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EUROPEAN SOCIAL CHARTER

Response by the Government of Romania to
comments submitted by the Romanian Institute for
Human Rights concerning the 22nd National Report
on the implementation of the European Social Charter

Comments registered by the Secretariat
on 2 October 2023

CYCLE 2023



Observations and clarifications

on the comments submitted by the Romanian Institute for Human Rights (RIHR) on the 22nd National Report on the Revised European Social Charter, relating to the thematic group "*Children, family, migrants*"

Article 7, paragraph 3, pages 7-8 of the National Report

According to the Methodology for the organization of the National Program "*Școala altfel*", approved by the Education Minister Order no. 5034/29.08.2023, for the activities that imply costs from the parents, the educational unit will offer free alternatives (art. 19, paragraph 2, letter e).

The Ministry of Education is developing the *National Strategy for supporting parents 2023-2030*, which is approved by the Government Decision. Thus, for the first time an education law, namely the Pre-University Education Law, no. 198/2023, art. 14 para. (2), stipulates that: The State supports the parents or the legal representative in order to exercise the responsibilities regarding the growth, care, development and education of the children. For this purpose, educational units organize parenting education courses for the training and development of parenting skills for parents and legal representatives of the primary beneficiaries or future parents.

At this time, the draft Strategy is in an extensive elaboration process in accordance with the latest EU guidelines and recommendations, taking into account, at the same time, the specificity of Romanian society. As a structure, the Strategy is developed according to the provisions of Government Decision no. 379/ 23.03.2022 regarding the approval of the Methodology for the development, implementation, monitoring, evaluation and updating of government strategies.

In the given context, the Strategy defines the vision and priorities in mind, as well as general and specific objectives, directions of action, anticipated results, indicators, respectively monitoring and evaluation procedures. At the same time, an Action Plan is designed to make possible the operationalization of this Strategy.

The steps necessary to implement the Strategy will be undertaken, with speed, after the approval of the project, according to the Action Plan, the final deadline being 01.02. 2024, according to the Order of the Minister of Education no. 6071/2023.

At the same time, the Ministry of Education constantly makes other efforts, materialized through measures and actions aimed at supporting parents, to ensure a quality education and the best possible childcare conditions. For example, we mention the construction, equipping and operationalization of 110 nurseries, as well as the launch of the Call for projects "*Development of complementary early education services*" (allocation of 103 million euros through the National Recovery and Resilience Plan). Within this call, priority is given to projects that will be implemented in isolated, economically disadvantaged rural communities or that target vulnerable groups of children. The maximum amount of the grant per project is 250 thousand euros. In this sense, the Methodology for the organization and operation of complementary early education services was adopted. During the call, 100 funding applications were submitted, which were evaluated, and contracts were to be signed for 92 of them.



Article 7, paragraph 10, pages 14-38 of the National Report

Regarding the reference to the number of cases of abuse committed against children within the special protecting system by members of the staff, or persons responsible with the care and protection of these children, as reported independently to *Vocea Copiilor Organization* by the DGASPCs, should be mentioned that at the level of the central authority is collected data and information concerning all suspicions of abuse, neglect, exploitation on children.

The complaints coming from the specialists working with children, who have suspicions about a possible situation of abuse or neglect are collected at the level of the local authorities.

The data collected at national level is available from 2008 on the website page of ANPDCA. In the same time, data on the number of cases for which prosecution started is also available.

Regarding the cases of abuse against children from the special protection system, committed by persons who are responsible for their care and upbringing, the data is available at the level of DGASPC, by law this institution having the obligation to immediately remove the respective employee from the child, until the criminal investigations are over.

According to the legislation in the field of children rights, in all cases when the abuse, neglect or exploitation was committed by a person who are responsible with the care and protection of a child, there is a legal obligation for the employers to inform immediately the competent authorities and remove the person in question from the child.

Referring to the numbers registered in 2020 and 2021 should be mentioned that this period was a special one, since it refers to the pandemic period, so therefore any comparison with these years does not reflect necessarily a situation that characterize the actual situation at national level.

Regarding the increase in the number of reported cases, based on the evaluations carried out, might be appreciated that they reflect an increase in the number of reporting cases, not necessarily an increase in the number of abuses against children.

The increase in the number of reporting cases should be seen as a result of the awareness measures and initiatives carried out within the last years, whose main purpose was that of informing the population about the need to report even the suspicions on the existence of such a cases, being considered the serious consequences the phenomena of violence against children might have on their future development.

Having in mind the references to the unique phone number available to children for reporting cases of abuse against them, should be mentioned that starting with 2020 at the level of ANPDCA is also available a toll-free line (0800.500.550), set up in order to support the beneficiaries and the employees within the special protection system, in order to report such cases.

