

OPEN LETTER TO THE PRESIDENT OF THE EUROPEAN COURT OF HUMAN RIGHTS

Dear Mr. Guido Raimondi

The prison staff that we represent, salute the measure of the European Court of Human Rights (ECHR) referring to the initialization of the pilot judgment procedure, which brings Romania at one step of the "foreclosure" in the collective folder of the detention conditions not correlated with the European standards. But we have one objection. From our perspective, the detention conditions represent also the working conditions for the employees.

The penitentiaries never represented a priority for Romania, regardless the number of the ECHR cases pending or the amounts already paid by the Romanian state as compensations. The Romanian politics is more concerned by electoral campaigns and struggles of power.

Romania hardly contrives to fight against corruption and to build roads, just as it's bashful start of investing in health and education. The struggles for power eats time and money and the penitentiary system as a minimum interest domain from the electoral perspective, will never be correctly positioned in the governmental agenda, for receiving a proper budget, if this will not be imposed.

Our country received for the moment a draft of the bill accumulated in decades of governmental indolence and it reacts as expected. Romania asks for postponing and it promises for measures. The Government which promises for these measures stops its mandate before the end of this year. The public position of the ministry of justice, in exercise, which has in coordination also the penitentiaries, is inconstant and indecisive.

The Romanian Government motivates as it can the postponing approved by memorandum and we have no objections regarding the invoked arguments. However, we have objections regarding the compensations' orientations which Romania might pay in the case of the pilot judgment procedure's activation, strictly in favor of the persons deprived of liberty.

SNLP appreciates that the measure imposed by ECHR must establish in the Romanian state's responsibility the obligation of paying the compensations to all of the persons affected by the material conditions from the penitentiaries. We can demonstrate the causality report between these conditions and an entire range of negative effects supported also by the employees, not only by the inmates.

The employees cannot complain about the bad or inhuman treatments they confront with in the penitentiary system and nor the detention conditions, and the conditions or the working conflicts are the competence of other authorities. But the physical and mental disorders, the accumulated professional diseases, the very low level of living but also the very small duration of the pension received by the former prison workers, certifies without doubt the affirmation that also the staff but also the inmates suffer equally because of the precarious detention conditions.

We do not believe that our country will find the capacity to correct the shortcomings within the penitentiary system in a short time. The deficit is 10.000 places and the existing infrastructure is in a phase of advanced degradation. But we are afraid of the moment when Romania should pay every year to the inmates, equal amounts with the sufficient funds for building two modern units, each with 1.000 places. We won't be able to pay enormous penalties overlapped with major investments which were not possible not even in the much better budgetary years.

We do not ask anything to ECHR, but a simple reply message to ensure us that we are not ignored at all levels.

With appreciation,

Stefan TEOROC
President

