

# Institutul Român pentru Drepturile Omului

Piața C. A. Rosetti, nr. 4, Sector 2, București 021051 | email:office@irdo.ro | Tel. 40213114921

# Submission by the Romanian Institute for Human Rights for the 43rd session of the Working Group of the Universal Periodic Review (UPR)

#### Introduction:

In fulfilling its mandate to inform public opinion abroad and international bodies on how human rights are ensured and respected in Romania, the Romanian Institute for Human Rights submits this contribution to the UPR procedure on Romania.

This report focuses on areas that the Institute considers to be of particular importance and does not provide a comprehensive picture of human rights situation. The Report is largely based on the recommendations of the third cycle of the periodic review.

# Theme: A45 National Human Rights Institution (NHRI)

The actions initiated by the Romanian Institute for Human Rights (RIHR) regarding the compliance with the Paris Principles were aimed at updating and adapting the obsolete legislative framework to the current dynamic of the Institute, bearing in mind the recommendations from international bodies addressed to Romania on strengthening the autonomy and independence of the RIHR, and especially the recommendations of the Sub-committee on Accreditation of national human rights institutions of the UN system.

On 30 June 2020, the legislative proposal amending and supplementing Law no. 9/1991 on the establishment of the Romanian Institute for Human Rights was adopted by the Senate as the decision-making chamber.

The amendments proposed in the legislative proposal amending Law no. 9/1991 envisaged:- to regulate the legal status of the Institute as an institution independent of any other public authority; to establish the Institute's activity in accordance with the Paris Principles adopted by Resolution A/RES/48 of the United Nations General Assembly of 20 December 1993 (insertion of Art. 2 (1) in Law no. 9/1991); to systemise and supplement the powers provided by the Institute's mandate; the plurality and transparency of the process of appointing members to the Institute's governing bodies;

to limit the term of office of the members of the Institute's governing bodies; to clarify the status and remuneration of the Institute's staff; a public debate on the Institute's annual report.

The law was subject to constitutional review; the Constitutional Court admitted the unconstitutionality objection raised by the Romanian President. In its analysis, the Constitutional Court identified several elements of extrinsic unconstitutionality on the legislative process (the wrong qualification of the legal nature of the Institute determined the adoption of the document as organic law and not as ordinary law, thus reversing the order of referral of the Chambers; at the same time, Parliament did not request the financial statement from the Government, as laid down in art. 15 of Law no. 500/2002 on public finances). Consequently, considering the nature of the unconstitutionality issue, the Court ruled that the law was unconstitutional as a whole.

In 2021 the Senate examined another legislative proposal regarding RIHR, which provided for the merger of the Romanian Institute for Human Rights into the National Council for Combating Discrimination (NCCD). The proposal was rejected by the Senate - there were several differences between the two institutions: the legal nature, purpose of establishment and the mission of the two institutions are different.<sup>1</sup>

There is a need to regulate a clearer mandate of the Institute, highlighting the specific functions of the RIHR, i.e. the promotion of human rights, training and research in the field of human rights, as well as different duties compared to other institutions with a mandate in the field of human rights in Romania (Ombudsman, NCCD and the Monitoring Council), while also taking into account the recommendations of different international organisations

# Theme: E43 Access to sexual and reproductive health and services (Recommendation 114.143)

Legislative changes:

Law no. 191/2022 amended Law no. 272/2004 on the protection and promotion of the rights of the child introducing measures to include a new subject in schools, namely education for life, including health education.

The "health education programmes", which aim to prevent the contraction of sexually transmitted diseases and underage pregnancy, will be addressed to pupils from the 8th grade onwards and may be followed only with the written consent of their parents or their representatives, according to Law no. 191/2022. We note that Law no. 45/2020 (which also amended the Law on children rights) provided for these types of programmes to take place at least once a semester, without any provision regarding the consent of parents or children's representatives. However, introducing such programmes in schools is important, but it is essential to monitor how many pupils benefit from these studies.