The specialists of ANPDCA could offer counselling and advice but also support into clarifying the aspects reported by the beneficiaries. The toll free line is available to all the children/youth from residential services, family placements but also to those working within the system.

The employees might also report cases of abuse or ask questions about various sensitive situations they are confronted with.

Therefore, this instrument is always available as an alternative to the other methods through which children from the special protection system might report, independently and fully secured any situation of abuse, neglect or violence against them.

The National Agency for Payments and Social Inspection, with the aim of creating a unitary system for the administration of social assistance benefits and evaluation, monitoring and control in the field of social assistance, has continuously carried out inspection missions in the field of child protection. Thus, between 2018-2021, the National Agency for Payments and Social Inspection, through its territorial agencies, carried out the following national campaigns:



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- In 2018, the Campaign "Background Inspection of public social assistance services" purpose was to identify how the provisions of Government Decision no. 797/2017 for the approval of the framework regulations for the organization and operation of public social assistance services and the indicative personnel structure. The inspection missions were organized in two stages, as follows:
- ✓ the first stage: during the period 18.06.2018 - 17.09.2018 the inspection of public social assistance services at the level of county councils/local councils of the sectors of the city of Bucharest, respectively the general directorates of social assistance and child protection, according to the Decisions issued by the general director of ANPIS no. 563/15.06.2018 and 650/07.08.2018. All 47 General Directorates of Social Assistance and Child Protection were inspected.
 - ✓ the second stage: during the period 15.10.2018-15.12.2018 the inspection of public social assistance services subordinated to the local councils of municipalities, cities and communes, according to the Decision of the general director of ANPIS no. 763/15.10.2018. 468 entities were verified (General Directorate of the Municipality of Bucharest, social assistance departments at the level of cities (49) and municipalities (15), common SPAS (402).

During the inspection, the social inspectors analyzed the procedures, registers, documents requested or issued for children who were in a risk situation in 2018 and the intervention of the DGASPC for:

- **53949 children/young people in a special protection measure, as follows:**
 - 18194 children in foster care with a family/relative;
 - 18309 children in foster care with a professional foster carer;
 - 13172 children in foster care at a public residential service;
 - 4274 children in foster care at a private residential service.
- **66604 children with disabilities classified as disabled. More than half suffer from serious health or mental health conditions.**

At the level of the public social assistance services subordinated to the local councils of municipalities, cities and communes, considering that the social inspectors did not find databases with these categories of children from the verified communities, they requested additional data from other institutions and made inquiries of own databases, obtaining a number of 28153 children at risk.

During the control, the social inspectors decided remedial measures for the identified deficiencies:

- 473 measures regarding child protection, public social assistance services - DGASPC.
- 1681 measures regarding child protection, public social assistance services subordinated to local councils of municipalities, cities and communes.
- **In 2019, the Campaign "Verification of compliance with the rights for food, clothing, footwear, cultural-sports materials, hygienic-sanitary materials, supplies/handbooks, toys, transport, as well as amounts of money for personal needs of children and young people for whom a special protection measure has been established, , according to the provisions of art. 129 of Law no. 272/2004 on the protection and promotion of children's rights, with subsequent amendments and additions" took place between July 2019 and October 2019, according to the 2019 Control Plan.**

During the control campaign, the social inspectors ordered in the Control Minutes 1926 measures to remedy the identified deficiencies. The measures were ordered either for one service or for several social services of the same provider, so that the 1926 measures targeted 977 centers (76.93% of the total of 1270 inspected centers).

- **In 2021, between June and November 2021, the National Agency for Payments and Social Inspection, through control teams established at the level of county agencies for payments and social inspection, started - at the same time - the thematic inspection Campaigns "Verification of**



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compliance with the provisions of the legislation in force regarding the fulfillment of the legal conditions for establishing and granting social assistance benefits granted to families with low incomes (VMG/ASF/AI)", "Verification of compliance with the provisions of art. 118 of the Social Assistance Law no. 292/2011", "Verification of the way in which SPAS carries out the identification, evaluation and intervention of the risk situation" and "Verification of the provisions of Law no. 448/ 2006 , updated, regarding the respect of the rights of persons with disabilities to an accessible environment".

The social inspectors analyzed the activity of public social assistance services in 1201 localities regarding the assessment of particular needs, the development and implementation of intervention plans, as well as the provision of any form of financial/material support, etc., including the spontaneous actions carried out in the context of the 2019 COVID pandemic, for all categories of beneficiaries and checked 16249 beneficiary files.

