

Country session: Romania

Date: 75th session – 23 and 24 May 2017

Background information

[OHCHR press release](#)

[Webcast](#)

[Audio file](#)

[Summary of records](#)

Reporting

Reporting methodology

Regular reporting procedure

Simplified reporting procedure

Concluding Observations with urgent measures

State report:

Common core document	
First submission	26 April 1996
Second submission	12 October 2011

No. of report	Fifth periodic report	No. of report	Integrated	No. of report	Integrated
Due date	31 October 2012	Due date	-	Due date	-
Submission	9 June 2015	Submission	-	Submission	-

Written replies to LOIs	
Due date	23 February 2017
Submission	17 March 2017

Public reports from children's rights defenders:

Alternative reports	
NGOs	▪ Human Rights Watch - HRW

State delegation

Large high level and multisectoral delegation led by Ms. Gabriela COMAN, president of the National Agency for Protection of Children's Rights. She was supported by delegates from the Ministry of Justice, Ministry of National Education, Ministry of Internal Affairs, Ministry of Health, Ministry of Labor and Social Justice and the Permanent Mission in Geneva.

List of State delegation representatives on [OHCHR site](#)



Committee's Task Force members

Name & Last Name	Country
Olga Khazova	Russia
José Angel Rodriguez Reyes	Venezuela
Mikiko Otani	Japan
Velina Todorova	Bulgaria

Dialogue description:

i. Character of the dialogue

The atmosphere during the session was cooperative and constructive. The answers of the State to the Committee's questions were focused on law development and policy adoption.

ii. General assessment made by the Committee

The Committee welcomed the significant efforts of Romania in making its national regulation in line with human rights and child rights provisions. However, Committee members were concerned about the State's limited implementation capacity and the unfulfillment of most of its previous recommendations.

iii. Main issues discussed

- **Violence against children:** The Committee raised its concerns about the widespread cultural acceptance of different forms of violence, as well as the lack of institutional capacity to address the cases of violence, neglect, exploitation and abuse in a cross-sectoral manner. Moreover, Committee members were worried about the violence happening in the child care system, particularly against children with disabilities. The State replied that indeed there was a general acceptance of violence against children that transcended to the international dimension, as there were issues of child trafficking and exploitation. However, they have developed a strategy integrating community-based services to ensure care protection for children, and they were a pathfinder country of the Global Partnership for Ending Violence Against Children, which has helped them to properly implement the CRC.
- **Children with disabilities:** The Committee was highly concerned about the situation of children with disabilities in Romania, and stressed that this should be one of the main priorities for the State. Committee members pointed out that there was no clear strategy to address this issue, a big implementation problem and a lack of proper data gathering to develop programs. In addition, the Committee pointed out the absence of inclusive education in Romania and that children with disabilities went to specialized schools, or were segregated in different classes. Furthermore, children with disabilities were not entitled to their right to education if he/she was not officially registered as a disabled child, otherwise they would be placed in institutions or stay at home. The State replied that indeed special education was prioritized over inclusive education, but during the past years more children have been integrated in mainstream schools. The delegation stated that there were several obstacles to inclusive education, such as lack of trained teachers, stigma against children with disabilities and inadequate schools' curricula.
- **Children belonging to minority groups:** The Committee raised its deep concerns about the general discrimination and stigmatization against Roma children in all sectors. Committee members asked whether there were plans to reduce segregation of Roma children and ensure their inclusion,



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participation and reintegration, especially in rural areas. The delegation stressed that Roma children are still in need of support and protection, and they have big barriers to education. In this sense, they were developing education strategies targeting these children, as an instrument to tackle inequalities and social disadvantages.

Recommendations of the Committee

In its [Concluding Observations](#), the Committee drew attention to the need of **urgent measures** concerning the following 5 areas:

- **Allocation of resources:** The State should have a child rights perspective in its budgeting process, ensure specific allocation to children in all relevant national agencies and set up a tracking system to monitor and assess such budget allocations. The State should allocate proper funds for health, education and social protection, particularly for children in vulnerable situations. Moreover, it should decentralize funds distribution to the local level and earmark specific funds for social service for children. Transparency and accountability must be reinforced through audits in public expenditure to tackle corruption.
- **Non-discrimination:** The Committee urged the State to ensure full enforcement and implementation of non-discrimination laws, as well as putting in place effective child-friendly complaints mechanisms. It should carry out awareness-raising campaigns to tackle discrimination and stigma against Roma children, children with disabilities, asylum seeking and refugee children and LGBTI children, as well as ensuring their rights to education, health, employment and adequate standard of living. The inclusion, attention, protection and integration of Roma children was included in most of the Committee's recommendations to Romania. Committee members recommended to implement inclusion in a sensitive way to avoid more segregation.
- **Abuse, neglect and sexual exploitation and abuse:** The State should develop and prioritize preventive measures to tackle violence against children, and undertake awareness-raising campaigns and programs to promote behavior change among population and professionals working with/for children. Moreover, the Committee recommended to set up a funded and staffed system for identification, reporting, and monitoring for cases of abuse, neglect and exploitation in all settings. The State should reinforce early identification, recovery and reintegration programs for child victims, as well as ensuring investigation, prosecution and convictions for perpetrators. Training for professionals working with/for children must be delivered.
- **Children deprived of family environment:** The Committee emphasized that poverty should never be the only reason to place a child in alternative care. In this regard, the State should set up a case-by-case assessment with clear criteria and guidelines, and always considering the best interest of the child (BIC) when placing children in institutions. A deinstitutionalization plan must be implemented and family-based care prioritized, alongside with a monitoring system. The State should undertake periodic reviews of the quality of the services for children and ensure complaints mechanisms in institutions. Moreover, the residential care centers and child protection services should be provided with adequate budget and well-trained staff, and early detection mechanisms should be put in place. The State should enable children living in institutions to reintegrate into society by providing them with adequate housing, legal, health and educational opportunities.
- **Children with disabilities:** The Committee urged the State to develop a human rights-based approach on disability with special focus on children, to ensure their full inclusion into society. It should ensure budget and personnel for the implementation of the National Strategy for Disability and for the National Authority for People with Disabilities. The State should put in place an effective and accessible data collection system, as well as an early diagnosis system to develop evidence based programmes for children with disabilities.



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Moreover, the State should foster inclusive education while training teachers and education professionals on inclusive methods of teaching and prioritize inclusive education over specialized education. Finally, the State should ensure children with disabilities access to health care and more specifically, to sexual and reproductive care.

Sustainable Development Goals

Throughout its Concluding Observations the Committee referred to the following targets:

- 16.9 on providing legal identity for all, including birth registration
- 16.2 on ending abuse, exploitation, trafficking and all forms of violence against and torture of children
- 3.2 on ending preventable deaths of newborns and children under 5 years of age
- 1.3 on implementing nationally appropriate social protection systems and measures for all
- 4.1 on all girls and boys completing free, equitable and quality primary and secondary education
- 4.2 on ensuring that all girls and boys have access to quality early childhood development, care and pre-primary education

Next State report

CRC	
No. of report	Sixth and seventh report
Due date	27 October 2022

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