



PUSHED TO THE MARGINS

RECOMMENDATIONS TO THE ROMANIAN GOVERNMENT

Roma in Romania continue to be exposed to forced evictions, threatening their security, pushing them deeper into poverty and reinforcing their exclusion from the rest of society. Despite Romania's international obligations to protect the right to adequate housing for all, loopholes in domestic law mean that Roma and others living in informal settlements remain vulnerable to forced evictions and many experience eviction several times during their lives.

**“WHAT HAPPENED TO US
[SHOULD] NOT BE REPEATED
TO OTHERS. THE LAW SHOULD
BE FOR EVERYBODY AND
SHOULD BE RESPECTED.”**

Ernest Creta, evictee from Coastei Street,
Cluj-Napoca, Romania

In several cases researched by Amnesty International, local authorities have consistently failed to undertake genuine consultation with people affected by eviction or to ensure access to effective remedies, violating their right to challenge decisions and actions and obtain adequate redress. Those affected by forced evictions are frequently relocated to inadequate housing or made homeless. In all cases, forced evictions in Romania are being undertaken before all feasible alternatives have been explored.

Since 2010, Amnesty International has been calling on the Romanian government to end forced evictions of Roma and other vulnerable groups. Despite some acknowledgement by the authorities that forced evictions are “unacceptable”, there has been no progress in prohibiting them in law in Romania.

RECOMMENDATIONS

In order to end forced evictions in Romania and ensure that both local and national authorities comply with international standards on the right to adequate housing, the government should:

Ensure protection of the right to adequate housing in national legislation as recommended by the UN Committee on Economic, Social and Cultural Rights, and:

- Guarantee in law that everyone has at least a minimum degree of security of tenure, which provides them with protection against forced evictions, harassment and other threats;

- Amend Romanian housing legislation so that it expressly prohibits forced evictions and establish safeguards in line with international human rights standards which must be complied with before an eviction is carried out;

- Adopt national eviction guidelines which set out the process that must be followed for all evictions. These should include:

- An obligation to carry out genuine consultation with the individuals affected;

- Adequate and reasonable notice for those affected prior to the eviction;

- Information on the proposed eviction and, where applicable, on the intended purpose for which the land or housing is to be used;

- Provision of compensation for all losses and other appropriate remedies such as restitution, rehabilitation and guarantees of non-repetition;

- Provision of alternative housing that complies with international standards of adequacy.

- Introduce mechanisms to monitor national and local authorities and ensure that they operate in accordance with Romania's Housing Law;

- Provide for effective remedies and reparations for anyone whose right to adequate housing has been violated, including through recourse to the courts where necessary.

Ensure protection from discrimination in access to housing:

- Ensure equal treatment for all in access to housing by amending the Housing Law to expressly prohibit segregation on the basis of race or any other form of discrimination;

- Design and adopt a national housing strategy that integrates the right to adequate housing and other related rights and ensures that vulnerable groups are sufficiently protected;

- Identify a range of suitable options for the resettlement of people living in those informal settlements which cannot be regularized; and ensure that any relocation and provision of alternative housing complies with international human rights standards on evictions and adequacy of housing and does not result in residential segregation;

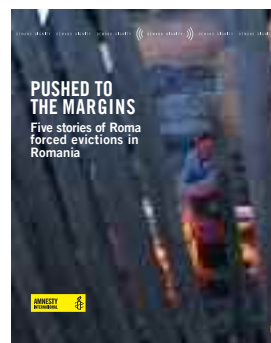
- Guarantee access to all forms of affordable and adequate housing, including social housing, without discrimination, to the most disadvantaged groups including Romani communities.

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Read *Pushed to the margins: Five stories of Roma forced evictions in Romania*
(Index: EUR 39/003/2013) at www.amnesty.org



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