

PRESS CONFERENCE STATEMENT

ROMANIA

A Summary of Human Rights Concerns

**Strasbourg
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(Please check against delivery)

Exactly one year ago, in April 1997, the Parliamentary Assembly of the Council of Europe gave Romania one year to comply with a number of specific requests aimed at addressing outstanding concerns for human rights. The requests and the deadline were given in connection with the Parliamentary Assembly's decision to end its formal monitoring of Romania's compliance with obligations and commitments entered into when Romania joined the Council of Europe in October 1993.

In the past 12 months the observance of certain basic human rights in Romania has not significantly improved. Amnesty International is greatly concerned about this lack of progress.

Clearly, it is too early for bodies like the Council of Europe to relax their scrutiny of Romania's human rights record. In fact, it is time for the Council to take effective measures to ensure that there is real respect for commitments made by Romania upon its admission to the Council. Romania has already had four and a half years to fulfil those commitments, but it has failed to deliver improvements in the protection of a number of fundamental human rights.

Amnesty International continues to receive reports of human rights violations including the imprisonment of prisoners of conscience who were detained under a law which Romania was requested to abolish by the Council of Europe.

That law, Article 200, contains paragraphs which criminalize consensual homosexual acts between adults in private and impose excessive restrictions on the rights to freedom of expression, assembly and association. Since 1993 Amnesty International has repeatedly appealed to the Romanian Parliament to revise Article 200.

The organization has also frequently requested information from the Romanian authorities about people who are detained under Article 200, but the Ministry of Justice has failed to make available accurate and comprehensive statistics on convictions under this law.

A recent letter from the General Directorate of Prisons claimed that in 1997 no one had been detained in Romanian prisons under Article 200, paragraph 1. Yet, in September 1997, an official of the same agency gave Amnesty International information concerning three men held under this law, two of whom Amnesty International later interviewed in Poarta Alb | penitentiary.

Over the years Amnesty International has also urged Romania to bring a number of other laws into line with its international human rights commitments. These include the provisions of the Penal Code and the Code of Penal Procedure, Law number 46/1996 Concerning the Preparation of the Population for Defence, and Law number 26/1994 on the Organization and Functioning of the Romanian Police.

Police torture and ill-treatment is another serious human rights problem which the Romanian authorities have failed adequately to address. Amnesty International's reports published over several years were recently confirmed by the European Committee for the Prevention of Torture, Inhuman and Degrading Treatment or Punishment (CPT), which visited Romania in September and October 1995. One of the CPT's main conclusions was that "persons detained on suspicion of committing a crime, at the time of arrest and/or in the course of interrogation, face a not inconsiderable risk of being subjected by the police to ill-treatment, which is sometimes severe ill-treatment, even torture".

Furthermore, Amnesty International is concerned that investigations into allegations of torture and ill-treatment appear not to have been prompt and impartial, as required by Article 12 of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as Article 7 of the International Covenant on Civil and Political Rights, to which Romania is a party.

In the early 1990s, tens of Romani communities throughout Romania were subjected to incidents of racial violence. Amnesty International is concerned that in most of these incidents the authorities failed adequately to protect Romani lives and property. The conduct of the police in such incidents has never been fully and impartially investigated.

Today Amnesty International is publishing a 32-page report which summarizes some of the organization's most important current concerns in Romania. Amnesty International makes extensive recommendations regarding legislative reforms and the investigation of allegations of torture and other ill-treatment by law enforcement officers. Two appendices to the report document cases of shootings, deaths in custody, torture and ill-treatment which the organization has urged Romanian authorities to investigate promptly and thoroughly.

The protection of basic human rights in Romania is not solely in the competence of national authorities. The international community shares the responsibility to ensure that Romanian laws and practices are consistent with Romania's international commitments and obligations. In view of Romania's membership of the Council of Europe and the Organization for Security and Cooperation in Europe, as well as its aspirations to join the European Union, the regional inter-governmental organizations have a particularly important role to play in securing the respect of human rights in Romania.

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