<sup>&</sup>lt;sup>1</sup> For more information see ENNHRI, State of the rule of law in the European Union, Reports from National Human Rights Institutions - Romania, 2021 <a href="http://ennhri.org/rule-of-law-report-2021/romania/">http://ennhri.org/rule-of-law-report-2021/romania/</a> and 2022 <a href="https://ennhri.org/wp-content/uploads/2022/04/ENNHRI-EU-Rule-of-law-Report-2022.pdf">https://ennhri.org/wp-content/uploads/2022/04/ENNHRI-EU-Rule-of-law-Report-2022.pdf</a>

# Theme: D29 Domestic violence (Recommendations 114.150, 114.152, 114.88)

Romania ratified the Istanbul Convention through Law no. 30/2016, and, at present, the domestic legislation has been harmonised with the Istanbul Convention through the adoption of a complex legislative package, at the level of primary, secondary and tertiary legislation.

## Legislative amendments:

In recent years, the main normative act in the field - Law no. 217/2003 on preventing and combating domestic violence - has been amended by multiple normative acts among which we mention, by way of example:

Law no. 174/2018 - amends and supplements Law no. 217/2003 on:

- Extending the framework of legal principles applicable in the field of combating domestic violence by introducing the principle of protection of life and safety of the victim, the principle of respect for human rights and fundamental freedoms and the principle of integrated approach;
- the definition of domestic violence as: any intentional act or omission of physical, sexual, psychological, economic, social or spiritual violence occurring in the family or domestic environment, or between spouses or ex-spouses, as well as between current or former partners, regardless of whether the perpetrator lives or has lived with the victim;
- gender-based violence is defined as violence directed against a woman or, where appropriate, a man on grounds of gender. Gender-based violence against women is violence that disproportionately affects women. Gender-based violence includes, but is not limited to: domestic violence, violence, sexual violence, female genital mutilation, forced marriage, forced abortion and forced sterilisation, sexual harassment, human trafficking and forced prostitution.
- making public authorities accountable for preventing and combating domestic violence and strengthening the mandate of the National Agency for Equal Opportunities in this area; other provisions include social services to prevent and combat domestic violence, shelters for victims of violence, assistance centres for perpetrators, hotline services;
- for the purpose of protecting victims of violence, a provisional protection order is introduced, issued by police officers who, in the exercise of their duties, find that there is an imminent risk that a person's life, physical integrity or freedom may be endangered by an act of domestic violence. The provisional protection order is issued to reduce this risk.

Law no. 212/2019 - amends Law no. 217/2003 by introducing, in favour of the party whose request for the issuance of a protection order has been rejected, the right to appeal within 3 days of the delivery (if the decision was delivered with the parties having been summoned) or of the communication (if the parties were not summoned).

Law no. 183 of 19 August 2020, amending Law no. 217/2003 on preventing and combating domestic violence, introduces mandatory legal assistance for persons applying for a protection order, and the violation of the protection order constitutes a crime and is punishable by imprisonment from 6 months to 5 years.

Law no. 106/2020 - introduces the concept of "cyber violence", which is defined as online harassment, online messages inciting gender-based hatred, online stalking, online threats, non-

consensual sharing of intimate information and graphic content, illegal access to interception of communications and private data and any other form of misuse of information and communication technology through computers, smart mobile phones or other similar devices using telecommunications or which can connect to the internet and transmit and use social media platforms or e-mail, with the aim of shaming, humiliating, frightening, threatening, silencing the victim. The law also extends the powers of the competent public authorities and institutions in the field of violence to address this particular type of violence.

Law no. 146/2021 - establishes electronic monitoring measures applicable to the provisional protection order and the protection order established under Law no. 217/2003 on preventing and combating domestic violence, republished.

National Strategy for Preventing and Combating Sexual Violence "SYNERGY" 2021-2030 - An innovative and integrated strategy - Multidisciplinary intervention - Non-stereotyping - Equal opportunities between women and men - Accountability Guidelines and working tools - Information and training - Education at all levels

In its activity, RIHR has supported the amendment of Law no. 217/2003 and promoted the latest developments in national legislation by analysing the implications of legislative developments on the exercise of women's rights, as well as the repercussions of existing limitations and obstacles to the implementation of the new legislation.

