



ROMANIA

NATIONAL PROGRESS REPORT

“Plus 5” review of the 2002 Special Session on Children and World Fit for Children Plan of Action

1. Introduction

Committed to support the Declaration and Plan of Action contained in the final document of the 27th special session of the General Assembly on children – “A World Fit for Children”, the Government of Romania included the provisions of these documents and their objectives in all the national strategies and plans of action designed to ensure the respect of child rights and to increase the quality of life for the Romanian children.

In the process of elaborating and implementing national strategies, plans of action and public policies in the field of child welfare, the Romanian Government is working closely with the civil society, with the international organisations and with the beneficiaries of the policies.

For the future periodical report to the Committee on the Rights of the Child on the implementation of the United Nations Convention on child rights, that will be presented in October, 2007, Romania has established a coherent approach and an integrated mechanism of reporting. The periodical report of the Romanian Government and the alternative report elaborated by the nongovernmental organisations will be completed with reports of children, the two sectors helping and assisting children in expressing their points of view on the level of respect of their rights in Romania.

2. Major National Actions taken for Children and towards the WFFC targets since 2002

Once the necessary framework for solving the problem of the institutionalised children was established (this constituting an acute matter for Romania in the last decade of the 20th Century), and in order to harmonize its legislation with the international documents, the Romanian Government has set up, in 2001, a working group aiming at the revision of the legislation in the field of child’s rights protection.

Starting August 2002, when the legislative package elaborated by this working group was presented, for the first time, to the Government, it was amended several times, taking into consideration:

- the observations and suggestions received during the 2 public debates the package was subjected to (debates organized with the participation of the representatives of the central and local public

administration, of the non-governmental organizations, mass-media and the academic environment).

- the observations of the European Commission and the recommendations of the European Council,
- the conclusions of the 3 reunions that the working group held in Bucharest and Brussels with the Panel of Experts designated by the European Commission (May 2003, July 2003, respectively January 2004) and the reports drawn up by this Panel.

In June 2004, the Romanian Parliament adopted the **legislative package** in the field of child protection, containing 4 Laws:

- Law on the protection and promotion of the rights of the child (Law no. 272/2004);
- Law on the legal regime of adoption (Law no. 273/2004);
- Law On the establishment, organization and operation of the Romanian Office for Adoptions (Law no. 274/2004);
- Law on the modification of Emergency Ordinance no. 12/2001 on the establishment of the National Authority for Child Protection and Adoption (Law no. 275/2004).

Also, 12 Government Decisions, representing the secondary legislation related to the legislative package, were approved in order to put into practice the new laws.

The Law no.272/2004 on the protection and promotion of the rights of the child, which was adopted in June 2004 and entered into force at 1 January 2005, regulates the legal framework regarding the observance, promotion and guaranteeing the rights of the child.

The Law, which is fully harmonized with the international treaties Romania is part of, especially with the UN Convention on child's rights and with the European Convention on Human Rights, includes both provisions regarding **the rights of all the children** and provisions regarding **special protection of the child who is temporarily or definitively deprived of the protection of his or her parents**.

The most important changes introduced by the law on the protection and promotion of the rights of the child are as follows:

- The law sets up a system which aims to take care of all the Romanians children, passing from a focus on children in difficulty to an approach of the child in the context of all his/her rights, meaning, in the first time, in the context of his/her family
- For the first time it is explicitly stipulated that the parents have the primary responsibility for raising, caring and for the development of children
- For the first time in the domestic legislation it is explicitly stipulated that the local community has a subsidiary responsibility and the state interferes complementarily, leading to the disappearance of the long rooted mentality (not only of the population but also present in public services) that the state can substitute the parents in any way and at anytime, taking over the responsibilities they have for their children
- The exercise of the rights of the child becomes operational and effective by permanently balancing the rights of the child with the obligations pertaining to parents, public authorities or to society, in general; for example, the child's right to an identity is put into practice through specific attributions and terms established for the medical institutions, police and mayors so that all the children can have a name as soon as they are born
- Children's right to maintain personal relations and direct contacts with their parents, relatives, as well as with other persons they are attached to is for the first time is specifically recognized, in accordance to the provisions of the Convention on personal relations regarding the children, Strasbourg 2003 (signed by Romania in 2006)

- The new provisions exclude the infringements or limitations of the exercise of the parental rights by administrative acts; a series of administrative competencies have been transferred to the courts. In this way, a child cannot be taken away from his/her family against his/her parents' will, under an administrative order; only the court will decide that. The administrative structure may take an emergency order (in case of abuse or serious neglect), but it has to be confirmed by the court, within 48 hours
- two new institutions were set up at central level: the National Authority for the Protection of the Rights of the Child (NAPCR), with the purpose of coordinating the activity of the protection of children's rights and the Romanian Office for Adoptions (ROA), with the purpose of managing the issue of adoptions
- The repatriation procedure of the Romanian unaccompanied children found on the territory of other states was regulated
- Protection measures are mentioned for children offenders who are not criminally liable, for children in case of armed conflicts as well as for refugee children
- Children's corporal punishment was forbidden in any circumstances.

