

AMNESTY INTERNATIONAL EUROPEAN ROMA RIGHTS CENTRE GRUPUL DE LUCRU AL ORGANIZAȚIILOR CIVICE (gLOC)

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Romania: Equality Body decision on discrimination of Roma by Cluj-Napoca municipality now final

The municipality of Cluj-Napoca discriminated against Roma inhabitants who were forcibly evicted from the centre of the city to its outskirts in December 2010. This was stated in the decision of the Romanian equality body which became final on 28 May 2013. The High Court of Cassation and Justice dismissed, on procedural grounds, the appeal filed by the Cluj local authority. This is the second final decision of Romanian equality body in which a municipality was found accountable for an eviction of Roma.

In November 2011, the National Council for Combating Discrimination (NCCD) found that the “eviction of the Roma community [from Coastei Street (Cluj-Napoca) by the local authorities] and their relocation close to the city’s landfill and chemical waste dump” constituted an act of discrimination. The NCCD fined the local authority, and recommended that the municipality found a solution for the housing situation of the evicted Roma inhabitants. The local authority contested the NCCD decision and associated fine in two instances, at the Court of Appeal of Cluj and subsequently to the High Court of Cassation and Justice. Both appeals were rejected on procedural grounds.

The Working Group of Civil Society Organizations (gLOC), Amnesty International (AI) and the European Roma Rights Centre (ERRC) welcome the recent decision of the High Court of Cassation and Justice, under which the municipality is now bound to pay approximately 2000 euros, the highest possible fine for ethnic discrimination under Romanian equality law.

The organizations are also concerned that almost three years later the municipality of Cluj-Napoca has yet to remedy for the human rights violations suffered by the inhabitants of Coastei Street as a result of the eviction.

In the light of the NCCD decision becoming final, gLOC, AI and ERRC are calling on the local authority to immediately relocate the forcibly evicted individuals to adequate housing.

Background

On 17 December 2010, 76 families, the majority of whom were Roma, were forcibly evicted 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. Forty of the families were relocated to inadequate housing conditions, while the remaining 36 families were left without alternative housing.

For the past two years, gLOC, Amnesty International and the ERRC have been supporting the community from the former Coastei Street in their struggle for justice and dignity.

More than two years after the forced evictions, the authorities have failed to provide the affected individuals with adequate housing allowing them to live in dignity and enjoy their right to adequate housing without discrimination. The municipality continues to ignore the impact and the consequences that the forced eviction continues to have on the lives of the individuals and families affected.

Amnesty International has documented that forced evictions and relocation in inadequate housing conditions of Romani communities from informal settlements form a [pattern](#) throughout Romania.

Major [shortcomings](#) in the current Romanian framework, such as lack of a minimum security of tenure for all, prohibition of forced evictions and racial segregation, continue to expose many people, particularly those from marginalized community, to forced evictions. These shortcomings amount to a failure of Romania to put in practice its commitments stemming from the international human rights standards.