

Detention conditions in Romania under fire

HRWF (25.01.2017) - Despite a blossoming reputation as a rule of law country, Romania continues to be a prolific human rights abuser. In 2015 alone, the ECtHR delivered 72 judgments (each citing at least one violation) against Romania, the highest number of any EU member state. Among the 47 member states of the Council of Europe, Romania ranked the third highest human rights abuser after the Russian Federation (109 judgments) and Turkey (79 judgments). (1)

Worryingly, 27 of those violations in Romania were for inhumane or degrading treatment (Article 3), with many relating to the appalling conditions and treatment in Romanian prisons (2). In 13 cases, the violations were due to the lack of effective investigation and in 13 other cases to the lack of a fair trial.

Prisons are overcrowded in Romania: eight of them have an occupancy rate of over 200%, and the average occupancy rate in local prisons is of some 150%. If Romania doesn't solve this problem, the European Court of Human Rights may rule that the country must pay compensations to all inmates for each day of detention in improper conditions. These compensations would amount to some EUR 80 million per year.

Reports on detention conditions in Romania

The death of Dan Adamescu (68) while in detention sheds once again some tragic light on the appalling prison conditions in Romania, of which have been denounced year after year:

- By the European Court of Human Rights at the UN Universal Periodic Review in 2013: (<https://www.upr-info.org/en/review/Romania/Session-15---January-2013/Civil-society-and-other-submissions#top>)
- In the 2015 US Department Report: (<https://www.state.gov/j/drl/rls/hrrpt/2015/eur/252891.htm>)
- By Romania's Ombudsman in his 2015 report: (http://www.avp.ro/index.php?option=com_content&view=article&id=51&Itemid=77&lang=en)
- By the Committee of Prevention of Torture at the Council of Europe in 2015: (<http://www.cpt.coe.int/documents/rom/2015-31-inf-fra.pdf>)

U.S. Department of State Report 2015

In the section entitled "Torture and other cruel, inhuman, or degrading treatment or punishment", the U.S. Department of State stressed that "there were reports from nongovernmental organizations (NGOs) and the media that police and gendarmes mistreated and abused prisoners, pretrial detainees, Roma, and other citizens, primarily through the use of excessive force, including beatings. The media reported such cases in Bucharest, Vinga, Botosani, Braila, Arad, and other localities. In most cases the police officers involved were exonerated."

Romania's Ombudsman Report

This report comprises several hundreds of pages.

In Chapter V "Medical assistance provided to detainees in prisons and detention and remand centres", the People's Advocate of Romania states "In certain prisons, there was a deficit of medical staff, either through lack of general practitioners, dentists, psychiatrists, psychologists or by the shortage of general practitioners or the shortage of nurses."

In Chapter VII devoted to death, suicide and physical assaults, the report states:

"The investigations conducted by the representatives of the People's Advocate institution revealed that one of the causes of death was suicide, usually by hanging. Three cases were registered at Galati Penitentiary, one case on Craiova, Codlea, Aiud, Bacau, Tulcea Penitentiaries.

Regarding the medical conditions in prisons, there was a predominance of deaths from cardiorespiratory insufficiency, heart attack while other deaths were caused by hepatitis, infection diseases, pneumonia, HIV/AIDS, decompensated cirrhosis, broncho-pneumonia, etc."

UN Universal Periodic Review: NGO submission (2013)

"Police lock-ups have characteristics which affect human dignity by conditions which may be assimilated with torture: police lock-ups are so arranged during the communist regime in the basement of the police headquarters, the rooms are small, with group health without division, with small windows which are doubled with metal site to access natural light and ventilation with insufficient ventilation, by the route aisles are arranged the pipes to transport water, gas, heat which present a hazard in the event of damage...

...Access to health care is very problematic in Romanian detention facilities. One of the main issues is the severe understaffing in health care units. Assigned funds (state budget and social insurance) are insufficient for the needs of the prison system, and a major problem in many penitentiaries is the lack of vital medication."

- (1) European Court of Human Rights, Statistics: "Violations by Article and by State 2015", echr.coe.int, Accessed 08 November 2016, http://www.echr.coe.int/Documents/Stats_violation_2015_ENG.pdf
- (2) Ibid.