The list of the changes introduced by the Law is not exhaustive; it only comprises some aspects, which are the most important as regards its implementation. The above mentioned issues are though illustrative to the necessity of the efforts that have to be made by several institutions and central and local public authorities in order to properly implement the new legislation.

With a view of facilitating this process, NAPCR has carried on, in the period August 2004 – April 2005, the Twinning Light project „Establishing an plan of action for the implementation of the new legislative package in the field of child's rights protection”. The project included both consultations with the central authorities involved in the implementation of the new legislation, and 8 regional meetings, were representatives of the local services of these authorities and the directors of the General Directions of Social Assistance and Child Protection from all the counties and sectors of Bucharest participated.

The Action Plan was finalized based on the comments received from the central and local authorities and approved through the Government Decision no.1058/08.09.2005. The plan establishes a number of responsibilities meant to help an adequate implementation of the child's right as stated in the new legislation, responsibilities incumbent on several local (county and local councils, mayors) and central authorities, as follows:

- The Ministry of Labour, Social Solidarity and Family – the right of the child to benefit from social assistance and social security; ensure the quality of social services; training of staff working in social care;
- The National Authority for the Protection of Handicapped Persons– promotion of social inclusion of handicapped children;
- Ministry of Justice – specialised courts, juvenile justice, procedures;
- Ministry of Education and Research– ensure a high-quality education system; prevention of school abandonment; equal access to education for all children; promotion of zero-violence schools; promotion of alternative discipline measures;
- Ministry of Health – reduction/elimination of abandonment in maternity wards; take measures in order to promote a healthy lifestyle; combat HIV/AIDS; record children immediately after their birth; education regarding contraception means;
- Ministry of Administration and Home Affairs – set up the necessary framework in order to ensure that local authorities accept and fulfil their responsibilities; combat child labour, eliminate child trafficking and sexual exploitation; mobilise local resources;
- The National Antidrug Authority – protection of children from the illegal use of drugs and psychotropic substances;
- Ministry of National Defence – protection of children in case of armed conflicts;

- The National Council for Combating Discrimination – combating discrimination and inequality;
- Ministry of Foreign Affairs – repatriation of the Romanian unaccompanied children found on the territory of other states; maintain relations between children and parents living in different states;
- The Authority for Foreigners – protection of children of foreign citizens residing in Romania;
- The National Office for Refugees – protection of refugee children;
- Labour Inspection – fighting against child labour;
- The National Authority for Consumer Protection – combating the selling of illegal substances to children, ensure provision of quality services to children.

In its attempt to closely monitor the application into practice of the Plan of Action, after the plan's approval by the Government, NAPCR has asked all the central authorities involved to designate a contact person, who would have the responsibility to communicate the stage of the measures incumbent to those authorities.

The same large inter-institutional cooperation mechanism was used by NAPCR in the elaboration process of the National Strategy in the field of the protection and promotion of child's rights 2007 - 2013. For the implementation of the Strategy, three stages were taken into account, which will be materialized into 3 operational plans: 2007-2008, 2009-2011 and 2012-2013. The operational plans will be assessed and, if necessary, revised annually.

By the development of the national strategy in the period 2007-2013, the activities foreseen by the strategy and its operational plans will take place in the same timeframe as the National Development Plan, which constitutes a tool for prioritising the development public investments and for economical and social development programming. In the same time, placing the strategy in this timeframe makes possible its harmonisation with other strategies and action plans carried on in the same period:

- The national strategy for the protection, integration and social inclusion of the persons with handicap, 2007-2013;
- The national strategy for the prevention and combating the domestic violence and its Implementation Plan, 2005-2007;
- The Action Plan for implementing the Anti-Drugs National Strategy, 2005-2008.
- The National Action Plan for the elimination of the child's labour exploitation, 2004-2007;
- The National Action Plan for the prevention and combating the sexual abuse against children and the children's sexual exploitation for commercial purposes ,2004-2007;
- The National Strategy for supervising, monitoring and preventing the HIV/AIDS infection cases, 2004-2007;
- The Strategy of the Ministry of Education and Research for the period 2006-2008;
- National Plan of Action for preventing and combating trafficking in children, 2004-2007;
- The National Plan for combating poverty and promoting the social inclusion;
- The National Strategy on Migration;
- National Strategy for integrated management of the Romanian frontier, 2004-2006;
- Strategy of the Romanian Government for improving the Rroma condition for 2001-2010.