Since 2017, RIHR has set up a working group on promoting women's rights and combating domestic violence. The working group, which includes NGOs and national institutions in the field<sup>2</sup>, analyses the most pressing issues facing women in the exercise of their rights. Through the work of this working group, RIHR, together with its partners, has contributed to promoting the need to strengthen the enforcement of legislation against domestic violence, as well as to promoting NGO proposals for necessary changes in the legislation, and to achieving institutional coherence.<sup>3</sup>

The working group highlighted several existing limitations in the implementation of the legislation and the need to amend or improve the legislation in this area. One of the main challenges remains the dissonance between the existence of effective legislation and the low degree of implementation.

Issues identified in the working group:

- women's access to justice, health services, the protection system for survivors of violence is underfunded

<sup>2</sup> Partners include NGOs, representatives of authorities and institution in the field of equal opportunities -the National Agency for Equal Opportunities (ANES) being the central governmental body actively involved in promoting equal

opportunities – representatives of law enforcement, advisers, psychologists.

<sup>&</sup>lt;sup>3</sup> On 26 February 2020, RIHR participated in the working meeting with the delegation of the UN Working Group on Discrimination against Women and Girls, held at the Palace of Parliament. On this occasion, the work and results of RIHR's working group on promoting women's rights and combating domestic violence were presented. See Visit to Romania Report of the Working Group on discrimination against women and girls, <a href="https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/092/81/PDF/G2109281.pdf?OpenElement">https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/092/81/PDF/G2109281.pdf?OpenElement</a>

- there are still not enough specialised centres for survivors of gender-based violence or for perpetrators
- some courts continue to minimise the severity of violence against women
- insufficient public funding for education, training and awareness-raising programmes to prevent violence against women
- rising unemployment as a result of the Covid-19 pandemic and poverty levels
- pregnancy among young girls, early marriages
- balancing women's responsibilities in the public and private spheres, segregation in schools, discrimination against Roma and LGBT people
- women face abuse, sexual harassment and bullying in the workplace
- some workplaces are unsafe spaces for women, where sexual harassment and discrimination frequently occur (in this regard RIHR in partnership with ANES has launched the campaign to combat moral harassment in the workplace from 15 September to 15 October 2020, the results of the campaign resulting in a Guide on combating moral harassment in the workplace)
- balancing the responsibilities of women in the public and private spheres, protecting the rights of vulnerable groups (migrant women, women with disabilities, women belonging to ethnic minorities, women living in rural areas, older women)
- human trafficking and sexual exploitation
- lack of access to information in rural areas.

In sports, there is still wage discrimination between women and men, a low representation of women in management positions, a low representation, and discrimination against women.

Several stereotypes about the role and condition of women in Romanian society persist in advertising materials and the press. The press treats cases of violence as entertainment content, or sensational story, thus contributing to the normalisation of domestic violence. The emotional impact of violence is undermined by the way a case is presented. The working group believes that legislative/public policy changes are needed to help accelerate gender balance and women's access to leadership positions, the need to promote the social economy and education in support of vulnerable groups.

One issue identified by all members of the RIHR working group: the existence of national legislation that is increasingly in line with international standards, but not always effectively implemented.

#### Recommendation 114.90

Regarding these recommendations

The RIHR working group identified as existing problems: the lack of proper funding of the protection system for survivors of violence; not enough specialised centres for survivors of gender-based violence or for the perpetrator

# Legislative changes:

Law no. 146 of 17 May 2021 on electronic monitoring in judicial and executive criminal proceedings, which also regulates the application of the provisional protection order and the protection order under Law no. 217/2003 on preventing and combating domestic violence, republished.

