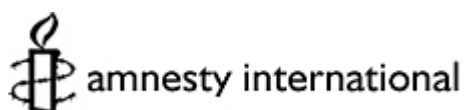


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## Amnesty International Annual Report 2012 - Romania

Head of state: Traian Băsescu  
 Head of government: Emil Boc  
 Death penalty: abolitionist for all crimes  
 Population: 21.4 million  
 Life expectancy: 74 years  
 Under-5 mortality: 11.9 per 1,000  
 Adult literacy: 97.7 per cent

Local authorities were found responsible for discrimination against Roma. New evidence on Romania's involvement in the CIA-led rendition programme was published by a German newspaper. The government was requested to provide information to the European Court in relation to a case of a man who allegedly died in a psychiatric hospital as a result of ill-treatment.

### Background

A new labour code, introduced in response to the requirements of a loan from the International Monetary Fund and the European Commission, led to criticism from trade unions, protests across the country, and, on 16 March, a fifth attempt at a no-confidence vote in the government. The trade unions warned that the legislation stripped away labour rights protections and denied large numbers of workers the right to union representation. The austerity measures, introduced in 2009, also affected the health care system. By 1 April, 67 hospitals had been closed, which raised concerns over accessibility of health care.

### Discrimination – Roma

The legislative proposal to change the name of Roma as a minority to "Tigan" was at first endorsed by the Senate's Commission for Human Rights and Equal Opportunities in February. However, the Senate then rejected the proposal on 9 February, as did the lower chamber of the parliament on 5 April. The proposal had been criticized by NGOs for the pejorative connotations of the name "Tigan".

Use of negative ethnic stereotyping by the President and other high-level public officials continued to be a source of concern. In June, the equality body, the National Council for Combating Discrimination (NCCD), rejected a complaint about allegedly discriminatory remarks made by the President against Roma during an official visit in Slovenia in November 2010. The NCCD held that the anti-discrimination legislation was not applicable to acts committed outside state territory. In October, the NCCD warned the President twice for making statements against Roma on television. It held that these statements violated the anti-discrimination legislation.

- In July, the municipal authorities of Baia Mare, in north-west Romania, built a concrete wall separating blocks of houses inhabited by Roma from the rest of the residential area. NGOs protested against the construction, arguing that it amounted to discrimination and that it would lead to ghettoization. The municipality denied this, claiming that the wall was supposed to protect the inhabitants of the apartment blocks from traffic. In November, the NCCD said that the construction of the wall amounted to discrimination. The municipality was fined 6,000 Romanian new lei (€1,300). The NCCD recommended that the wall should be demolished and that the municipality take measures to improve the housing conditions for Roma.

#### *Right to education*

- The NCCD held in August that separation of Roma and non-Roma pupils in a school in the town of Craiova amounted to both direct and indirect discrimination. The equality body had initially investigated the situation only partially. Following an appeal by the NGO Romani CRIS, the Supreme Court requested a reinvestigation of the case for another school year and as a result found direct discrimination.

#### *Housing rights*

Several municipalities reportedly attempted to evict informal Romani settlements.

- In August, the Mayor of Baia Mare announced a plan to evict, from various areas of the city, hundreds of Roma and other socially disadvantaged people who were not registered as Baia Mare residents and to send them back to their places of origin. National and international NGOs and foreign embassies in the country immediately criticized the plan. The eviction was eventually put on hold. In September, the Mayor said that the municipality would respect national law and international human rights standards.
- On 19 September, the Cluj-Napoca Court rejected the National Railway Company's request to remove the homes of around 450 Roma, including 200 children, in a settlement on Cantonului Street, on the outskirts of the city of Cluj-Napoca. The municipal authorities had reportedly relocated some of the families to the area in 2000. Some of the inhabitants had a verbal agreement with the municipality to construct their houses. Others had rental agreements issued by the municipality.
- On 15 November, the NCCD stated that the relocation of Roma from Coastei Street, in the centre of Cluj-Napoca, to the outskirts near a landfill site in the area of Pata Rât, amounted to discrimination, and fined the municipality 8,000 Romanian new lei (€1,800). The authorities disagreed with the decision and argued that the eviction was not an act of discrimination. The complaint against the municipality was issued by the local Working Group of Civil Organizations (gLOC), which had been set up in response to the forced eviction from Coastei Street in December 2010.

#### **Rights of lesbian, gay, bisexual and transgender people**

The new Civil Code, which entered into force on 1 October, prohibited same-sex partnerships and marriages. It also introduced the derecognition of same-sex

partnerships and marriages legally recognized in other countries.

### Counter-terror and security

In November, the European Committee for the Prevention of Torture asked the Romanian authorities to provide information on why they had failed to investigate the alleged existence of secret detention centres used in the CIA-led rendition programme. The government claimed that there was no proof of the allegations of its involvement in the CIA-led rendition programme, or the existence of secret detention centres on Romanian territory.

On 8 December, the German newspaper, *Süddeutsche Zeitung*, published new evidence that the CIA had tortured and carried out renditions on "suspects of terrorism" in European states, including Romania, in the years following the attacks in the USA on 11 September 2001.

### Torture and other ill-treatment

#### *Mental health institutions*

Investigations were requested into the living conditions and treatment of patients in mental health institutions.

- In June, the European Court of Human Rights asked the Romanian government to submit information on the case of Valentin Câmpeanu, an HIV-positive Romani man with mental illness who died in 2004 at the Poiana Mare Psychiatric Hospital. The official investigation into the circumstances of his death was allegedly marked by procedural irregularities. It did not result in any charges against staff from the institutions where he was kept during the last months of his life. The case was brought to the Court by NGOs, the Centre for Legal Resources and INTERIGHTS, who asked the Court to adapt its admissibility criteria so as to allow NGOs to bring cases on behalf of a person with disabilities, even in the absence of specific authorization. The NGOs argued that inappropriate care and living conditions at the psychiatric hospital directly contributed to Valentin Câmpeanu's death.

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