

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Romania: Roma families forcibly evicted in Cluj-Napoca still waiting for justice and adequate housing a year on

One year after the forced eviction of 76 families (356 people), the majority Roma, from the centre of Cluj-Napoca in north-western Romania, Amnesty International stands in solidarity with the individuals affected in their fight for justice.

On 17 December 2010, the 76 families were forcibly evicted without adequate notice by local authorities from the centre of the city of Cluj-Napoca, in north-western Romania. No consultation with the affected families took place prior to the eviction and no feasible alternatives to the eviction were explored. Those evicted were not given any written or detailed notification with sufficient notice, nor the opportunity to challenge the eviction decision. Forty of these families were relocated to inadequate housing conditions on the outskirts of the city (in Pata Rat), close to the city's garbage dump and a former chemical waste dump, while the remaining families were left without alternative housing.

Amnesty International is calling on the local authorities of Cluj-Napoca and the government of Romania to provide effective remedies and reparations to the victims of the forced eviction. The organization is deeply concerned that one year later the authorities have failed to acknowledge the human rights violation committed and to provide the affected families with adequate housing allowing them to live in dignity and enjoy their right to adequate housing without discrimination.

Amnesty International is concerned that the local authorities continue to deny that the forced eviction and the relocation of the families from Coastei Street to Pata Rât constituted a human rights violation and they continue to ignore the impact and the consequences that the forced eviction continues to have on the lives of the individuals and families affected.

Cluj-Napoca authorities should provide immediate solutions to address the needs of the individuals resettled, following the eviction, to inadequate housing on the outskirts of the city. These include ensuring access to regular transport and health care services, whilst, at the same time, engaging in a genuine consultation with the affected families in developing a plan for their relocation to alternative adequate housing, which complies with requirements under international and regional human rights standards to which Romania is a party.

Amnesty International brought the case of the 76 families forcibly evicted last December in Cluj-Napoca to the attention of the future Danish Presidency of the Council of the European Union (EU) that will take office on 1 January 2012. Amnesty International is calling on the Presidency to act on behalf of the individuals affected and show their commitment to the rights of the Roma in the EU, including by urging the Romanian authorities to ensure that victims of forced evictions in the country have access to an effective remedy, including access to justice and reparations. Amnesty International also asked the forthcoming Danish Presidency to call on Romania to amend its housing law to prohibit forced evictions, include safeguards which must be complied with before any eviction is carried out, and to bring the law into line with international and regional standards on the right to adequate housing.

Background

Following last December's forced eviction from Coastei Street, 40 families were re-housed in entirely inadequate housing on the outskirts of the city (in Pata Rât), close to the city's garbage dump and a former chemical waste dump, approximately 3km from the closest bus stop. The modular housing provided does not comply with either international or Romanian standards on adequacy of housing, particularly in relation to location, habitability and availability of services, facilities and infrastructure. Each housing unit consists of four rooms – each between 16 or 18 m² – each room being occupied by one or more families and all sharing one communal bathroom. Although water, electricity and sewage are provided, sanitation facilities are clearly inadequate, the rooms do not have protection from, and are prone to, damp and mould and there is no gas connection.

The remaining 36 families were left without alternative housing. Some were allowed to build improvised shelters on agricultural land next to the modular houses, while the ones who did not have money for construction materials were left homeless.

On 19 June 2011, the Mayor of Cluj-Napoca signed a Memorandum of Understanding with the United Nations Development Programme, committing to joint activities for the improvement of social inclusion and housing situation of the disadvantaged families, including of Roma families, in the context of urban development. However, to Amnesty International's knowledge, a concrete plan has yet to be developed by the local authorities in Cluj-Napoca.

On 15 November 2011, the National Council for Combating Discrimination (NCCD), the equality body in Romania responsible for the monitoring of the implementation of anti-discrimination legislation, found that the relocation of the Roma from Coastei Street by the local authorities next to the garbage dump of Pata Rât constituted an act of discrimination. The NCCD fined the local authority and recommended that the municipality find a solution for the housing situation of the Roma relocated to the Pata Rât area.

Romania is 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 emphasized 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. According to international standards, evictions should not be carried out in particularly bad weather or at night. Amnesty International is deeply concerned that the failure of the local authorities to provide redress to the families who were forcibly evicted in 2010 violates international human rights obligations included in several human rights instruments Romania is a party to.

In its Memorandum to the forthcoming Danish Presidency of the Council of the European Union (EU), Amnesty International has asked the Presidency to take a clear stand against anti-Gypsyism and lead the member states in tackling discrimination against Roma people while implementing their national Roma integration strategies.

Read more

Mind the legal gap – Roma and the right to housing in Romania

<http://www.amnesty.org/en/library/info/EUR39/007/2010/en>

Recommendations to the Danish EU Presidency – January/June 2012

http://www.amnesty.eu/content/assets/Doc2011/Danish_recommendations_EU_memo_Eng5_eio.pdf

Urgent Action 256/10: Forced Evictions of Roma in Romania

<http://www.amnesty.org/en/library/info/EUR39/007/2010/en>

Update to Urgent Action 256/10: Roma community evicted, some left homeless

<http://www.amnesty.org/en/library/info/EUR39/008/2010/en>

The “thin line” between social inclusion and ethnic segregation

<http://livewire.amnesty.org/2011/02/09/the-%E2%80%9Cthin-line%E2%80%9D-between-social-inclusion-and-ethnic-segregation/>

“Allow us to live in dignity – calling an end to forced evictions in Romania”

<http://livewire.amnesty.org/2011/10/05/%e2%80%9callow-us-to-live-in-dignity%e2%80%9d-%e2%80%93-calling-an-end-to-forced-evictions-in-romania/>

For editors

This work is part of Amnesty International’s Demand Dignity campaign which aims to end the human rights violations that drive and deepen global poverty. The campaign will mobilise people all over the world to demand that governments, corporations and others who have power listen to the voices of those living in poverty and recognise and protect their rights. This work is also part of the Fight Discrimination in Europe campaign.

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