

URGENT ACTION

ROMA COMMUNITY EVICTED, SOME LEFT HOMELESS

On 17 December, the authorities of Cluj, in north-western Romania, forcibly evicted a Roma community. Some of the families have been moved to housing units that do not meet the criteria of adequate housing, while others are homeless. According to local NGOs and testimonies from local Roma, other Roma communities in Cluj are at risk of being forcibly evicted.

On 15 December, approximately 56 families on Coastei Street received oral notification that they had to leave their homes by 17 December, as on this date all improvised barracks and shacks would be demolished. No consultation of the affected community on the eviction plan was conducted in a full and participatory way. No feasible alternatives to eviction had been explored. The community was not given the opportunity to challenge the eviction decision, they were given no opportunity to engage with the decision-making process. No written, detailed notification was given to all involved evictees sufficiently in advance.

On 17 December, at around 6am, police and gendarmerie, together with city hall representatives arrived at Coastei Street and told the community to move their belongings by the end of the day. Subsequently, 40 families were rehoused in new housing units in the outskirts of the city in the Pata Rat area, which are located close to a garbage dump. The remaining families were not provided with alternative housing. Allegedly they will be allowed to build self-improvised barracks in the area next to the new buildings, while no alternative at all were offered to those refusing to move.

According to testimonies from the local community and information from NGOs, several families have been rendered homeless by the eviction, as they did not receive a room in the housing unit nor other alternative housing. Adults and children are reportedly sleeping outdoors, where the temperature can reach minus 10 degrees at night. Access to work opportunities and public services is difficult, as the closest bus stop is approximately 4 km away. This makes it difficult for the children to attend school.

PLEASE WRITE IMMEDIATELY in English or your own language:

- Urging the city authorities to provide adequate alternative housing for the families affected, in particular to the people rendered homeless as a matter of urgency;
- Reminding the city authorities that relocation sites must fulfil the criteria for adequacy of housing under international human rights law;
- Urging the city authorities to ensure that any evictions are carried out only as a last resort and in full compliance with international human rights standards, with genuine consultation with the affected community to identify all feasible alternatives to evictions and resettlement options;
- Urging them to comply with requirements under human rights law that people are not forcibly moved to their original places of residence and prevented from returning to Cluj.

PLEASE SEND APPEALS BEFORE 02 FEBRUARY 2011 TO:

Mayor of Cluj-Napoca

Sorin Apostu
Str. Motilor 5
Cluj-Napoca 400001, Romania
Fax: +40 264 599 329
Email:
sorinapostu@primariaclužnapoca.ro

Copies to:

Prime Minister
Emil Boc
Guvernul Romaniei
Piata Victoriei nr. 1,
Sector 1, Bucuresti, Romania
Fax: +40 21 313 98 46
Email: drp@gov.ro

President

Traian Basescu
Palatul Cotroceni,
Bulevardul Geniului nr. 1-3
Cod postal 060116
Sector 6 - Bucuresti ,Romania
Fax : +40 21 410 38 58
Email: procetatean@presidency.ro

Also send copies to diplomatic representatives accredited to your country. Check with your section office if sending appeals after the above date. This is the first update of UA 256/10. Further information: <http://www.amnesty.org/en/library/info/EUR39/007/2010/en>

**AMNESTY
INTERNATIONAL**



URGENT ACTION

ROMA COMMUNITY EVICTED, SOME LEFT HOMELESS

ADDITIONAL INFORMATION

The new housing units provided to 40 of the families do not comply with the criteria of adequate housing. Each housing unit contains four rooms and one shared bathroom for four families (a 16-18 sqm room was allocated per family, regardless of the number of its members). One of the Roma said, "the room is very small; the water from outside is coming through the walls. It is really bad, It is a nightmare...When my daughter who is 16 years old has to change, I have to get out of the room. This is no place to stay with a family... Next to me, there is a family of 13 people, including 11 children, who live in a room...It is really bad". The housing units do not contain a cooking space or kitchen. No hot water or gas connection is provided, although water, sewage and electricity are supplied. "We have no kitchen, we improvised a stove in the room but the smoke does not let us breathe". The families incurred great material losses due to the eviction and relocation as they had to give up some of their belongings due to the limited space. "We just have place for two beds and the rest of us sleep on the floor. Nothing else fitted in the room".

Amnesty International visited Cluj and the Roma communities living in Coastei and Cantonului streets in early December 2010. The Roma communities were anxious about the threat of possible eviction. They told Amnesty International that in the past several months, the city authorities had announced that they were to be evicted. The community in Coastei is situated about a five-minute walk from the city centre. The households received mail to their address and at least some of them are connected to the electricity supply.

The city authorities confirmed during a meeting with Amnesty International on 8 December that they planned to move the families from Coastei Street to new housing units in Pata Rat area. They stated that the future tenants would receive short-term rental contracts which may be extended. The municipality quoted multiple complaints from the staff of the nearby public library and an office of a multinational company in the proximity of the Coastei Street as the reasons for the eviction.

Under international law, evictions may be carried out only as a last resort, once all feasible alternatives have been explored in genuine consultation with the affected communities. The authorities then have a duty to provide them with adequate notice, legal remedies, adequate alternative housing and compensation. They must ensure that persons are not rendered homeless or vulnerable to the violation of other human rights as a consequence of eviction. According to international standards, evictions should not be carried out in particularly bad weather or at night.

Romania is a party to a range of international and regional human rights treaties which strictly require it to prohibit, refrain from and prevent forced evictions. These treaties include the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the International Covenant on the Elimination of All Forms of Racial Discrimination, and the Revised European Social Charter. The UN Committee on Economic, Social and Cultural Rights has emphasised in its General Comment 7 that evictions may be carried out only as a last resort, once all other feasible alternatives to eviction have been explored. Even when an eviction is considered to be justified, it can only be carried out when appropriate procedural protections are in place and if compensation for all losses and adequate alternative housing is provided.

As a state party to the International Covenant on Civil and Political Rights, Romania is also under the obligation to ensure to everyone lawfully residing within its territory has the right to move freely and to choose his or her place of residence. Amnesty International is therefore concerned at the allegations that persons who are not originally from Cluj will be sent back to the places of their original residence, as this would violate their right to freedom of movement and to choose their place of residence.

Further information on UA: 256/10 Index: EUR 39/008/2010 Issue Date: 22 December 2010

**AMNESTY
INTERNATIONAL**