3. Ressource trends for children

Although in Romania there was a certain under-funding of social sector and the Committee on the Rights of the Child expressed concern over low budget allocations for health and education, there was a significant progress about the ressource allocation for children, especially for the children in the public system of protection.

The table bellow expresses, *in millions euros*, the total amount of the expenditure in the public system for child protection. The figures are composed by the ressources allocated through the state budget

(annual allocation and national interests programs), the local budget of county councils, through the European programs (Phare, International Bank for Reconstruction and Development, Council of Europe's Development Bank), through the programs implemented with the financial help of the Government of the United States (USAID), World Bank, UN agencies and other international donors and nongovernmental organisations.

1997	1998	1999	2000	2001	2002	2003	2004	2005
7,62	19,29	27,13	49,00	72,00	200,00	235,00	354,00	393,00

Because of the fact that the budgeting process is still weak, especially in terms of results-based monitoring and evaluation of public spending, the National Authority for the Protection of Child's Rights developed, with technical and financial assistance from UNICEF Romania, medium costs for every type of service for the protection of children. These costs will constitute a new base for the budget allocation from state budget for 2007, that will lead to a more efficient and effective use of the available resources.

For the achievement of the objectives of the Action Plan concerning the implementation of the legislative package concerning child's rights protection in Romania, approved by the Government Decision no.1058/2005, the resources mobilised by several central authorities, were as follows:

Programmes implemented by NAPCR

- National interest programmes 2005 – financed from the state budget, with a total budget of 11.41 million RON (3.26 MEURO)
- National interest programmes 2006 – with a total budget of 16.9 million RON (4.83 MEURO)
- Phare Programme 2001: Grant scheme - 10,57 MEURO
- Phare Programme 2002:
 - Grant scheme– total budget 10 MEURO, out of which 2,5 MEURO cofinancing from the Romanian Government
 - Educational campaign for child rights „Child's rights are law!”– total budget 2.4 MEURO, out of which 0.6 MEURO cofinancing from the Romanian Government
- Phare Programme 2003: Educational campaign for child rights – 3 MEURO budget
- The Twinning Light Project “Assessment of the current status of the maternal assistance network in Romania” – with a 250,000 EURO budget

Programmes implemented by other central authorities

- **Ministry of Justice**
 - o Phare Programme 2003 „Support for the improvement of justice for minors – twinning and investment” - 2 MEURO budget
- **Ministry of Education and research**
 - o Phare Programme 2003 „Access to education for disadvantaged groups”, - total budget of 11.33 MEURO, out of which 2,33 MEURO cofinancing from the Romanian Government
 - o Social protection national programme "Money for high school" with an allocated budget for the school year 2004/2005 of 15 million RON (4 MEURO) from the state budget, programme also continued in the school year 2005/2006
 - o Money for a PC (EURO 200) with a total budget of 20 million RON (5.5 MEURO) from the state budget
 - o Optimising school transportation by purchasing school minibuses with an allocated budget for 2006 of 1.3 MEURO.

The Action Plan concerning the implementation of the legislative package concerning child's rights protection is the main working tool for the authorities having attributions concerning the protection and promotion of child rights. They have understood the importance of assuming and applying the provisions of the plan, as well as the importance of the collaboration needed for a unitary approach of the legal provisions.

4. Development and use of monitoring instruments to track World Fit for Children/Millennium Development Goals

The main Romanian authority in charge with the monitoring and the supervision of the respect of children rights in Romania is using, since 2003, an informational system for the administration and tracking of the information concerning the social protection measures for children called CWMTIS (Child Welfare Monitoring and Tracking Information System). This is a reporting system, structured at national level.

The reporting activity is realized through direct data operation made by the General Directions of Social Assistance and Child Protection from the counties, respective sectors, for Bucharest. All the information is gathered in the data basis, owned by the National Authority for the Protection of the Child Rights.

This configuration permits coherence and a good standardization of the gathered information, making possible the elaboration of reports in a unitary manner, at the national level.

