**Annex 1 – cases of discriminatory practices related to housing, where the National Council for Combating Discrimination pronounced decisions**

**Baia Mare - Cuprom case**

In June 2012, NCCD was notified regarding the discriminatory practices against the Roma community from Baia Mare, where Roma ethnics were moved from Craica area to Cuprom, a former industrial factory, with the highest pollution risk in Romania until its closure in 1995. In spring and summer 2012, the local authorities of Baia Mare forcibly evicted about half of the residents of the informal settlement of Craica. The evicted individuals and families were relocated to inadequate housing conditions in buildings of a former chemical factory CUPROM. After the 2012 eviction, some 500 people continued to live in Craica. On 2 August, approximately 30 families received demolition orders issued by the local police. In the orders, the authorities informed the residents that their property lacked the necessary authorization and had to be demolished by 5 August. A failure to do so will result in demolitions carried out by the local authority. The residents were reportedly told that if they demolish their houses, they would be allowed to build new

ones in a different part of Craica. Three families complied with the order and demolished their homes. On the morning of 5 August, bulldozers arrived to Craica and demolished 15 homes. The residents of these houses have not yet been provided with any alternative housing. Residents of Craica have been living for over three years now in fear of new forced evictions that may result in them being rendered homeless. The local authorities have so far showed little or no respect for their right to adequate housing – including the right to be protected from forced evictions – of Roma living in Craica. The local authorities also have done very little to ensure that the Roma citizens of Baia Mare are not subjected to forced evictions.

In July 2012, NCCD decided that the facts described above were discriminatory and sanctioned the Mayor of Baia Mare with a warning and requested the local authorities to improve and decontaminate the spaces within the former factory Cuprom in order to respect the fundamental rights of the relocated persons.

**Cluj - Pata Rat**

In 2011, NCCD was notified regarding the discriminatory practices against the Roma community from Cluj Napoca and their relocation from Coastei Street to Pata Rat, a dust hole and chemical waste station of the city.

Fifty-six Romani families were moved to the Pata-Rat Romani settlement, 18 kilometers from the Cluj-Napoca city center. In addition to being far from the families’ previous homes, jobs and schools, the settlement is located dangerously close to a garbage dump and a toxic waste dump. While being transported to the new site in garbage trucks, furniture and electronic items owned by some of the affected people were damaged.

More than 270 people (at least 164 adults and 106 minors) were moved into 40 social apartments provided by the local authority in Pata-Rat. Upon arrival in Pata-Rat, 40 families were forced to sign lease agreements for social apartment units allocated to them, without having the opportunity to read the contracts or view the apartments: the remaining 16 families were not provided lease agreements but were forced into apartments with other families.

The Mayor of Cluj Napoca was sanctioned by NCCD, as a representative of the local authority, with the amount of 6000 lei / aprox. 1500 Euro and recommanded the local authorities to ensure the minimum living standards for the Roma community in Pata Rat area.

**Baia Mare dividing wall**

In July 2011, NCCD self-notified regarding the building of a dividing wall of 100 meters long and 1.80 meters high, which isolated three blocks of flats (social houses) inhabited mostly by Roma from the Horea neighborhood in Baia Mare county. The mayor has publicly stated that he decided to build that wall because the Roma are messy and throw garbage out of the windows of their flats. He added that the decision to build the wall also concerned the safety of the Roma children who were injured by cars passing on the streets.  He suggested that the entire neighborhood inhabited by Roma should be video monitored constantly and that a police station should be established.

Taking into consideration the facts mentioned above, NCCD applied a sanction with a fine in amount of 6000 lei/aprox. 1500 Euro and recommended the demolition of the dividing wall and to take some measures to improve the Roma’s living conditions on Horia Street.

At the end of September, NCCD has won the lawsuit initiated by the Mayor of Baia Mare, as a result of his appeal of NCCD decision no. 439/15.11. 2011.

The High Court of Cassation and Justice upheld the appeal filed by NCCD and, therefore, amended the decision appealed, meaning that dismisses the defendant’s action as unfounded.

Consequently, the High Court of Cassation and Justice maintained NCCD’s decision, through which it was ascertained that the raising of the wall in Baia Mare, which delimits the blocks inhabited mostly by Romanian citizens of Roma ethnicity from the main street, constitute an act of discrimination. Despite this decision, the mayor of Baia Mare decided not to demolish the wall.

Roma issues, along with other issues relating to discrimination, will be the subject of a training conducted by NCCD for those persons responsible for management of the European Structural Funds and Investment in the process of fulfillment of ex-ante conditionality for 2014-2020. As an independent institution of equality, NCCD assumed responsibility for the fulfillment of ex-ante horizontally conditionality regarding anti-discrimination, gender equality and the rights of persons with disabilities required by EU for 2014-2020. In order to meet the criteria, NCCD will provide training for the staff within the management and control bodies responsible for EU structural funds and investment. The training program will achieve distinct issues on Roma people related with the projects that will be subject to the funding period 2014-2020.

**Recent NCCD Decision**

Recently, on May 4th, the NCCD noted the fact that The Bucharest City Hall has given only four points to people with disabilities in score calculations for social housing allocation, underlying that the drafting priority list represents discrimination. A contravention fine amounting to 10,000 lei for was applied for the Bucharest Mayor's Institution, according to Art. 2, para.1, in conjunction with art. 2, para. 4, and Article 10, letter a) and h) of O.G. no. 137/2000, republished, as further amended and supplemented. The Steering Board noted the missing of a justification for criteria’s selection for granting social housing, as well as their corresponding scores. Also, NCCD recommended reviewing Decision no. 162/2015 of the General Council of Bucharest in order to ensure equity in terms of access to vulnerable groups of people in social housing.