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Romania: Roma in Baia Mare face threat of forced eviction and harassment

Amnesty International and Bucharest-based organization Romani CRISS are deeply concerned at the threat of forced eviction of Roma from settlements in Baia Mare, in north-western Romania. Representatives of the two organizations visited the city this week to assess the situation following news reports that the relocation of Romani families from the settlements of Craica and Pirită would commence this week.

The two organizations are concerned that the planned relocation has not been preceded by genuine consultation of all affected individuals and that the proposed alternatives are not adequate. As a result, the authorities are not complying with international standards on the right to adequate housing, specifically those related to evictions and on resettlement.

The local authorities appear to have largely delegated the process of liaising with the affected families to certain local Roma political leaders and organizations from the city, who are invited to meetings by local authorities, are provided with information and seem to be making decisions on behalf of all the families affected.

During the last weeks, families from the Craica settlement were told by local Roma leaders that the settlement will be demolished and that they have to either move to a former office building located next to the former industrial factory CUPROM, or choose to receive plots of land at potential locations announced by the municipality, on which they could build housing themselves. Many residents with whom the organizations spoke did not have detailed information about the proposed locations or the terms of their resettlement.

Local authorities have visited Craica, but many residents said they had not been given the opportunity to raise their concerns directly with them and that negotiations are being undertaken with 'representatives'. The organizations are concerned that the consultation process so far has not allowed for the genuine participation of all individuals potentially affected, including as a result of a climate of alleged intimidation by local political leaders. The two organizations are particularly concerned at the disadvantaged position in which single mothers and women-headed households are found when it comes to the consultation process. One woman told Amnesty International: "Nobody listens to me. Whenever I try to speak, they tell me to shut up."

"Nobody from the city hall came here to tell us anything. We get information only through rumors, nobody comes to talk to us, except these so-called Roma representatives" said another Roma woman. A Roma man added: "We heard some information from the Roma representatives, but nobody elected them, they nominated themselves. The local authorities should talk to people from our community, who live here, who know what we are going through; they should not talk only to some representatives who do not have any right to talk on our behalf".

The organizations are deeply concerned at allegations of threats, harassment and intimidation of residents of the settlement by local Roma leaders and self-proclaimed representatives in order for them to accept the proposed resettlement options. Many said they had signed an agreement to move under duress or without having sufficient information about the proposed locations.

“I signed the relocation agreement but I did not know what I was signing. They said that if I do not sign, I would end up homeless. They threatened us that the bulldozers will come on us, that is why we signed,” said a Roma man who told Amnesty International he had decided to renounce the room in the converted-office building.

Most of the residents spoken to by Amnesty International and Romani CRISS during the last couple of days had very little information as to what was going to happen to them. In April demolition orders and eviction notices were served on the inhabitants of Craica, Pirita, and, reportedly, other settlements. These summons request that the residents demolish their own homes and vacate the land on expiry of the 30-day time limit required by the law after the issue date. As the authorities claim this is not an official eviction, they have so far not taken further administrative measures. Residents have therefore not been given sufficient notice about the eviction date in writing.

On the basis of information available so far, the organizations are further concerned that the proposed relocation options do not comply with international standards on the right to housing and relevant Romanian legislation. The converted 3-storey office building reportedly scheduled to host the first 70 families was visited by delegates of the two organisations on 8 May. It has limited sanitation facilities, including only two communal bathrooms for men, and two for women on each floor. Two small kitchen rooms on each floor were not equipped with cooking facilities, taps or any other equipment.

A Romani woman, caring for two disabled children, said: “I have two sick children; I cannot move them to CUPROM and share a communal toilet with so many people. The children need special attention; I can’t wait in a queue to cook for them.”

Romanian housing regulations require that a building designated for residential purposes has the appropriate functional status as such following a construction authorization. A technical expertise of the structure of building, as well as ‘energy audit’, which assesses the quality of the thermal isolation, should be carried out. The regulation also requires that the necessary sanitation facilities be in place. According to information received by Amnesty International, these requirements have not yet been met.

To the knowledge of the organizations, there has not been a study on the impact on the health of the inhabitants, potentially necessary as heavy metals were being processed at the adjacent CUPROM factory when it was in operation. A health certificate had not been issued at the time of a meeting with Amnesty International on 8 May.

The two organizations are also concerned at media reports stating there will be controlled access to the building, including through surveillance cameras and security guards. In addition, the organizations are concerned that those who accept resettlement to the CUPROM building will be vulnerable to evictions in the future, as a private company has conceded the building to the municipality initially for three years. “There is no security there. What would happen after the three years are over? Would we be left on the street?” said one of the Craica residents.

Families that would prefer to receive a plot of land, reportedly to be made available by local authorities as an alternative to apartments offered at the former office building, were told they would initially be given military tents, until they are able to construct something themselves or funding becomes available for the construction of housing.

Following a meeting between Amnesty International and the municipal authorities of Baia Mare on Thursday 10 May 2012, Amnesty International and Romani CRISS reiterate that there must be a process in place that gives all residents the chance to participate in any decisions that will affect their lives, and allows for them to genuinely participate without fear, harassment or intimidation. There must be genuine consultation with the affected communities, whether the authorities are planning an eviction or developing a voluntary resettlement process. Any resettlement that is provided must meet international standards binding Romania.

Background

The European Court of Human Rights, as recently as 24 April 2012, held in a landmark decision 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.

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.

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