

Amnesty International Report 2015/16 - The State of the World's Human Rights - Romania

Roma continued to experience discrimination, forced evictions and other human rights violations. Following the release of the US Senate report on the CIA secret detention programme, a new investigation into Romania's co-operation was opened. In April, the UN Committee against Torture reviewed Romania for the first time in 18 years.

Background

In November, Prime Minister Ponta resigned following protests across the country that were prompted by the deaths of 63 people in a nightclub in the capital Bucharest on 30 October. A technocratic government headed by Dacian Cioloş was appointed until the December 2016 parliamentary elections.

Discrimination – Roma

Roma continued to face systemic discrimination and were targeted with hate crimes, including excessive use of force by law enforcement officials. Anti-Roma sentiment continued to be frequently expressed in public and political discourse. A report by the Superior Council of Magistracy on access to justice for Roma and other vulnerable groups concluded that the judiciary was insufficiently sensitive to discrimination and that legal aid rules failed to ensure the affordability of legal representation to vulnerable groups, particularly Roma. The UN Special Rapporteur on extreme poverty and human rights highlighted the “official state of denial” regarding anti-Roma discrimination and raised concerns over a pattern of housing rights violations against Roma, following his visit to the country in November. A new Strategy for the Inclusion of the Romanian Citizens of Roma Ethnicity for 2015-2020 was adopted in January.

Housing rights – forced evictions

In April, a demolition order issued by the municipality of Cluj-Napoca against 300 Roma living in the centre of the city in December 2010 was ruled unlawful by the Cluj-Napoca District Court. The residents were forcibly evicted within 24 hours and resettled near a waste dump. The Court ruled that the order was insufficiently reasoned, and was executed without prior consultation with affected residents and the offer of adequate alternative accommodation. It also failed to allow sufficient time for its legality to be verified by the Prefect.

About 30 Roma, half of them children, living in the town of Eforie Sud, in Constanţa county, remained at risk of forced eviction at the end of the year. They had been ordered to vacate the publicly owned property they had been occupying since October 2013 following their earlier forced eviction from a long-standing informal settlement.¹

In July, 22 Roma, including five children, were forcibly evicted by local authorities from the Pirita settlement in Baia Mare. Local authorities stated that the demolition was carried out under a policy to identify and demolish buildings that were illegally constructed on public land in Craica, Pirita, Ferneziu and Gării – all informal settlements inhabited mainly by Roma.

Police and security forces

In May, the UN Committee against Torture expressed concern over persistent reports of racist crimes against Roma, including the excessive use of force by police resulting in deaths in custody. In January, the European Court of Human Rights ruled that the authorities violated the right to life and the right not to be subjected to inhuman treatment and to discrimination of the Romani community of Apalina, in Mureş county, during a law enforcement operation in 2006 which resulted in 21 people suffering injuries, including gunshot wounds.

Counter-terror and security

After the release in December 2014 of the US Senate report on the CIA detention and interrogation programme, Ioan Talpeş, former national security adviser to then President Ion Iliescu, admitted that Romania allowed the CIA to operate “one or two” secret sites in the country. Talpeş stated that people were “probably” detained and ill-treated in Romania in 2003-2006, and that he had informed the then president of the CIA activities.² The Prosecutor General claimed in January 2015 that an investigation into the allegations had been initiated.

The case of Abd al-Rahim al-Nashiri, a Saudi Arabian national currently detained at the US detention facility at Guantánamo Bay, Cuba, remains pending at the European Court of Human Rights. He lodged a complaint against Romania, alleging that he had been held and tortured in a secret site in Bucharest between 2004 and 2006.

In September, a European Parliament delegation called on the government to conduct an effective investigation into reports of a secret site on its territory, after being denied access to a building in Bucharest that allegedly hosted such a site.

Torture and other ill-treatment

In May, the UN Committee against Torture criticized the treatment and living conditions of people with mental disabilities in psychiatric facilities, and the lack of investigation into thousands of deaths in these institutions over the last decade. There are still around 25,000 children in 717 institutions across the country, despite long-standing commitments to reduce the number of people with mental and physical disabilities in psychiatric institutions.

The Committee also expressed concern over the inadequacy of police detention facilities, the low number of prosecutions and convictions in cases of ill-treatment and torture and the lack of an independent complaints mechanism for violations by law enforcement officials.

Refugees and asylum-seekers

Asylum-seekers continued to face obstacles in accessing asylum proceedings. Rejected asylum seekers and Dublin returnees – asylum-seekers due to be transferred from one EU state to another, under the Dublin III regulation – continued to be detained unnecessarily. Recognized refugees faced obstacles in accessing education, housing and health care.

Around 900 people applied for asylum between January and September 2015, compared to around 1,150 people in the same period in 2014. Romania opposed the mandatory quotas for the relocation of people in need of international protection from Greece, Italy and other EU member states. Following the adoption of the scheme in September, Romania was earmarked to receive 6,351 refugees over a period of two years.

1. Romania: Eforie municipality threatens to evict Roma families third time in two years ([EUR 39/1560/2015](#))
2. Europe: Complicit governments must act in wake of US Senate torture report ([News story](#), 20 January); Europe: Breaking the conspiracy of silence: USA's European "partners in crime" must act after Senate torture report ([EUR 01/002/2015](#)); USA: Crimes and impunity: Full Senate Committee report on CIA secret detentions must be released, and accountability for crimes under international law ensured ([AMR 51/1432/2015](#))

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