

# Pledge by Romania

Ratified the Convention on the Rights of the Child on 28 September 1990

Ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict on 10 November 2001

Ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography on 18 October 2001



## Pledges

1. Deinstitutionalisation of children by closing down all the classic type residential institutions and forbidding the institutionalisation of children under 7 years old.
2. The EU Children's Conference in Bucharest has provided the basis for mechanisms for consulting children in EU decision-making.

1) In light of the commitments we have made under the Convention on the Rights of the Child and its Optional Protocols, as applicable, we have undertaken the following to highlight our commitment to the promotion, protection and realization of the rights of the child in celebration of the 30<sup>th</sup> anniversary of the Convention:

- What?
  - Deinstitutionalisation of children by closing down all the classic type residential institutions and forbidding the institutionalisation of children under 7 years old.
- Why?
  - **After years of deep reform within the field of children rights, there are still old type residential institutions still functioning in Romania.** Even though the living conditions were improved during the last years, residential care is not the best solution for their development. Fully aware that the best place for a child is to be raised within a family or an environment as close as possible to the family one, Romania has engaged in closing down the last classic type residential institutions by the end of 2020. They will be replaced with better solution aimed at providing children separated from their families an environment closer to the family one. Therefore the family placements or foster families placement will be the first solutions taken into consideration, while the placement into family type home will be seen as a last alternative, taking into consideration that the conditions offered to the children are still better than those offered by a classic residential institution.
  - At the end of 2018, there were 52.783 children separated from their families. Out of these 17835 were placed within the foster family network and 17096 with placement families.

Out of the total number of children found into the special protection system, only approximately 10% (5249 children) are protected within classic type institutions which are to be closed in the near future. The National Authority for the Protection of Children Rights and Adoption has carried out between 2016-2018, with consultancy offered by the World Bank, a national project called "*Development of Plans for the De-institutionalization of Children Deprived of Parental Care and their Transfer to Community-based Care*", financed from the European Social Fund, under the Administrative Capacity Operational Program.

Its main purpose was that of assessing all the classic residential institutions still functioning nationwide, prioritize their closure and provide solutions, instruments and working tools for the local authorities in order to support the transition from residential to community based care.

All of the activities carried out had the final aims of ordering the closure of the institutions and of informing how the methodology for closing down the institution can be tailored to local needs.

A careful evaluation of all classic type residential facilities was carried out within the project and one of the criteria taken into consideration when evaluating the emergency of closure for such an institution was the children' opinion on the conditions and environment offered within.

12 focus groups with children over 10 years of age (with no upper age limit), were organized involving both girls and boys, those with or without disabilities, and located in different parts of the residential center (different dormitories, floors, or modules). The participants were selected either by the Children's Council representative (a child) or, less often, by the researcher (who chose participants randomly from the children who were present).<sup>1</sup> The center staff (the educators, the head of the unit, or others) were not allowed to participate in the focus groups in order to ensure that the children could freely express their opinions about their living conditions and their daily life in the center.

Children who participated in our focus group discussions evaluated their residential centers with scores between 6.4 and 9, thus from "satisfactory" to "very good". Overall, they had a rather positive perception of the material and housing conditions provided in residential centers. Nevertheless, they emphasized the need for a family environment characterized by affection, understanding and communication on the part of the staff. Out of all children's needs, the need to have their voice heard, to have somebody they can talk to, a person to whom they can tell anything and whom they can trust is the most important.

The main message expressed by children during our focus group interviews was that, in general, the material conditions in the system are satisfactory, even better than at home for most of them, but that what is missing is a person who makes time for them, someone with whom they can build a relationship based on trust, "someone to love me too, man, you know." This is the primary need that the residential centers fail to meet. Second, from the point of view of older children, they wish for a certain degree of independence and to participate more actively in all of the decisions that may influence their life, from the clothing they wear to their PIP goal.

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<sup>1</sup> The researcher and the Children's Council representative together with the head of the center checked that the participants had been chosen in compliance with these selection rules before inviting them into the focus group room. In cases where the distribution was unbalanced with regard to any of the criteria above, more children were recruited to remedy this. Afterwards, the head of the center signed a focus group participation agreement on behalf of all of the participating children.

- In the same time, the national law on children rights, now under debate within the Parliament of Romania will strictly forbid the placement into residential care of any child who is less than 7 years old.

- How?

- In the National Strategy for the Protection of Children Rights for 2014-2020 and its Action Plan foresees the obligation to close down the classic residential institutions in Romania by the end of 2020.
- The national law on the protection and promotion of children rights, currently under debate within the parliament of Romania, will be modified accordingly.
- The Structural Funds available for Romania. Both Human Capacity Operational Program and Operational regional Program offered significant funding to local authorities for closing up the classic residential institutions still functioning at their level but also for setting up new family type homes or community based services.

- When?

- *By 2020 all remaining classic type residential institutions should be closed down except those which were previously funded and are still in the sustainability period. Those will be closed after this period will officially end according to the conditions of the Financing Contracts.*
- *By 2023 the foster families network will be extended with another 5000 foster carers, through a national project, financed from European Funds, implemented by the National Authority for the Protection of Children Rights and Adoption in partnership with all the 47 General Departments for Social Assistance and Child Protection, functioning in each county of Romania.*

- Who?