As also concluded in the RIHR working group, although the Law has been adopted, its implementation is difficult, and the following issues have been encountered:

- -high financial costs of implementation.
- -technical barriers related to the implementation of these devices.

# Theme: F1 Women and Theme: F12 Discrimination against women (Recommendations 114.148, 114.200)

RIHR has discussed this issue in the working group and has undertaken information and training and awareness-raising campaigns to combat speech or advertising material containing stereotypes that undermine women's rights in general and reproductive health rights.

Problems identified in the RIHR working group: a number of stereotypes persist regarding the role and condition of women in Romanian society in advertising materials and in the press; the press treats cases of violence as entertainment content, or sensational stories, thus contributing to the normalisation of domestic violence; the emotional impact of violence is belittled by the way the case is presented.

These stereotypes are seen in the labour market, in the evaluation of CVs for employment, by expanding the idea that only certain jobs are suitable for women. At the invitation of the Centre Filia, RIHR participated in the meetings and work of the PROGRES project promoting the need for gender equality in sport on the institute's website. The PROGRES project consortium carried out a study entitled Analysing and Addressing Gender Gaps in Sport on Gender Inequalities<sup>4</sup>.

# Theme: B31 Equality & non-discrimination and Theme: B32 Racial discrimination (Recommendations 114.42, 114.62, 114.53, 114.54, 114.75)

The Romanian Government has adopted the National Strategy for Preventing and Combating Discrimination "Equality, Inclusion, Diversity" for the period 2016-2020. The strategy aims to reduce the number of cases of discrimination at the level of Romanian society, to promote equal rights and opportunities for all, through coherent, integrated and inter-institutional measures, to contribute to the development of an inclusive society, where diversity is valued.

Issues identified in the RIHR working group: LGBT discrimination

RIHR presented the findings and work of the working group at the National Roma/Roma LGBTQ+ Conference: Intersectionality and (non)discrimination organised by the Centre for Legal Resources

<sup>&</sup>lt;sup>4</sup> https://progresproject.eu/intellectual-outputs/

in the framework of the INTERSECT project - implemented in partnership with the Action Centre for Equality and Human Rights, Mozaiq LGBT Association and the Civic Union of Roma Youth in Romania.

Problems identified by RIHR: segregation in schools, discrimination against the Roma population, access to justice and health services for vulnerable groups, propagation of racist, xenophobic and hate speech stereotypes. Several stereotypes of minorities persist in publicity materials and in the press.

We would like to point out that RIHR organises annual campaigns in high schools and secondary schools to combat stereotypes, racism and xenophobia, as a partner in the project United in Diversity No Discrimination, as well as other educational trainings and programmers for youth aiming to encourage positive behaviours and attitudes.

# Theme: D27 Prohibition of slavery, trafficking (Recommendations 114.111, 114.114, 114.121)

Government Decision no. 861/2018 for the approval of the National Strategy against Trafficking in Human Beings for the period 2018 - 2022 and the National Action Plan 2018 - 2020 for the implementation of the National Strategy against Trafficking in Human Beings for the period 2018 - 2022, sets out measures aimed at reducing the impact and scale of trafficking in human beings at national level by prioritizing and streamlining activities in the fight against it.

In the context of the situation in Ukraine and the increasing number of refugees on the territory of the country, RIHR in partnership with the National Agency for Combating Trafficking in Human Beings has initiated for the period 2022-2023 a training/information campaign on preventing and combating trafficking in human beings with the target group of young people.

### Theme: E41 Right to health – General

In 2020, in the rural areas, the number of inhabitants per doctor was 1591 inhabitants, representing a decrease of more than 5% compared to 2010 and an increase of 1.2% compared to 2019<sup>5</sup>. Although the situation has improved, the access to a doctor in rural areas has not evolved to the same level as in urban areas where, compared to 2010, the number of inhabitants per doctor decreased by more than 26% (from 234 inhabitants to a doctor in 2010 to 172 inhabitants in 2020) and by 5% compared to 2019.