- ✓ To identify children at possible risk, according to art. 5, Annex 2 of Government Decision no. 691/2015 for the approval of the Procedure for monitoring the manner of raising and caring for children with parents working abroad and of the services they can benefit from, as well as for the approval of the Working Methodology regarding the collaboration between the general directorates of social assistance and child protection and public social assistance services, and the standard model of the documents developed by them, the social inspectors selected 5960 children from the following sources:
 - children from VMG/ASF/AI beneficiary families: single-parent families; families with many children; children with disabilities; families who's right to social benefits was suspended/terminated, etc.
 - children for whom SPAS received requests regarding socio-family assessment, according to Order no. 1985/1305/5805 regarding the methodology for assessment and integrated intervention in order to place children with disabilities in the degree of disability, school and professional orientation of children with requirements for special education, as well as, in order to enable and rehabilitate children with disabilities and/or special educational requirements;
 - Children for whom special protection measures have been instituted, according to Law no. 272/2004 Republished on the protection and promotion of children's rights, with subsequent amendments and additions;
 - Children benefiting from social services without accommodation, set up by public/private providers;
 - The final beneficiaries within the Operational Program Helping Disadvantaged Persons (POAD): Emergency Ordinance no. 84/2020 for the establishment of necessary measures for the implementation of the Operational Program Helping Disadvantaged Persons - POAD; Emergency Ordinance no. 133/2020 regarding some measures to support the most disadvantaged categories of students who benefit from educational support based on social vouchers on electronic support for educational support granted from non-refundable external funds, as well as some measures for their distribution;
 - Other notifications/direct requests registered at the SPAS level.

Following the inspections, it was found that for 4386 children (73.59%) there was no support or intervention action by the public social assistance service, although the social inspectors found various situations that required measures/activities to prevent the separation of the child from the family to prevent school dropouts or to improve the medical/school situation or food/housing conditions or to reintegrate the child into the family, etc.

The social inspectors checked the obligations of the public social assistance service to monitor children whose parents went to work abroad, as well as those who returned to the country. Of the 1782 children,



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following the evaluations, it was found that 104 children remained in the care of one parent and 1678 remained in the care of other families/persons, with both parents/the sole supporting parent gone abroad.

Although SPAS received information/notifications from parents/school units regarding the children's situation, there were identified 416 children (23.34%) for whom the public social assistance service did not fulfil its obligation to go to the address at which the children are taken care of and to check whether the provisions of art. 104 - 105 of Law no. 272/2004 on the protection and promotion of children's rights, republished, with subsequent amendments and additions, were respected.

The public social assistance service has the obligation to support the reintegration/readaptation of the child who returned to the country, after a period of stay abroad with the parents for more than one year, according to art. 108 of Law no. 272/2004 on the protection and promotion of children's rights, republished, with subsequent amendments and additions. At the time of the inspection, no specialized counselling services were being developed for these children. The social inspectors carried out a comparative analysis of the situation of children with parents who went abroad in 2019 and in 2020, in order to capture any special situations regarding the school integration of children or the professional integration of parents who have returned to the country and the need to grant social benefits and services. Although a difference of 2273 children was found, their number decreasing after the start of the pandemic caused by Covid-19, SPAS did not undertake any action to identify and assess the situation of children/families.

- ✓ The intervention of SPAS in the identification and monitoring of families/women at risk of abandonment was verified. During the inspection, the social inspectors extracted 730 parents from the files of social benefits or notifications/requests who present or have presented, in the past, the risk situations provided in art. 10 par. (3) from Government Decision no. 1103/2014 for the approval of the methodology regarding the fulfilment of the obligations of local public administration authorities, institutions and professionals involved in prevention and intervention in cases of children at risk of abandonment or abandoned in health facilities: is a minor; is a victim of domestic violence; is or was a beneficiary of the special protection system; had/has children in the special protection system; had/has poly-hospitalized children who are not on record with diagnoses that imply dependence on medical care; is a drug user and/or addicted to alcohol; has a disability or a serious chronic illness; any other similar cause that may lead to her inability to take care of the child's upbringing and care.

For the child at risk and his/her family, the social inspectors ordered 2987 measures to remedy the deficiencies identified in 936 (77.94%) verified entities.

We would like to mention that in all the thematic campaigns reports, the social inspectors issued proposals to improve the legislative framework.

At the beginning of September 2020, the School Safety Directorate structure was established, which is the central operational unit with responsibilities in the field of preventing and combating crime, within and in the vicinity of educational institutions, aiming at the students and teaching staff safety increasing.

The Romanian Police, by means of specialized structures, conducts informational and preventive activities, meant to prevent antisocial and delinquent behavior among minors, with the purpose of raising awareness about the risks and vulnerabilities, as well as the legal, psychological, and social consequences they may face.

