

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Romanian local authorities must provide housing for homeless families after forced eviction

About 100 Roma, half of them children, were made homeless in the town of Eforie Sud in south-east Romania on 27 September. This is yet another case of Romani communities being forcibly evicted from their homes by local authorities in violation of international human rights standards that Romania is bound by.

On 19 September, around 100 Roma, received eviction notices informing them that they had until 26 September to vacate the buildings on Agricola Street, otherwise the local authorities would demolish their houses.

According to information received by Amnesty International, a number of the families had lived in the buildings for up to twenty years. Although their houses did not have construction authorization, the local authorities had partly recognized that the families had some form of tenure rights. Some of the residents were registered and had identity documents stating that their address was in Agricola Street and they were connected to electricity and water. In these circumstances the behaviour of the authorities in forcibly evicting the residents was completely disproportionate.

On 25 September, the families initiated legal proceedings challenging the eviction order. However, the local authorities, instead of halting the evictions pending the outcome of the judicial process, completely disregarded it and, on 27 September, police, gendarmes and local officials entered and started to demolish the houses of the Romani families.

The eviction was not preceded by any consultation with the families to explore alternatives to evictions as required by international law and standards. Several families have lost many of their possessions during the demolition; yet, to date they have received no compensation both for these losses and the harm they have suffered so far.

Following Friday's forced eviction, the Romani families – including many children, pregnant women and people with medical conditions – were left homeless. On 30 September, the local authorities offered approximately half of the Roma families temporary shelter in a dilapidated building which does not meet adequate housing standards with no access to any essential services such as water. The remaining half have been left to sleep outside with not even the provision of basic shelter, in conditions which pose severe risks to their health and well-being.

Amnesty International considers that this eviction of Roma from Agricola Street amounts to a forced eviction due to the lack of procedural safeguards and resulting homelessness.

Consequently, Amnesty International is bringing this case to the attention of the Romanian government as yet another example of the impact of the failure to outlaw forced evictions and ensure that all evictions are subject to appropriate safeguards. It calls on the Romanian Prime Minister as well as the Minister of Regional Development and Tourism to take the necessary measures to expressly prohibit forced evictions.

Amnesty International is urging the local authorities in Eforie Sud to:

^ Provide alternative adequate housing for all families affected by the forced eviction as a matter of urgency;

^ Ensure that all the individuals who suffered losses as a result of the forced eviction have access to adequate remedy for all the losses and harm suffered, including compensation;
^ Ensure that evictions are carried out only as a last resort and in full compliance with international human rights standards, including genuine consultation with the affected communities to identify all feasible alternatives to evictions and resettlement options.

Background

A forced eviction is the removal of people against their will from the homes, or land, they occupy, without due process and legal safeguards, including genuine consultation, adequate notice and legal remedies including compensation and the provision of adequate alternative accommodation.

The European Court of Human Rights, held in April 2012, 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 (*Yordanova et al v Bulgaria*).

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 and the International Convention on the Elimination of All Forms of Discrimination.

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