At the same time, although the number of doctors has been increasing over the last 10 years, there are counties where the number of doctors is low, so that a doctor is responsible for a larger population, for example Dâmboviţa (879 persons/1 doctor) compared to Bucharest (123 persons/1 doctor). Also, in 2020, the total number of staff employed in the community care services was 1791 community nurses. According to the law, in communities without a family doctor or with an insufficient number of family doctors, local authorities ensure the presence of at least one community nurses (Art. 140^11, Law 95/2006). The number of health mediators was 459 in 2020

<sup>&</sup>lt;sup>5</sup> INS tendințe sociale 2021, https://insse.ro/cms/sites/default/files/field/publicatii/tendinte sociale 2.pdf

(staff who ensure communication between the local health authorities and the Roma community), in the context that one community health mediator serves a population of 500-750 people.

In 2022, the Multiannual Strategy for Human Resources Development in Health 2022-2030<sup>6</sup> was adopted to ensure recruitment, retention and professional development of health staff.

Also, according to Law 65/2022, amending Law 95/2006 on health care reform (Article. 140^20): "In order to encourage the organisation of mobile health care activities, central or local authorities may grant financial incentives and facilities to health care providers in areas with poor access to health care services, including non-governmental organisations carrying out health care activities".

During the COVID-19 pandemic, telemedicine services were regulated, thus allowing patients to receive a remote diagnosis, and, in September 2022, rules on the provision of telemedicine services were adopted<sup>7</sup>. This would allow a wider range of the population access to medical services, as specialties that can provide telemedicine services include family medicine, haematology, geriatrics, gastroenterology, allergology, cardiology.

In 2019, most preventable deaths were caused by ischemic heart disease, alcohol related diseases, cancer of the trachea, bronchi and lungs. At the same time, a study<sup>8</sup> made by a private company showed that 60% of participants to the nationwide survey went to the doctor because they needed a document, for an emergency (14%) or they needed a check-up following a medical condition. <sup>9</sup>

Among others, the draft National Health Strategy 2022-2030<sup>10</sup> aims to strengthen prevention through health risk assessment, screening and early diagnosis, prevention of life-long diseases and control of their progression. It is important that the health strategies developed are implemented effectively and that their implementation is monitored.

### Theme: E51 Right to education - General

In terms of physical access to education, the Education Law includes several provisions relating to the transport of students who cannot study in their place of residence. In 2021, by GEO no. 50/2021, new provisions were introduced regarding the settlement of transport costs, as follows:

Art. 84 (1<sup>3</sup>) Pupils who cannot study in their place of residence shall be reimbursed for transport expenses between their place of residence and the place where they are educated, during school courses, from the budget of the Ministry of Education, through the educational establishments where they are educated, within the limit of 50 km.

<sup>&</sup>lt;sup>6</sup> https://rohealthreview.ro/wp-content/uploads/2022/07/Monitorul-Oficial-Partea-I-nr.-663.pdf

<sup>&</sup>lt;sup>7</sup> https://www.ms.ro/2022/09/14/normele-de-aplicare-a-serviciilor-de-telemedicina-aprobate/

<sup>&</sup>lt;sup>8</sup> https://redspot-branding.ro/romanii-nu-merg-la-medic-pentru-control-de-rutina.html

<sup>&</sup>lt;sup>9</sup> Also see, RIHR's Submission to the UN Committee on Economic, Social and Cultural Rights (CESCR) for the List of Issues on the occasion of the examination of the sixth periodic report submitted by Romania, https://tbinternet.ohchr.org/\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fICO%2fRO U%2f46585&Lang=en

<sup>&</sup>lt;sup>10</sup> https://www.ms.ro/wp-content/uploads/2022/04/SNS consultare-public%C4%83.pdf

(1^4) Pupils who are accommodated in boarding or host families in the locality where they are studying shall be reimbursed the cost of 8 return trips per semester from the budget of the Ministry of Education, through the educational establishments where they are enrolled.

