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Romania legal system condemning Roma to poor housing

Romania's poorest and most disadvantaged citizens cannot access adequate housing because of the country's legal system, Amnesty International said in a briefing published today.

[*Mind the legal gap: Roma and the right to housing in Romania*](#) documents the stories of Roma individuals and communities across the country and highlights the need for human rights reforms to laws governing housing.

"Widespread intolerance and prejudice against Roma combined with the lack of adequate housing laws have given local officials carte blanche to openly discriminate against them," said Barbora Cernusakova, Amnesty International's Researcher on Romania.

"The human right to adequate housing is not recognized or adequately protected in Romanian law. This can affect every citizen of Romania, especially the most vulnerable and marginalized," added Barbora Cernusakova.

"When the authorities evict Romani communities against their will, without adequate consultation, notice or alternative housing, they are violating international treaties that the government of Romania has signed up to. This also applies to the resettlement of Romani communities to inadequate and segregated housing."

Some 2 million Roma live in Romania, about 10 per cent of the total population. According to government statistics, as many as 75 per cent live in poverty, compared to 24 per cent of Romanians in general.

Roma rarely own land and property and they are further disadvantaged by the lack of social housing in a country where 97 per cent of housing is private.

Although some Roma people live in permanent structures with legal tenancy, the authorities consider many longstanding Romani dwellings as "informal" or illegal, and their inhabitants do not have any documentary proof of tenancy, which makes them more vulnerable to evictions. Currently, Romanian law does not protect these people from forced evictions, even though these are illegal according to international standards binding Romania.

Amnesty International and other NGOs have documented a series of cases where Roma communities had been forcibly evicted and resettled in a way that created or entrenched segregation.

On 17 December 2010, the authorities in Cluj-Napoca, the third largest city in Romania, forcibly evicted 56 Romani families from the city centre, where some of them had been living for about 25 years.

The community was not given sufficient notice, no consultation had been conducted and no feasible alternatives to eviction had been explored. Roma were also not given the opportunity to challenge the eviction decision.

Forty families were placed in new housing units on the outskirts of the city, on a hill above a long-standing Romani settlement where people are living in inhumane housing conditions. The new housing units are located close to the city's garbage dump and a former chemical waste dump. Each housing unit consists of four small rooms occupied by different families and sharing one bathroom. The remaining 16 families, who had been left homeless as a result of the forced eviction, were allowed to build their own dwellings next to the new buildings but had not been given any contract that would provide some security.

George, one of the evicted Roma told Amnesty International:

“The room is very small; the water from outside is coming through the walls. It is really bad, it is a nightmare... Whenever my 16-year-old daughter 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 one room... it is really bad”.

The closest bus stop is approximately 3km away making it difficult for people to go to school or to work or to visit a doctor. People who used to live in the centre of the city among the rest of the population, have found themselves de facto segregated.

“Romani people are not only discriminated against when it comes to housing, they also cannot get justice when they are wronged as, often, they do not have the necessary information and resources to do it,” said Barbora Cernusakova.

“In addition, the Romanian government has so far failed to introduce an effective system that would hold local authorities accountable for non-compliance with human rights treaties to which Romania is a state party.”

Amnesty International has been campaigning together with Bucharest-based NGO Romani CRISS for justice for the Romani community that was forcibly evicted from the center of Miercurea Ciuc in 2004, to be resettled by local authorities in inadequate housing next to the sewage treatment plant in the outskirts of the city.

“Local authorities and the government of Romania have been consistently ignoring their human rights obligations towards these people, who were thrown away like garbage, and have for the last seven years been living in inhumane conditions as a result of the municipal action.”

“The envisaged reform of the legislation is an opportunity for the government of Romania to bring its national legal framework on housing in line with international and regional human rights standards. It can also ensure that any funds drawn by local and national budgets or the EU will not be used for housing projects breaching international human rights standards.”

Note to editors

This report is part of Amnesty International's Demand Dignity campaign, which focuses on human rights violations that drive and deepen poverty. As part of the campaign, Amnesty International is focusing on human rights violations against people living in informal settlements and slums. Amnesty International is calling on all governments to end forced evictions, ensure equal access to public services, and promote the active participation of people living in informal settlements and slums in decisions and processes that affect their lives.