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OPEN LETTER

Stop Baia Mare municipality's actions to Roma ghettoisation

Romani CRISS, "Sanse Egale" Association and Amnesty International strongly protest against the discriminatory and abusive initiatives of the Baia Mare local authorities to erect a concrete wall around the block where Roma live, in Horea Street and against the Local Council's decision to build social housing for the underprivileged on a land nearby the sewage plant.

On June 28th, according to the local media¹, the Baia Mare city Mayor, Mr. Catalin Chereches announced they would erect a 3 m high and 100 m long wall to surround the apartment building on 46B, Horea Street, where mainly Roma people live. The erection of the wall may start any moment and shall cost around 30,000 lei (approx. 7300 Euro) from the Municipality budget. Mr. Chereches declared: *The wall will be made of concrete arch stones, on concrete foundation and engirdled so that nobody would have the impression they could destroy it. We will make an access way exclusively from Electrolizei Street, so that everything related to rout can be limited*". In addition, the local authorities intend to abusively set up a fix police station where local policemen, gendarmes and few Roma are to work in order to keep public order under control.

This initiative of local authorities in Baia Mare is profoundly discriminatory and leads to Roma ghettoisation and humiliation, by subjecting them to a degrading treatment. If implemented, these measures would violate current domestic legislation, as well as the international human rights standards to which Romania is a party, among which we mention Governmental Ordinance no.137/2000 as well as Article 2 of the International Covenant on Civil and Political Rights and Article 2 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

The adoption of Roma inclusion policies by the Romanian Government and European Union remains merely a bureaucratic illusion as long as measures like those adopted by the Baia Mare local authorities discriminate against and segregate Roma, to their own will and desire.

With regards to the announced plans of Baia Mare authorities to construct social housing and resettle "marginalized communities"² (the areas targeted are mainly

¹ EMaramures.ro, The great Gypsy wall – Baia Mare municipality erects a 3m-high wall around 46B building, published on June 28th, 2011, available at <http://www.emm.ro/Stiri/Tipareste-Stire.aspx?NewsID=51287>.

² See the Baia Mare Local Council's decision no. 189/2011, on Baia Mare Municipality website, at <http://www.baiamarecity.ro/ichcl.php?an=2011&luna=6&nr=189>.

inhabited by Roma) in the outskirts of the city and next to the sewage treatment plant, not only are discriminatory but they would also violate art. 8 and 14 of the European Convention on Human Rights and General Comments 4 and 7 of the UN (CESCR), all of which are binding for Romanian authorities.

Also, the European Court of Human Rights condemned Spain and Italy for similar actions³, as violation of right to private life.

The organizations are particularly concerned that plans to resettle Roma from various communities to one location in the outskirts of the city would amount to segregation, explicitly prohibited by international human rights law. Article 3 of the ICERD notes that "States Parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction." In addition, the UN Committee on the Elimination of Racial Discrimination in its General Recommendation No.27 on Discrimination against Roma highlights that state parties must "act firmly against any discriminatory practices affecting Roma, mainly by local authorities and private owners,...and to refrain from placing Roma in camps outside populated areas that are isolated and without access to health care and other facilities."

Unfortunately, such actions are not one of a kind. Romani CRISS, Amnesty International and "Sase Egale" Association have documented many cases where local authorities in Romania violated the right to housing and to dignity of Roma people, through forced evictions, precarious living conditions, residential segregation, environmental racism, etc. Some of these cases are Cluj-Napoca (Cantonului and Coastei areas), Miercurea Ciuc, Craiova, Mangalia, Piatra Neamt etc.⁴

We publicly request the Baia Mare municipality to stop any measure to build to wall surrounding the building on 46 B Horea Street and to cancel all procedures already taken. We also request the Maramures Prefect's office to ask for annulment of Local Council's decision referring to building social houses on the land mentioned above.

Romani CRISS and "Sanse Egale" Association are considering legal action against measures adopted by the local authorities in Baia Mare.

Stop Roma ghettoisation!

³ Namely Lopez Ostra v. Spain and Guerra c. Italy.

⁴ See Romani CRISS reports at http://www.romanicriss.org/index.php?option=com_content&task=category§ionid=8&id=23&Itemid=53, and Amnesty International, Mind the legal gap - Roma and housing rights in Romania <http://www.amnesty.org/en/news-and-updates/report/romania-legal-system-condemning-roma-poor-housing-2011-06-23>.