania had co-operated with the CIA to establish a secret prison in the country in 2002. The admission followed the release of a US Senate report detailing the CIA's secret detention programme and the torture of detainees. In the report, "detention site black" was alleged to be a secret prison in Romania.

In 2012, Abd al-Rahim al-Nashiri, a Saudi Arabian national currently detained at Guantánamo Bay, lodged a complaint against Romania with the European Court of Human Rights alleging that he had been secretly detained in the capital, Bucharest, between 2004 and 2006.

Torture and other ill-treatment

In July, the European Court of Human Rights ruled that Romania had violated the right to life of Valentin Câmpeanu, an HIV-positive Romani man with a mental illness who died due to inappropriate care and living conditions at the Poiana Mare psychiatric hospital in 2004.

Also in July, the Council of Europe Commissioner for Human Rights criticized the inadequate living conditions and ongoing reports of ill-treatment in institutions for adults and children with mental and physical disabilities, despite the government's longstanding expressed objective to reduce the number of people with disabilities being held in institutions.

The Commissioner also expressed concern over reported cases of excessive use of force by police during searches carried out in Romani homes in Reghin, Mureș, in 2013 and recommended the establishment of an independent complaints mechanism for violations by law enforcement officials.

Sexual and reproductive rights

According to several international and national NGOs, barriers inhibiting women's access to legal abortion services persisted. These included mandatory or biased counselling, conscientious objection by medical practitioners, and limited information about abortion services.

Rights of lesbian, gay, bisexual, transgender and intersex people

In June 2013, the parliamentary Commission for the Revision of the Constitution passed an amendment removing sexual orientation as a protected ground in the anti-discrimination provisions of the Constitution. The Commission rejected at second voting, after passing it initially, an amendment proposing a change in the definition of family to freely consented marriage between "a man and a woman" rather than between "spouses".

1. Romania falls short of its international human rights obligations on Economic, Social and Cultural Rights (EUR 39/004/2014) www.amnesty.org/en/library/info/EUR39/004/2014/en

2. Romanian local authorities must provide housing for homeless families after forced eviction (EUR 39/018/2013) www.amnesty.org/en/library/info/EUR39/018/2013/en; Romania: Families homeless after forced eviction (EUR 39/019/2013) www.amnesty.org/en/library/info/EUR39/019/2013/en; Romanian government is failing homeless Roma in Eforie Sud (EUR 39/021/2013) www.amnesty.org/en/library/info/EUR39/021/2013/en; Romania: Submission to the Pre-sessional Working Group of the UN Committee on Economic, Social and Cultural Rights, 53rd meeting (EUR 39/02/2014) www.amnesty.org/en/library/info/EUR39/002/2014/en

3. How the EBRD's funding contributed to forced evictions in Craica, Romania (EUR 39/001/2014) www.amnesty.org/en/library/info/EUR39/001/2014/en

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