

Presentation of the Sanmartin report

On May 31st, 2009, on the background of increased tensions, an inter-ethnic conflict broke out in the Sanmartin locality, Harghita County.

The presentation is based on the information gathered by representatives of Romani CRISS, "Equal Opportunities" Association, "Roma ACCESS Tomis" Association Constanta and by independent persons, following the documenting visits carried out during 31st of May – 3rd of October 2009.

Thus, on May 31st, 2009, approximately 400 Hungarians from the Sanmartin locality gathered and went to 40 houses belonging to Roma in the locality. While accusing Roma of having committed certain anti-social acts, the Hungarians damaged the houses, breaking the windows, destroying the doors and tiles of the houses. Several goods in the homes were destroyed, such as TV sets and TV aerials. Several cars were damaged and several dogs in the yards of the Roma were killed by Hungarian ethnics. On June 3rd, 2009, a house belonging to Roma was set on fire. After the conflict, the Roma left their homes and spent the night in the woods or on the field, under the open sky.

For few weeks, the Hungarian ethnic citizens have gathered almost daily, in groups of 100-200 persons, travelling to Roma houses and threatening the latter. For another month, the Hungarians agreed to gather every Monday evening and go to Roma houses, in order to "monitor" the implementation of the "protocol" agreed on June 8th, 2009. Each time, although accompanied by the Police, the actions of Hungarian groups led to threats against the Roma and to the perpetuation of the permanent state of tension, faced by the Roma returned to the village.

For about two months 50 out of the 170 Roma in the locality never returned to the village, out fear of being attacked. During this time, they slept in woods or on fields, nearby the Miercurea Ciuc locality. Part of the Roma returned to Sanmartin did not spend the night in their homes, but used to take refuge during the night in the nearby woods, from fear of being attacked by Hungarian ethnics. At present, Roma families have returned in Sanmartin, except for two families.

The already classic development of the conflict, with a community preponderant at regional level which, on the background of an accumulating tension in the relation with the cohabiting minority, applies the principles of collective justice in the context of a void of authority and involvement of local authorities, represents an additional proof of the inability and lack of response of decision-making factors, both at central and local level, in preventing and solving problematic situations of such scale. The authorities' attitude is as more condemnable as messages signalling the imminence of such situations are permanently transmitted through several means by Roma nongovernmental organizations and not only.

The victims' declarations, according to which Hungarian ethnics chased and harassed them even in the woods using ATVs and four-by-four cars clarify the essential aspects of the situation both during the conflict and post-conflict.

The "Protocol" designed by the authorities to represent the base for future inter-ethnic relations in the locality provides obligations only for the Roma community and not at all for the Hungarian one or local authorities, representing an additional proof that the Roma presence in the locality is conditioned by the mercy of the cohabitants. Moreover, the Romanian authorities replied to the protest letter submitted by the NGOs reaffirming the protocol and indicating that most mayors from Harghita county requested to solve the situation of the illegal settlements of Roma in this region. Note that also Hungarian or Romanian ethnics have built houses without authorisation from the authorities, and yet the mayor requested this problem to be solved only for Roma. This is another proof of how Roma are not wanted in that area.

Furthermore, the public authorities have publicly criticised the NGOs for naming these incidents "interethnic conflicts", although this falls under the typology described by the European Court of Human Rights, which has ruled in similar cases such as Hadareni, Casinu Nou and Plaiesii de Sus.

Most of the authorities which have replied to the NGOs' protest letter either declare it is not their competence to express a point on this situation- such as the Romanian Ombudsman- or choose to draw the NGOs' attention into not exaggerating on Sanmartin case, pretending it was a interethnic conflict. The Supreme Council for National Security replied by mentioning the so-called protocol as a good method for solving the issue, as well as other ineffective meetings organized by local authorities. Although specific requests and recommendations were made for the Supreme Council for National Security, none of these were put into practice nor addressed. None of the authorities supported the people living in woods for so long or the children put under insecure conditions.

The representatives of Roma NGOs who documented the case were also threatened by a local council representative.

The situation of the Roma, after 4 months after the conflict is critical. Most of the Roma families sold their horses, their only source of income, in order to be allowed to return in their homes. After the conflict, the local authorities have demolished some Roma families' houses. At the moment, most of the Roma from Sanmartin lack income, since they don't own horses and the Hungarian villagers don't provide them the occasional agricultural works anymore.

The State authorities should elaborate and implement a process of reintegration for the Roma community, paying special attention to the security of the local community.