The number of teachers and educational establishments in urban and rural areas is also important in terms of access to education. According to a World Vision Romania study "Romania faces a shortage of suitably qualified staff in rural areas. Teachers receive little preparation and practical training." <sup>11</sup> In addition, the same document states that "The relatively high number of posts filled by staff without adequate qualifications remains a challenge, especially in educational establishments in rural and remote areas." There are also schools in rural areas without adequate sanitation, central heating, sports halls or libraries.

At the same time, access to education will suffer if the budget is not increased. In 2022, the budget allocation in relation to GDP was  $3.11\%^{12}$ , although according to the Education Law it should amount to 6% of GDP.

# Theme: D43 Freedom of opinion and expression (Recommendation 114.106)

Law 170/2022 amended Article 369 of the Criminal Code on incitement to violence, hatred and discrimination. Thus, a new criterion was introduced, namely political opinion. Prior to its adoption, the law was subject to constitutional review following an objection raised by the Ombudsman and a group of MPs, on the grounds that such a provision could, among other things, restrict freedom of expression and that the inclusion of the expression of political opinions in the criminal sphere could also have repercussions on the exercise of electoral rights. However, the Constitutional Court dismissed the unconstitutionality objection.

In terms of media freedom, Romania ranks 56th in the world, according to Reporters Without Borders, falling 8 places from 2021<sup>13</sup>. As stated in the UNESCO report, Journalism as a public good<sup>14</sup>, the media is an instrument which can be under the influence of certain people and may be used to convey personal opinions. The same report states that media institutions may be under the control of certain parties or interest groups, in which case they must comply with specific requirements.

# Theme: F31 Children: definition; general principles; protection (Recommendations 114.158, 114.159, 114.160, 114.155, 114.169)

In recent years new amendments were adopted for the Law no. 272/2004 on the rights of the child that have improved the legislative framework in this area. Regarding recommendation 114.158, a child who has not reached the age of 7 cannot be placed in a residential service, but only with an extended family, substitute family or foster carer. However, a child between 3 and 7 years of age may be placed in a residential centre if "habilitation/rehabilitation cannot be ensured in other types of services, if the child has both a complete functional impairment/disease and complete activity

<sup>&</sup>lt;sup>11</sup> https://worldvision.ro/wp-content/uploads/2021/06/Sumar-studiu.pdf

<sup>&</sup>lt;sup>12</sup> https://www.edu.ro/sites/default/files/20.06.2022\_comunicat\_presa\_Cheltuieli\_educatie%202005-2022.pdf

<sup>&</sup>lt;sup>13</sup> https://rsf.org/en/index

<sup>&</sup>lt;sup>14</sup> https://unesdoc.unesco.org/ark:/48223/pf0000380618.locale=en

limitations and participation restrictions, confirmed by the complex assessment service of the Directorate-General for Social Assistance and Child Protection". (Art. 64 (2))

Currently the law does not contain provisions on community care centres per se, the placement of the child being arranged with a person or family, a foster carer, a residential type of service (family-type homes, apartments, emergency reception centres and maternal centres - Art. 123). Moreover, under the new provisions, the only residential services are those organised in accordance with Art. 123<sup>15</sup>, which stipulate the maximum number of children that can be cared for, as well as minimum standards for building equipment. In practice, the new provisions ensure clear standards on how to organise residential services and provide for the abolition of any placement centres by the end of October this year.

As regards monitoring, according to the law, the Directorate-General for Social Assistance and Child Protection or the accredited private provider monitors how child protection measures are implemented, which involves a report every quarter or whenever situations arise that require it.

In addition to the latest amendments to child protection legislation, with regard to children with special protection measures, in 2019, Order no. 25/2019 provided a series of standards on residential social services for children in the special protection system. They set for criteria and provisions on how the services are provided. In principle, these standards provide for greater respect for the rights of the child, in particular the right to express an opinion, freedom of expression and freedom from violence, abuse and humiliating or degrading treatment. Moreover, the standards are intended to transpose the provisions of the CRC and thus ensure better respect for children's rights in special protection centres.

