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Vulnerable groups require better protection in Romania

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Strasbourg, 8 July 2014 - "Romania must show a much stronger commitment to effectively protecting the human rights of persons with disabilities, children and Roma", said today Nils Muižnieks, the Council of Europe Commissioner for Human Rights, releasing a report on his visit to Romania from 31 March to 4 April 2014.

"Many persons with disabilities, including children, are isolated from society in a growing number of institutions, where they often face inhumane and degrading treatment and, in some cases, deliberate abuse. Deinstitutionalisation should be a priority, along with effective investigations into all allegations of ill-treatment. In this context, the setting up of an efficient national mechanism for the prevention of torture would be an essential measure." The Commissioner also recommends reviewing domestic legislation to recognise the right of persons with disabilities to enjoy legal capacity on an equal basis with others in all aspects of life. In addition, access to mainstream education should be improved for children with disabilities and inclusive education promoted as a matter of priority.

The situation of some 80 000 children left behind by parents working abroad and of at least 6 000 street children is a further source of concern. "The authorities have to increase their efforts to prevent child abandonment and the long-standing phenomenon of children living on the streets. Measures are also needed to ensure the reintegration of abandoned children in their families or in alternative settings, in the best interests of the child".

The Commissioner is equally alarmed by the neglect and abuse faced by some 22 000 children living in institutions and recommends more efforts to deinstitutionalise child protection services and to fully respect children's dignity and physical integrity. Welcoming the re-establishment of the National Authority for Child Protection, he urges the Romanian government to allocate adequate resources to support its work.

While the abolition of the penalty of imprisonment for minors is a positive development, the Commissioner remains concerned by the continued presence of children in prisons or in prison-like conditions, with no adequate access to education. "The authorities should adapt their practice to the new legislation and ensure that children are no longer held in prisons or other similar settings".

The Commissioner notes with satisfaction the efforts which led to the registration of thousands of Roma children and to the delivery of identification documents to more than 30 000 Roma adults. "I also welcome the successful measures adopted to help include Roma children and youth in the education system and to promote the teaching of the Romani language and Roma history in schools. Nonetheless, the school drop-out rate of Roma pupils remains too high and requires stronger action, including making better use of Roma mediators".

These efforts are however undermined by widespread anti-Gypsyism that includes hate speech, recurring inter-ethnic conflicts and violence against Roma. "Despite the high incidence of these problems, the Romanian authorities appear to underestimate them. A radical change must be initiated by the authorities. A first step is to ensure that law enforcement officials and legal professionals are able to effectively confront crimes committed with a racist motive. All instances of hate speech and crime, irrespective of their perpetrators, should be recorded and effectively sanctioned".

Lastly, the Commissioner recommends investigating more effectively allegations of ill-treatment committed by law enforcement officers and passing dissuasive penalties for those responsible for such acts. The establishment of a fully independent complaints mechanism covering the action of all law enforcement authorities, in accordance with Council of Europe standards, would be a useful step in this regard.

[Read the report](#)
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The Commissioner for Human Rights is an independent, non-judicial institution within the Council of Europe, mandated to promote awareness of, and respect for, human rights in the 47 member states of the Organisation. Elected by the Parliamentary Assembly of the Council of Europe, the present Commissioner, Mr Nils Muižnieks, took up his function on 1 April 2012