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## **PUBLIC STATEMENT**

### **ROMANIA**

#### **Amnesty International appeals for release of Mariana Cetiner**

Amnesty International wrote to President Emil Constantinescu today expressing concern that Mariana Cetiner, who has been imprisoned solely because of her homosexuality and is considered by the organization to be a prisoner of conscience, had not been released in spite of assurances to the contrary made to the organization by the Romanian authorities. Amnesty International is urging President Constantinescu once again to immediately and unconditionally release Mariana Cetiner.

On 5 March Amnesty International was informed by the Romanian Ambassador to the United Kingdom that Mariana Cetiner was released from prison on 3 March by presidential decree. On 6 March in the Hague, the same information was conveyed by Zoe Petre, personal adviser to President Constantinescu, to two Amnesty International representatives. However, Mariana Cetiner had not been released from prison. Indeed, on 10 March two representatives of the Romanian Helsinki Committee, a local human rights organization, visited Mariana Cetiner in Aiud Penitentiary.

#### **Background**

In December 1997 Amnesty International learned about the imprisonment of Mariana Cetiner, who was convicted under Article 200, paragraph 5, of the Romanian Penal Code for attempting to seduce another woman. In August and September 1995 Mariana Cetiner, a 40-year-old woman, had been sharing an apartment in Alba Iulia with X and another woman. She had reportedly loaned a large sum of money to X, with whom she shared a room and who subsequently filed a criminal complaint against her claiming that Mariana Cetiner had on several occasions expressed affection for her, revealing her homosexual orientation and feelings towards her to a number of other people.

On 6 October 1995 Mariana Cetiner was arrested and held in pre-trial detention. In May 1996 she was indicted under Article 200, paragraph 4, of the Penal Code then in force, which made it an offence punishable by one to five years' imprisonment to entice or seduce another person of the same sex, and under Article 192, paragraph 1, for trespassing on private property. On 17 June 1996 Alba Iulia court found Mariana Cetiner guilty of both charges and sentenced her to three years' imprisonment.

In January 1997, ruling on her appeal, Alba court acquitted Mariana Cetiner of all charges. She was released on 15 January 1997 from prison, where she had been held since her arrest. However, on 6 May 1997, following an appeal by the public prosecutor, Alba Iulia Appellate Court reversed the decision of Alba court and ordered Mariana Cetiner to serve the remainder of the three-year prison sentence. Ten days later Mariana Cetiner was re-arrested and imprisoned.

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