-

<sup>&</sup>lt;sup>15</sup> Art. 123 (3) The following are considered residential services: family-type homes, apartments, emergency reception centres and maternity centres.

<sup>(4)</sup> A family-type home is a dwelling that covers the essential needs of rest, food preparation, education and hygiene, ensuring the minimum requirements for a maximum of 12 children for whom the measure of emergency placement or, as the case may be, foster care has been established under the terms of this Law. In exceptional circumstances, the number of children may not exceed 16, subject to the minimum requirements, but only for the duration of the exceptional situation.

<sup>(5)</sup> The apartment is the dwelling that covers the essential needs of rest, food preparation, education and hygiene, ensuring the minimum requirements for a maximum of 6 children, for whom the measure of emergency placement or, as the case may be, foster care has been established under the provisions of this Act.

<sup>(6)</sup> The emergency reception centre is the facility that provides temporary accommodation for a maximum of 6 months, without the possibility of extension, and is organised in compliance with the minimum requirements set out in paragraph (8) for a maximum of 30 children for whom the measure of emergency placement has been established under the terms of this Law. A maximum of 3 emergency reception centres may be organised in each county.

<sup>(7)</sup> The maternal centre is the facility that provides temporary accommodation for a period of up to 2 years and is organised in compliance with the minimum requirements set out in paragraph (1). (8) for a maximum of 9 mother-child couples.

<sup>(8)</sup> For the residential services referred to in (4) and (6) the number of children is determined according to the living space, with respect to the minimum requirements for sanitary facilities, minimum equipment of sanitary facilities, kitchen, minimum equipment with electrical installations, common spaces and installations for buildings with more than one dwelling, approved by Annex no. 1 to the Housing Law no. 114/1996, republished, with subsequent amendments and additions.

<sup>(9)</sup> Residential services belonging to public administration authorities shall be organised only within the structure of the General Directorate for Social Assistance and Child Protection, as functional components thereof, without legal personality. They may be specialised according to the needs of the placed children.

However, from discussions with dialogue partners in the field, namely the National Authority for the Protection of Children's Rights and Adoption and the CTI (Council of Institutionalised Young People - an association representing children and young people in special protection), it appears that the standards are not fully and uniformly applied, and there are still discrepancies in the way services are provided.

With regards to child poverty and social exclusion

According to Save the Children<sup>16</sup>, "Romania faces a high risk of poverty or social exclusion among children, with 41.5% of them, i.e., 1.5 million children, more than adults (34.5%) (Eurostat data), being affected by lack of family income to ensure survival or a decent living, social and educational isolation, lack of access to nutrition in line with the child's age and biological needs and to quality socio-educational and health services". According to the same organization "In January 2021, more than 286,150 children of compulsory education age (7-17 years) were not attending school, and for primary and secondary education as a whole, the dropout rate for 2019/2020 was 1.3%, which means about 20,878 students."

It is important to bear in mind that in Romania, although education is free, there are costs that are passed on to the family's income, e.g., uniforms, auxiliary materials, school supplies, transport. Quality education, free of charge, should be the goal of any democratic state that seeks to achieve good socio-economic development of the population.

A draft strategy on the rights of the child "Protected children, safe Romania" 2022-2027 and an action plan are currently under discussion but have not yet been adopted. The overall objectives of the strategy include reducing child poverty and increasing access to quality services and reducing inequalities affecting children from vulnerable groups.

<sup>-</sup>

<sup>&</sup>lt;sup>16</sup> https://www.salvaticopiii.ro/sci-ro/media/Documente/415-dintre-copiii-din-Romania-in-risc-de-saracie-sau-excluziune-sociala-Modelul-propus-de-Salvati-Copii.pdf

<sup>&</sup>lt;sup>17</sup> http://e-consultare.gov.ro/w/wp-content/plugins/download-attachments/includes/download.php?id=33289

<sup>18</sup> http://e-consultare.gov.ro/w/wp-content/plugins/download-attachments/includes/download.php?id=33286