The CMTIS system, includes three modulus: Child, Personnel and Financial. The three modulus are created to work unitary and concerted, removing the useless information and generating reports which might offer information for future budgets design at national level.

Also the system allows the identification of disfunctionalities regarding the exaggerated costs, as well as an efficient use of the allocated budgets.

The system permits the identification and localization, at any moment of one child from the child protection system, as well as the identification of the institutions who offer services for this type of beneficiaries and the activities unfolded by these.

Also, it is facilitated the quick access to the data concerning the children who benefit of a protection or prevention measure, as well as to the evolution of these cases.

5. Enhancing partnerships, alliances for children and participation

In the past few years, the participation need of the children in Romania became more and more prominent. More and more children feel the need to overcome the role of passive witnesses of the changes, turning into actors, initiators and promoters of the changes. Starting from the pilot projects of the non-governmental organizations and the initiatives carried on at the school or community level, up to large-scale national projects, children's involvement became a constant value of the Romanian society. Bellow we present two such examples of national projects initiated by two central authorities in 2006:

The National Students Council from Romania was set up in March 2006 as a consultative body for the Ministry of Education and Research (MoER), made of 2 representatives of the Student's County Councils from each county. The National Student's Council has as main goal to contribute to the

optimising of the educational system through its participation to the decision making process in the pre-university education and by carrying on activities aimed at promoting the interests and options of the students.

The first meeting of the National Students Council took place in Calimanesti (23 -25 March 2006) and was organized by the MoER, in collaboration with Institute for Educational Sciences, UNICEF Romania and the School Inspectorate of Valcea County. On that occasion, the students have signalled a series of aspects related to: the school curriculum, the week-end schools, which should be promoted as open and friendly schools, the need of set up parents schools for educating the adults to better communicate with their children and other youngsters. The representatives of the MoER committed to make steps for render this ideas valuable. Right after the Conference, the MoER created on its own website www.edu.ro a discussion forum of the National Students Council, aimed at facilitating the relation between the students and the officials of the MoER.

Starting with June 2006, NAPCR is carrying on, in the frame of the EU financed Phare 2003 project “Educational Campaign on Child’s Rights” and in partnership with the MoER and the National Students Council, the Initiative Children’s Council SPUNE! (speak up!)

This project has as objective to stimulate the active participation of the children to the life of the City and, in the same time, to draw the attention of the general public and of the politicians to the idea that children should be consulted whenever deciding on issues affecting their lives.

The official launch of the Children’s Council SPUNE! took place on the 1st of June 2006. The event consisted in a debate between children and parliamentarians, organized at the Parliament Palace, where 30 children and 6 parliamentarians, members of the Commission for labor and social protection of the Chamber of Deputies. On this occasion, NAPCR has translated and distributed to the parliamentarians the manual „Child protection – a handbook for parliamentarians” elaborated by the Inter-parliamentary Union and UNICEF in 2004.

A Summer School on child’s rights was held during 30 July – 5 August in the frame of the Children ‘s Council SPUNE!. The summer school reunited 67 participants, representing the National Students Council, the child protection system, the minorities, as well as some children who have distinguished themselves through initiatives within their communities. The participants established action plans regarding the elaboration of the Children’s Report that will be included in the report that the Romanian Government should forward in 2007 to the UN Committee on Child Rights. Based on their proposals, the questionnaire „Children’s rights in Romania” was drafted, aimed at supporting them to collect information regarding the perception of children all over the country on how their rights are observed.

The results of more than 7,200 questionnaires applied by the children were discussed during the National Conference SPUNE!” that took place between 21-22 October. On this occasion there were also identified the key themes that should be emphasized in the Children’s Report, which should be finalized by the 1st of June 2007, when it is intended to be presented in the Romanian Parliament, in a follow-up of the 2006 debate.

By June 2007, the members of the Children’s Council will carry on activities aiming at the promotion of child’s rights and at collecting further information for the elaboration of the Children’s Report. NAPCR has also created on the website of the Educational Campaign for Child’s Rights www.drepturilecopiilor.ro (childrights.ro) a SPUNE! discussion forum in order to facilitate this process.

Currently, NAPCR is discussing with the National Students Council the possibility that the latter take over the SPUNE! Initiative after the Phare project will be closed, in order to ensure its sustainability.

VI. Achievement of World Fit for Children Plan of Action and related MDG targets since 2002

1.Promoting healthy lives

By the order of the Ministry of Health no. 10 of the 12 of January 2005 there were approved the programs and sub programs within the health systems, which were financed from the state budget in 2005. Among these programs we find also subprogram concerning Health Promotion and Education for Health and also The Health Program for the Child and Family, which includes 19 subprograms, including here The Promotion of Health for Woman and Child at the Communitarian Level.

