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ROMANIA: AMNESTY INTERNATIONAL CALLS ON EUROPEAN AND ROMANIAN PARLIAMENTARIANS TO ENSURE THAT LEGISLATIVE REFORMS RESPECT HUMAN RIGHTS

European and Romanian parliamentarians should review recent legislative amendments and the human rights situation in Romania, Amnesty International said on the eve of a meeting between the Mixed Parliamentary Commission of the European Union and the Romanian Government on 16 October in Brussels .

"Far from guaranteeing freedom of expression, many of these amendments would impose even greater restriction on this fundamental human right than those already in force," the organization said.

On 22 May 1995 Amnesty International published a report, presenting cases of continued violations of human rights. These included the imprisonment of prisoners of conscience, the torture and ill-treatment of detainees, death in detention in suspicious circumstances and a nationwide pattern of police failure to protect the Roma minority from racist violence.

The international human rights organization made extensive recommendations to the Romanian Government regarding legislative and judicial reforms, the investigation of allegations of torture and other ill-treatment by law enforcement officers, as well as the effective protection of Roma from racist violence.

Following the publication of its report further cases of imprisonment of homosexuals considered prisoners of conscience by Amnesty International, ill-treatment and a death in suspicious circumstances have been brought to the attention of the organization.

In the past month the Chamber of Deputies of the Romanian Parliament has continued to debate the reform of the Penal Code, begun in the autumn of 1993. Although Amnesty International and other international and Romanian human rights organizations have repeatedly called for their revision, the reform has proceeded on the wrong tack, at variance with Romanian international commitments.

"We are concerned that the amended Penal Code could be used to silence any criticism of public authority and its officials and lead to the prosecution of people who peacefully exercise their right to freedom of expression," Amnesty International said.

The following amended articles violate the right to freedom of expression guaranteed by Article 19 of the International Covenant on Civil and Political Rights and Article 10 the European Convention for the Protection of Human Rights and Fundamental Freedoms:

C Article 168 would punish by imprisonment of one to five years "dissemination of false news, facts, information or false documents, which is aimed at impairing the security of the Romanian state or its international relations"

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- C Article 236 would prohibit any "manifestation of contempt for the emblems or insignia used by the authorities" as well as "displaying of a flag or insignia or intonation of the anthem of other states on Romania's territory"
- C Article 236¹ would punish by imprisonment of one to five years "public defamation, committed by any possible means, of the Romanian country or nation"
- C Article 238 would punish anyone who "casts slurs upon the honour" of a public official
- C Article 239 would punish anyone who would "insult, libel or slander" a public official

"We urge the Romanian parliamentarians to reject such a revision of the Penal Code and to ensure that all adopted laws conform to Romanian's commitments under international human rights treaties," Amnesty International said as the Chamber of Deputies is due to vote on the amendments this week before they can become law.

At the same time Amnesty International reiterates its appeal to the Romanian Government to comply with extensive recommendations contained in its report *Romania: Broken commitment to human rights*.

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*For further information please refer to the following documents:
Romania: Broken commitments to human rights (AI Index: EUR 39/01/95) and
Romania: Update to May 1995 Report (AI Index: EUR 39/19/95).*