

URGENT ACTION

STOP FORCED EVICTION OF ROMA IN BAIJA MARE

Around two thousand Roma are facing imminent forced eviction in Baia Mare, north-western Romania. Seventy families are reported to have agreed to being relocated while the remaining residents risk being made homeless. In addition, those inhabitants without identity documents registered in Baia Mare will be evicted, their homes will be demolished and they will be sent to their places of origin.

Approximately 300 Romani families are at risk of losing their homes following notice of eviction and demolition orders being delivered to Craica, Garii and Pirita settlements by the local authorities of Baia Mare. The eviction is scheduled to begin on, or around 3 May.

According to information available to Amnesty International, the local authorities intend to move approximately 70 families from Craica who agreed to the relocation in the former office building of the industrial factory know as CUPROM. The remaining families from Craica refuse to leave their homes and to accept relocation. As no other housing alternative has been made available to them, they are at risk of being made homeless. No indication, or details regarding any alternative housing, were made public or communicated to the families living in the other two settlements of Pirita and Garii. The plans of the local authorities to evict Roma from the informal settlements of Craica, Pirita and Garii fail to meet safeguards required by international human rights law, particularly on the standard of genuine consultation and the obligation to provide alternative housing.

Individuals and families who are not registered in Baia Mare will be sent back to their places of origin. The decision to target individuals lacking identity papers registered in Baia Mare, if carried out, would amount to a punitive measure that deliberately and discriminately targets people lacking residency or other status. This would also violate their right to freedom of movement and to choose their place of residence.

Please write immediately in English, Romanian or your own language:

- Urging the city authorities to halt the evictions until genuine consultation with the affected communities has been conducted in order to identify all feasible alternatives to evictions and resettlement options, and until adequate alternative housing, compliant with requirements under human rights law, is provided to all persons affected;
- Urging the city authorities to ensure that any evictions of the communities currently living in Craica, Pirita and Garii areas are carried out only as a last resort and in full compliance with international human rights standards;
- Urging them to ensure that people are not forcibly sent back to their places of origin or prevented from returning.

PLEASE SEND APPEALS BEFORE 3 MAY 2012 TO:

Mayor of Baia Mare

Catalin Chereches
Primaria Municipiului Baia Mare
Str. Gh. Sincai nr. 37, etaj 1, cam. 9
Baia Mare, Romania
Fax: + 40 262 212 332
Email: primar@baiamarecity.ro
Salutation: Dear Mayor

Prime Minister

Mihai Razvan Ungureanu
Guvernul Romaniei
Piata Victoriei nr. 1
Sector 1, Bucuresti, Romania
Fax: + 40 213 13 98 46
Email: drp@gov.ro
Salutation: Dear Prime Minister

And copies to:

Prefect of Maramures

Sandu Pocol
Institutia Prefectului-Judetul Maramures
Str. Gheorghe Sincai nr. 46
430311, Baia Mare, Romania
Fax: + 40 262 213241
Email: prefect@prefecturamaramures.ro
Salutation: Dear Prefect

Also send copies to diplomatic representatives accredited to your country

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Craica, Pirita and Garii are three of the informal settlements inhabited by Romani individuals across Baia Mare. The rest of the informal settlements include Horea, Ferneziu, and Valea Borcutului. Amnesty International delegates visited Baia Mare in December 2010 and October 2011 and met with Roma inhabitants of informal settlements of Craica, Ferneziu and Horea. In all three areas, Roma individuals live in inadequate conditions and lack access to basic services such as adequate water supply and sanitation facilities. Roma individuals with whom Amnesty International spoke in the Ferneziu and Craica areas expressed their insecurity as a result of the constant threat of eviction, resulting from the lack of formal tenancy, and the absence of adequate information about decisions that affect their lives.

On two previous occasions, Amnesty International opposed announced plans of the municipality to forcibly evict hundreds of Roma and other socially disadvantaged people from informal settlements of Craica, Ferneziu, Horea and Valea Borcutului. In July 2010, the then Vice-mayor announced plans to forcibly evict more than one thousand Roma inhabitants of the Craica neighbourhood and resettle them in an industrial area at the outskirts of Baia Mare in the absence of adequate safeguards that would ensure compliance with international human rights standards. In August 2011, the current mayor of Baia Mare announced the plan to evict hundreds of Roma and other socially disadvantaged people from four areas of the city who did not have identity papers registered in Baia Mare and return them back to their places of origin. Strong reactions arrived from international and national NGOs, but also from USA Embassy in Bucharest. Both times the plans were dropped.

Amnesty International is deeply concerned that the planned evictions in the absence of adequate safeguards will amount to forced evictions, which are prohibited under international law. The European Court of Human Rights, as recently as 24 April 2012, held in a landmark decision that the removal of a Romani community in Bulgaria, from land that they were occupying informally, would be unlawful. The Court emphasized that if a community lived in a place for a number of years, the authorities should not treat it the same as other "routine cases of removal... from unlawfully occupied property". Instead, the authorities have an obligation to show that the eviction is 'proportionate' to the aim being pursued. The authorities also have to consider the risk of people being rendered homeless as a result of the eviction. The judgment should act as a clear guide for all countries that have ratified the European Convention on Human Rights, including Romania, as to how they should treat the issue of Roma housing rights regardless of their tenure status. In addition to the Convention, Romania is a party to a range of other 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 Convention on the Elimination of All Forms of 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 the appropriate procedural protections are in place and if compensation for all losses and adequate alternative housing is provided to all people affected. According to international standards, evictions should not be carried out in particular bad weather or at night, and independent observers should be granted access during the course of an eviction. Under international law, forced evictions and housing demolitions must not be used as a punitive measure against people who lack residency or other status.

As a state party to International Covenant on Civil and Political Rights, Romania is obliged to ensure to everyone lawfully residing within its territory the right to move freely and to choose their own place of residence.

Name: Communities in Craica, Pirita and Garii
Gender m/f: both

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