In the same time, the Ministry of Education and Research is presently undergoing the national program “Education for Health” which has 2 components: a curricular one (included in the national curricula as an optional discipline) and an extracurricular one (supposes organized activities within children clubs).

According to the 2004-2005 Reproductive Health Survey, the rate of abortions declined from 1.3/per live birth in 2003 to 0.8 in 2004, which implies that this is the first year in a long time when Romania registered fewer abortions than live births, attributed to improved family planning services.

In 2005, 96% of households used iodized salt, compared to 53% in 2003. The median of urinary iodine in urban and rural school children increased significantly, and remains within normal limits.

The 2005 anaemia rate in pregnant women was 42.5%, while that of children at 12 months was 59.3%, children at 23 months was 56.8%, and children aged 59 months was 22.7%.

Year	Number of child deaths (0-18 y.o)	% decrease since 1989
1989	16,525	--
2000	7,529	54 %
2001	6,899	58%
2002	6,231	62%
2003	5,882	64%
2004	5,884	64%
2005	5,426	67%

2. Combating HIV/AIDS

Acceptance of Romanian children with disabilities and HIV/AIDS in the community’s life was not an easy task, if we consider the conservative and the traditionalist characteristics of the Romanian society. Statistics from the Ministry of Health and from the National Authority for the Protection of Children’s Rights (NAPCR) show that at 30 juin 2006 there were **7.351** children and adolescents with HIV/AIDS, out of which **570** were in the system of child protection (**254** children in public placement centers, **259** children in private placement centers and 57 children were placed in foster care/professional maternal assistance).

In order to fight against the discrimination of this category of children, the Romanian Government first created the legislative framework to ensure the equality in rights and the non-discrimination principle: Law 272/2004 on the promotion and protection of children rights stipulates at article 6 that

the respect and the exercise of all children's rights must be made respecting the principle of equal opportunities and the principle of non-discrimination.

The main objectives of NAPCR's actions to reduce the discrimination of children with HIV/AIDS are:

a). To increase tolerance and acceptance of children with HIV/AIDS in schools and high schools/professional schools

b). To assure non discriminative medical services

b). To help the social integration of children with HIV/AIDS in their community.

a). Increasing tolerance and acceptance of children with HIV/AIDS in schools and high schools/professional schools

The taking over of external medical units into the system of child protection from 2000 and their transformation into placement centers allowed the assurance of better psycho-social services and the educative recuperation of these children.

For children with HIV/AIDS with no other associated diseases, the integration in regular or special schools was successful, and for the children with easy and medium disabilities were organized special classes in the placement centers. Out of the 570 children from the child protection system, 461 are attending a regular or a special school. The failures to integrate children with HIV/AIDS were due to the following causes:

- advanced age of children reported to their level of education (ex: 12-14 years old and only primary school)
- lack of motivation of children, low IQ.

Through the combined efforts of School Inspectorates, Public Health Directorates, General Directorates for Social Assistance and Child Protection and nongovernmental organizations was succeeded to convince parents and teachers that children with HIV/AIDS are entitled to education and that they are not infecting the other children. Also, an used message was the one that it is not necessary to isolate children with HIV/AIDS in order to stop the spread of the disease.

Organized awareness campaigns aimed to inform the population on HIV virus, AIDS disease, ways of transmitting it, the way to fight against it, and also there were provided information on the rights of persons with HIV/AIDS, in order to fight against their segregation and discrimination.

It is still observed a certain intolerance in what concerns HIV and AIDS. On one hand, the general population is insufficient informed on the ways of HIV's transmitting, ways of prevention and aquisition of healthy attitudes towards infected persons. At the same time, the stigma of AIDS perpetuates an unjustified fear towards this subject, information, testing or towards infected persons.

b). Access to non discriminative medical services

ARV treatment and of opportunistic infections is assured, for free, by the National House of Medical Insurances and by the Ministry of Health for all children with HIV/AIDS.

In 2004, 2005 and 2006 were not recorded any major stops of treatment. From our information, at national levels were some delays of the supply with medication, and apparently, locally there were some delays in providing some medication, which were substituted with others from the same category.

In order to reduce the discrimination of children with HIV/AIDS, the NAPCR is implementing, starting 2005, an awareness campaign to inform and to train public opinion and professionals on the

obligation to respect children rights, under the title „Children’s rights are law!”. In this awareness campaign was included the issue of children with HIV/AIDS and in 2005, 1.800 professionals (social assistants, medical staff, teachers, policemen) were trained on the ways to respect and to promote children’s rights, including the rights of children with HIV/AIDS.

