



## Oral statement before the 23<sup>rd</sup> session of the UN Human Rights Council regarding the Universal Periodic Review of Romania

June 6<sup>th</sup>, 2013

We would like to thank all delegations for the recommendations made to Romania within the UPR process. We would like to comment on the following:

1. On the matter of Roma housing, we would like to mention that the Romanian state has done nothing to remedy the situation of Roma informal settlements or to decrease the gap between Roma and non-Roma in terms of housing conditions.<sup>1</sup> A report by the Romanian Institute for Research on National Minorities<sup>2</sup> looking at the Roma communities in Baia Mare stated with regards to Pirită Roma informal community: "There are children who have no clothing, shoes, and only feed to survive (...) (a girl wants to be a wife, a mother, and has no favourite food, any food to quell her hunger is enough)."<sup>3</sup> Baia Mare is the city where the local authorities erected a wall separating the Roma from the rest in 2011, and in 2012 relocated Roma from an informal settlement to the undecontaminated chemical labs of a former factory. Their first night there, a number of people, primarily children, were taken to the ER. In the case of the wall, a Romanian court reversed the decision of the National Council for Combating Discrimination (NCCD), which had given a fine for discrimination.<sup>4</sup> The case of the relocation was also brought before the NCCD which found discrimination, but only issued a warning this time.<sup>5</sup> The Roma in Baia Mare are not the only ones facing abuses by state authorities.<sup>6</sup>

2. Romania has been commended for ratifying the Optional Protocol to the Convention Against Torture (OP-CAT). Yet, no preventive mechanism has been put in place, and

<sup>1</sup> Fleck G. and Rughiniş C. (2008) *Come closer. Inclusion and exclusion of Roma in present-day Romanian society*, Bucharest, Human Dynamics, p. 117-122, available at: [www.amr.gov.ro/docs/Publicatii/Come\\_closer.pdf](http://www.amr.gov.ro/docs/Publicatii/Come_closer.pdf) and UNDP, *The housing situation of Roma communities, Regional Roma survey 2011*, available at: [http://issuu.com/undp\\_in\\_europe\\_cis/docs/housing\\_2\\_web](http://issuu.com/undp_in_europe_cis/docs/housing_2_web) (accessed at: 03.06.2013)

<sup>2</sup> Hetea Estera Roxana, ISPMN Cluj-Napoca, vice-president (2012), *Raport cu privire la situația comunităților de romi din Baia Mare (Craica, Cuprom, Horea, Pirită și Freneziu)* (Report on the situation of Roma communities from Baia Mare (Craica, Cuprom, Horea, Pirită and Freneziu)), Cluj-Napoca: Institutul pentru Studierea Problemelor Minorităților Naționale, available at: [http://www.ispmn.gov.ro/uploads/Evaluare%20situație%20Baia%20Mare\\_Recomandari\\_EHetea.pdf](http://www.ispmn.gov.ro/uploads/Evaluare%20situație%20Baia%20Mare_Recomandari_EHetea.pdf) (accessed at: 03.06.2013).

<sup>3</sup> Hetea Estera Roxana, ISPMN Cluj-Napoca, vice-president (2012), *Raport cu privire la situația comunităților de romi din Baia Mare (Craica, Cuprom, Horea, Pirită și Freneziu)* (Report on the situation of Roma communities from Baia Mare (Craica, Cuprom, Horea, Pirită and Freneziu)), Cluj-Napoca: Institutul pentru Studierea Problemelor Minorităților Naționale, p. 3, available at: [http://www.ispmn.gov.ro/uploads/Evaluare%20situație%20Baia%20Mare\\_Recomandari\\_EHetea.pdf](http://www.ispmn.gov.ro/uploads/Evaluare%20situație%20Baia%20Mare_Recomandari_EHetea.pdf) (accessed at: 03.06.2013).

<sup>4</sup> Rights, Equality and Diversity European Network, *Building a wall to separate a Roma community in Baia Mare city*, available at: <http://www.red-network.eu/?i=red-network.en.items&id=466> (accessed at: 03.06.2013) and Time4News.ro, *Chereches a fost absolvit de către Curtea de Apel Cluj (Chereches has been absolved by the Cluj Court of Appeal)*, 28.02.2012, available at: <http://www.time4news.ro/ultima-ora/chereches-a-fost-absolvit-de-catre-curtea-de-apel-cluj.html> (accessed at: 03.06.2013)

<sup>5</sup> National Council for Combating Discrimination Decision 228/25.07.2013

<sup>6</sup> See Amnesty International, *Mind the legal gap: Roma and the right to housing in Romania*, 23.06.2011, available at: <http://www.amnesty.org/en/library/info/EUR39/004/2011> (accessed at: 03.06.2013)



Romania has asked for another prorogation.<sup>7</sup> As we speak, the Centre for Legal Resources has launched an urgent appeal to action regarding<sup>8</sup> the situation of 54 young persons with severe mental disabilities held in a state centre in the middle of Bucharest. Recent televised coverage of the centre<sup>9</sup> showed images of severe underweight of patients and the existence of physical restraint. The Centre for Legal Resources, which has been doing monitoring visits to psychiatry hospitals for 10 years, has, for the first time, been denied access to this establishment.

All these situations speak to the impunity of state structures in my country when the most vulnerable are abused. We are confident that by bringing this to your attention here, at the Human Rights Council, we will manage to effect some positive change.

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and the Centre for Legal Resources

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<sup>7</sup> Permanent Mission of Romania to the United Nations Office in Geneva and the International Organizations in Switzerland Address No. 1750 to the Secrétariat du Comité pour la prévention de la torture et autres peines ou traitements cruels, inhumains ou dégradants, Geneva, 09.07.2012, available at: [http://www2.ohchr.org/english/bodies/cat/opcat/docs/NV\\_from\\_PM09.07.2012\\_Request\\_under\\_article24.2.pdf](http://www2.ohchr.org/english/bodies/cat/opcat/docs/NV_from_PM09.07.2012_Request_under_article24.2.pdf) (accessed at: 03.06.2013)

<sup>8</sup> Centre for Legal Resources, Romania. Bucharest. *Defenseless young people with severe disabilities held prisoner. Human rights denied*, 28.05.2013, available at: <http://www.crj.ro/userfiles/editor/files/Urgent%20appeal%20to%20the%20Prime%20Minister.pdf> (accessed at: 03.06.2013)

<sup>9</sup> In premiera, *România irecuperabilă (The irrecoverable Romania)*, relevant section available at: <http://www.youtube.com/watch?v=xRW1dd0oYTc>, full documentary aired on 19.05.2013, available at: <http://inpremiera.antena3.ro/emisiuni> (accessed at: 03.06.2013)