- *The National Authority for the Protection of Children Rights and Adoption, as central authority within the field of children rights in cooperation with all the ministries and authorities, whose field of activity and competencies include the field of children rights (Ministry of Labour and Social Justice, Ministry of Regional Development and Public Administration, Ministry of European Funds, etc.).*

## 2) We have made the following plans to celebrate the 30<sup>th</sup> anniversary of the Convention:

- **The EU Children's Conference in Bucharest has provided the basis for mechanisms for consulting children in EU decision-making**

Given that 1 in 5 European citizens is a child or a young person and considering children's right to be consulted and to actively participate in decision-making that affects them, as provided for in the UN Convention on the Rights of the Child, their involvement in the debates that define the future of Europe was a priority for the Romanian Government during the Presidency of the Council of the European Union.

As part of that undertaking, the Ministry of Labour and Social Justice through the National Authority for the Protection of Children's Rights and Adoption, the Ministry of Foreign Affairs – through the Minister for European Affairs, and UNICEF Romania have agreed to cooperate with a view to promoting children's right to participation as a priority.

The main goal of the cooperation was to boost children's involvement in child-related decision-making and policy development processes, at the level of the European Union.

**Call to Action for Child Participation in Decision-Making at National and EU levels**

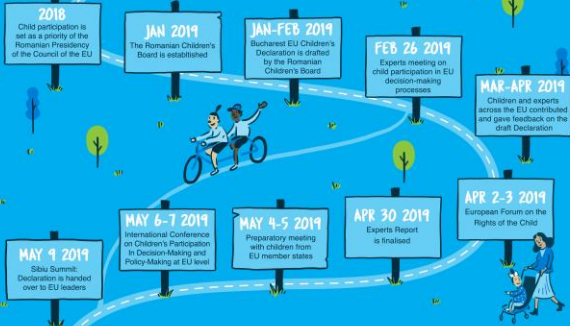
20% of EU citizens are children. Regardless of our age, gender, origin, ethnicity and ability, we have the RIGHT to express our opinions on matters that affect our lives and contribute to positive change in society. We are experts in our own lives and key partners in development. We want to be heard and live in a Europe that requires and values our involvement in decision-making processes.

The reality today is quite different. Many children in Europe continue to be excluded from decision-making at all levels: within families, schools, communities, at national and EU levels.

The Bucharest EU Children's Declaration on child participation in decision-making and policy-making at European level is an urgent call on the EU and its member states to make child participation a priority and reality in Europe.

**CHILDREN HAVE A RIGHT TO PARTICIPATE**

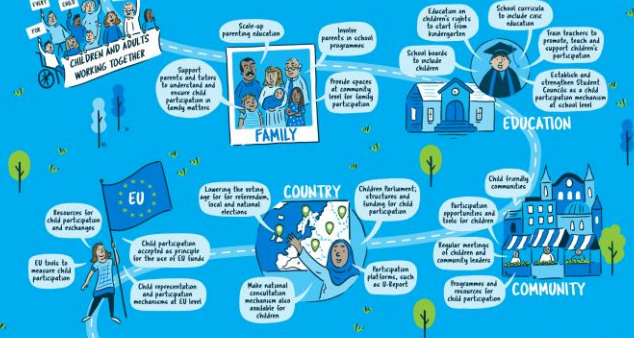
**THE JOURNEY SO FAR**



**THE CHILDREN'S DEMANDS - CHILDREN'S CALL FOR ACTION**



**THE CONFERENCE ON CHILD PARTICIPATION - MAY 6-7 2019**



**THE WAY FORWARD - COMMITMENTS**



Hence, during the Romanian Presidency of the Council of the European Union, through an ample consultation process involving European children, international experts and representatives of European institutions active in the field of children's rights, the "Bucharest EU Children's Declaration" was issued.

The "Bucharest EU Children's Declaration", drafted by the Romanian Children's Board, set up specifically for that purpose, was widely disseminated across Europe through the networks of UNICEF, EuroChild, Save the Children, the Federation of Child Protection NGOs, and European high school student associations, to get buy-in and feedback from a large number of various groups of children all over the European Union.

This process was also supported by a significant number of experts, whose recommendations and proposals regarding the design of the mechanisms for children's participation in decision-making was compiled in a supporting document that accompanied the "Bucharest EU Children's Declaration".

The highpoint of these ongoing endeavours was reached by organizing the international conference "Child Participation in Decision-Making and Policy Development at EU Level", held at Bucharest, from 6 to 7 May 2019.

During that event, children and adolescents from Romania and the EU Member States have finalized the Declaration and presented it to the representatives of the ministries and central authorities responsible for child rights issues in the 28 Member States, to child rights experts and the specialists of the European institutions and the European Parliament.

The document is now considered a benchmark for defining children's rights and asserting their right to participate in the adoption of all the policies and decisions that will contribute to building the future of the European Union.

The drawing representing the process of elaborating the "Bucharest EU Children's Declaration".