In 2006, 1.316 medical staff and 1.316 teachers will be trained on the same topic, under the training component of the educational campaign.

c). Social reintegration in community’s life of children with HIV/AIDS

NAPCR paid a special attention to the development of like skills for an independent life of children with HIV/AIDS, so that when these children turn 18, they could have the necessary abilities to find a job, to participate in leisure activities and to be part in their community life. Through a project financed by the Global Found for fighting against AIDS, NAPCR supported un under project of NGOs for the development of independent life skills of children from placement centers from 8 counties and under ChildNet program were financed 9 similar projects.

Prevention programs

For the children in placement centers and for the children from day care centers, a permanent important component of the staff working there is the delivery of information regarding AIDS. The children are informed, following their degree of understanding about hygiene notions, health, sexual education, ways of transmitting AIDS and prevention, treatment, provided services. A project financed from the Global Found to fight against AIDS had a prevention component where 300 specialists from the General Directorates for Social Assistance and Child Protection were trained in the field of prevention f AIDS and other sexually transmitted diseases, 7.500 children participated in education sessions for health, held by specialized staff and 150 children with HIV/AIDS benefited from activities for self education, including camps.

The government has allocated significant resources of USD 25 million in 2003 and USD 30 million in 2004, The finalized project of USD 22 million from the Global Fund for HIV, Tuberculosis and Malaria Phase 1, and the newly approved Phase 2 of USD 6.5 million, are very important for ensuring funding and massive intervention in the area of HIV prevention, through a major partnership with NGOs and the private sector, and a target of maintaining incidence in 2007 at the 2002 level.

Promoting quality education

Based on the Ministry’s of Education and Research Order no. 5418/08.11.2005, Educational Assistance and Resources Centres were set up at the level of every county and of Bucharest beginning with 21 of February 2006. These institutions organize educational services offering access to parents, children and teachers from the respective county and Bucharest city, with no restrictions.

Developing a study on the causes of children dropping or not being sent to school – In 2005 the Report on the actual state of the national educational system was accomplished. The report has detailed information and arguments concerning the phenomena and tendencies existing in the actual teaching system as well as the measures the Ministry of Education intends to apply in order to improve the quality of the educational process and the access to education of all children. According to the study, the participation in education at the primary and secondary level has improved, discrepancies still maintaining as regards the origin environment – urban and rural, while the school dropping has registered a growth trend.

Employing school mediators, counsellors and psychologists in all school units – school mediators are hired, at the level of the County Centres for Resources and Educational Assistance, depending on the local community’s needs. They are paid from the budgets of the county councils.

Creating the conditions that all the children complete the compulsory 10 grades – providing the compulsory education for all the persons is accomplished, for those who have abandoned the educational system, through the National Program “A second chance”. This program allows any person to continue his/her studies no matter the moment he/she has abandoned the school. At the same time, the Ministry of Education and Research is implementing, under the Phare 2003 Programme, the project “Access to education for disadvantaged groups”, having as objectives:

- Improving the conditions provided within the pre-school education system;
- Stimulating and improving success within the mandatory teaching system;
- Stimulating the enrolment to “A second chance” programs of those people who have abandoned primary and/or mandatory school.

The project targets children from the disadvantaged communities, focusing on Roma children and children with special educational needs.

Setting up "out of school facilities" available for all children – More and more schools develop different kinds of programs for the children who want to get involved in a continuation of the class hours, involving them in all kinds of activities organized by the school: educational programs for the children who want to raise the level of education, “school after school” type programs (for the children who want to do their homework after school), extracurricular activities realized within the same location or in children clubs, activities based on a voluntary basis realized by the high school pupils and institutions destined to persons who have no access to a normal social life, (The National Strategy for Communitarian Action) etc.

Assessing the effectiveness of the programs implemented so far regarding the prevention of school dropping ("bagel and milk", 'money for high-school", "money for a PC", etc.) – the social programs granted by the Romanian Government through the school units have contributed to the raising of the school participation indicators, to reducing the school abandonment and failure and to improving the school performances. For this reason they continue also during the school year 2005-2006.

Assessing the degree to which the school transportation needs are covered, especially in rural areas
- providing proper transportation for children to and from the school units is one of the priorities of the Ministry of Education and Research and the county school inspectorates. From the de-centralization perspective and the reorganization of the school units (with major implications especially in the rural area), such an action is one of the measures that are to be taken, on a compulsory basis, in collaboration with the local authorities.

Following these measures and not only, the ratio of enrollment in primary education increased significantly, as it is shown in the table below:

Year	Nr.of children	Nr.of kindergartens
2000 - 2001	583.336	12.580
2001-2002	609.904	12.650
2002-2003	619.945	12.469
2003-2004	580.526	13.682
2004-2005	636.119	13.776

3. Child protection against abuse, exploitation and violence

Regarding *the special matter of sexual abuse and sexual exploitation of children*, this issue was included in the main leads of action for the child protection reform and it also was the object of concern for governmental and nongovernmental organizations in Romania.

The relevant international documents on child protection, in generally and on the issue of sexual abuse and sexual exploitation of children, in particular, Romania ratified the following between 1997 and 2001:

- ✓ Common Actions adopted by the European Union Council regarding fighting against human beings trafficking and sexual exploitation of children (24.02.1997);
- ✓ European Union Council's Decision regarding the completing the definition of the crime named „human beings trafficking” in European Convention, EU Council no.1999/C/26 (05.12.1998);
- ✓ International Labor Organization Convention no. 182/1999 regarding putting outside the law the most severe forms of children labor and immediate action for their elimination; adopted at 87-th session of Geneva General ILO Conference (ratified by the Law no 203/2000);
- ✓ UN Convention against organized transnational crime. 15.11.2000(ratified by the Law no. 565/2000)

The new legislation that came into force in 2005 also includes chapters and special provisions for the protection of the child against any form of abuse, neglect or exploitation, including abuse and sexual exploitation or economic exploitation of any kind, against the exploitation of children by the media or within research and scientific experiments, as well as against kidnapping or any other form of trafficking in children.

Specific regulations for this action area (according to the Law 272/21.06.2004 on the protection and promotion of child's rights and the connected normative acts):

- ✓ The inclusion within the law of distinct chapters that include formal provisions for the protection of the child against abuse and neglect, for the protection of the child against any form of exploitation, including sexual or economic exploitation of any kind, as well as against kidnapping or trafficking in children;
- ✓ The prohibition of physical punishment of any kind, as well as of the abridgement of children's rights that endanger their lives, corporal integrity, physical or psychological integrity and their development;
- ✓ The incrimination of child's exploitation by forcing to beg (ex: the inducement, facilitation or benefit from a child practicing mendicancy is punished with imprisonment between 1 and 3 years; the recruiting or forcing to practice mendicancy is punished with imprisonment between 1 and 5 years; if the defendants are the parents or the legal representatives, the legal punishment is imprisonment between 2 and 5 years, respectively 2 and 7 years and the prohibition of certain rights, etc);
- ✓ The mandatory establishment of a hotline service within each County Department for Child Protection – Child's Phone – for the report of neglect, abuse or exploitation cases, as well as organizing specialized services for the prevention of such situations and for rehabilitating and socially reintegrating children victims;
- ✓ Modifying the conditions of emergency housing of children victims of neglect, abuse and exploitation, the conditions of enforcing the post-emergency protection measures and of establishing parental rights, through the involvement of the judicial instances;
- ✓ The possibility of removing the aggressor from the family environment;
- ✓ The medico-legal certificates for children victims of abuse, neglect or exploitation are free;
- ✓ The written statement of the child on the abuse or forms of exploitation that he has been subjected to are admitted as evidence in court; the possibility to record the child's statement through audio-video means; the mandatory preparing and assisting of the child by

a psychologist prior and during the recording of the statement; the child's consent is mandatory for the hearing;

- ✓ The trial terminus for the establishment of a protection measure can't be longer than 10 days; the cases regarding children are tried in emergency conditions;
- ✓ The rigid punishment of the persons that abuse the child, neglect or exploit him in any form;
- ✓ The prohibition of taking the children abroad without the written agreement of both parents or other legal representatives;
- ✓ The prohibition of individual passports for children under the age of 14; they have to be on the parents' passports;
- ✓ Specific regulations on identifying and emergency protection of Romanian children in difficulty on foreign territory, as well as regulations on the repatriation, protection and social reintegration of children victims of abuse, exploitation and trafficking in persons (according to the Governmental Decision no. 1443/2004 on the Methodology for repatriation of Romanian children unaccompanied and the ensuring of special protection measures in their favor).

In the public system, from the total of above-mentioned services, currently there are the following specialized structures for the prevention and protection of child against neglect, abuse, exploitation and trafficking in persons:

- ✓ **35** hotline services (out of a minimum of 47 such services stipulated by the new legislation);
- ✓ **22** specialized services for the prevention of abuse, neglect and exploitation of the child and for the recovery and social integration of victim children (out of a minimum of 47 such services stipulated);
- ✓ **70** emergency intake services;
- ✓ **11** transit centers for the protection and emergency assistance of repatriated unaccompanied children and children victims of trafficking in persons (organized in 10 border counties and in Bucharest – a pilot center).

The following have been elaborated for the establishment and functioning of these services, according to the protection, recuperation and social reintegration needs of children:

- ✓ Mandatory minimal standards;
- ✓ Methodological guides for the implementation of these quality standards;
- ✓ Methodological guides for the multisectorial intervention in the network.

In order to improve the actions on the prevention and protection of children against neglect, abuse, exploitation and trafficking in persons, up till now conventions for inter-institution cooperation on multisectorial intervention have been signed in 32 counties and administrative sectors in Bucharest, out of a total of 47.

The mentioned structures function in connection with the existing ensemble of services within the national system for the support of children at risk and the special protection of children in difficulty.

In order to ***Observe the right of the children who are abroad, unaccompanied or unsupervised by parents or legal guardians, to join their legal representatives as soon as possible a statistic report*** was realized in 2005 ***on the number of children in this situation, in order to identify the states Romania would have to conclude agreements with.*** The report was realized by the NAPCR in collaboration with Ministry of External Affairs and the Ministry of Administration and Internal Affairs and has as main conclusion the fact that an agreement with Italy should be necessary signed up. The Agreement between the Romanian Government and the Government of Italy, regarding the

cooperation on matters concerning the protection of the Romanian unaccompanied children on the territory of Italy is still under negotiation.

The Romanian – Spanish Agreement regarding the cooperation on matters concerning the protection of the Romanian children found unaccompanied on the Spanish territory, their repatriation and the fight against children exploitation was signed in Madrid at 15 December 2005.

The Agreement between the Romanian Government and the Government of the French Republic, regarding the cooperation on matters concerning the protection of the Romanian minors in difficulty on the French Republic's territory and their repatriation in Romania, and also the repression against the exploitation networks, which was signed in Paris at 4 October 2002, ended its application at 4 February 2006. The project of a new agreement, extending the cooperation objectives organized crime and juvenile crime, is being discussed between the two parties.

SUMMARY

It is indisputably the fact that Romania made great progress in a very short period of time. This progress is recognized also in Europe, as well as across the ocean. This is seen and declared by specialists, officials, and representatives of the media.

It is indisputably that the new law regarding the protection and promotion of the children rights is a modern, even revolutionary law. This was said and it is said by specialists in the field of child rights protection all over the world.

The Romanian authorities recognized that its implementation is a long-term process that requests the accomplishing of numerous actions at the same time. This kind of law is not implemented within a year. It took years, even decades for developed countries and our right to work on it is recognized, as long as we make all the efforts to apply as many of its stipulations.

We draw up an action plan for its implementation, with a time horizon until 2008, but there are some aspects on which we still have to work.

We are concentrating on all actions in this plan, but we are careful at the same time to all the signals we receive, and when there are some serious violations of the children's rights, we try to mobilize all our resources to solve not only those situations but also to address the causes generating them.

It was a priority improving the situation of living conditions of the children in institutions and the resources were directed that way. We closed down the majority of the big institutions, the so-called "leagane" and the hospital-homes for children. In fact, the last of the "leagane" or hospital-home type institutions are to be closed down this year, through the grant Phare 2002.

We know that is time to deal more and more with the quality of the care given to children in the new type institutions – homes, apartments, little centers. We developed quality standards for these institutions and we created a department to inspect them. The governmental funds and the ones of the local authorities added to the international funds for these actions.

There are known the effects of the institutionalization of the children, especially in the firsts years of life. We were aware that closing down the so called "leagane" and the interdiction of the institutionalization of the children aged between 0-2 years will lead to the necessity of developing and diversifying the network of maternal assistants. In 2005, we unrolled a programme of national interest

for hiring professional maternal assistants, and we will unroll this kind of programme in 2006 also. We are about to finalize an evaluation of the present network of maternal assistance, for identifying its need to develop and to diversify. For the children left in maternities, we are collaborating with other responsible institutions in order to accelerate the process of establishing an identity in parallel with taking these children out of the hospitals, to avoid the unjustified hospitalization.

The Romanian Governemnt is fully committed to the implementation of the UN Convention on children rights and also to the increase of level of welfare of Romanian children.