To reduce delinquent behavior among minors, the school safety structures develop and implement awareness programs/projects/campaigns to prevent school violence and bullying. For example, projects/campaigns have been developed and carried out, such as: The Project for the Development of Psycho-Emotional Skills Necessary to Enhance a Positive Educational Environment in pre-university educational institutions, which was implemented in the 2022-2023 school year, starting in March; The Campaign to Prevent Unauthorized Possession or Use of Dangerous Objects on the premises of pre-university educational institutions, conducted during Module 5th of the 2022-2023 school year; The



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Campaign to Prevent Cyberbullying, raising awareness about the risks, vulnerabilities, and consequences of privacy violation offenses, carried out from July 1 to August 31, 2023.

The activities carried out within the projects/campaigns/programs have contributed to a better understanding of the problems faced by beneficiary pre-university educational institutions, the streamlining of collaboration with teaching staff responsible for preventing and managing violence in these institutions, with particular attention to improving and maintaining a positive educational environment.

Criminal behavior has multiple causes and conditions, involving the analysis of the individual, family environment, school, peer group, and social factors, with the combined efforts of all institutions responsible for child protection.

The school safety structures identify and strengthen collaborative partnerships with public or private institutions or organizations with responsibilities in the field of school safety, as to enhance the implementation of information and prevention activities, education, and awareness aimed at reducing victimization or criminal risk in the school environment.

In relation to the physical and verbal violence displayed by teachers towards students, the Romanian Police support the efforts of institutions with responsibilities in this field and of civil society to develop educational approaches that encourage active learning and reduce the use of critical and punitive methods in the educational process.

Regarding abuses committed against children within the family environment, the Romanian Police, through its criminal investigation and crime prevention structures, closely collaborates with child protection authorities, providing the necessary support to promote positive parenting and alternative discipline methods.

Additionally, during the course of criminal investigations, criminal investigation police officers apply the latest amendments to the Criminal Procedure Code concerning the protection of children's rights and the manner in which minor victims are interviewed. These legal provisions stipulate that the interview of a victim under the age of 14 takes place in the presence of one of the parents, the legal guardian, or the person or representative of the institution responsible for the minor's upbringing and education. It also takes place in the presence of a psychologist, who will provide specialized counseling to the minor throughout the judicial procedures.

Furthermore, in cases where parents, the legal guardian, or the person or representative of the institution responsible for the minor's upbringing and education are suspects or defendants in the case, the minor's interview is conducted in the presence of a representative from the guardianship authority or a relative with full legal capacity.

In accordance with the provisions of Law no. 218/2002 regarding the organization and functioning of the Romanian Police and the Ministry of Internal Affairs (M.A.I.) Strategy for maintaining public order and safety, for the purpose of increasing citizen safety and preventing street crime, approved by Government Decision no. 196/2005, the management of public order activities falls under the responsibility of the Romanian Police.

Thus, the management of the operational situation from a criminal perspective is an exclusive responsibility of the Romanian Police. In the exercise of their duties, the police intervene in response to citizen reports submitted through the S.N.U.A.U. 112 emergency line, by phone or in writing, as well as on their own initiative when they detect deviations from the applicable legal framework, including cases of domestic violence.

In accordance with the provisions of Law no. 217 from 22.05.2003 (republished) for the prevention and combat of domestic violence, domestic violence manifests itself in the following forms:

a) Verbal violence - using insulting, brutal language, such as insults, threats, degrading or humiliating words and expressions.



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b) Psychological violence - imposing one's will or personal control, causing tension and psychological suffering in any manner and by any means, through verbal threats or other methods, blackmail, demonstrative violence against objects and animals, ostentatious display of weapons, neglect, control over personal life, acts of jealousy, any form of coercion, unauthorized surveillance, monitoring of the victim's residence, workplace, or other frequented places, making phone calls or other forms of long-distance communication that, due to frequency, content, or timing, create fear, as well as other actions with similar effects.

c) Physical violence - causing bodily harm or health damage through hitting, pushing, shoving, hair-pulling, stabbing, cutting, burning, strangling, biting, in any form and with any intensity, including acts masked as accidents, poisoning, intoxication, as well as other actions with similar effects, subjecting individuals to exhausting physical efforts or high-risk activities for life, health, or bodily integrity, other than those mentioned in item e).

d) Sexual violence - sexual assault, imposition of degrading acts, harassment, intimidation, manipulation, brutality to force sexual intercourse, marital rape.

e) Economic violence - prohibiting professional activity, depriving of economic means, including depriving of primary means of subsistence such as food, medication, essential items, intentional theft of a person's belongings, prohibiting the right to own, use, and dispose of common property, unfair control over common property and resources, refusing to support the family, imposing hard and harmful labor on a family member, including a minor, as well as other actions with similar effects.

f) Social violence - isolating a person from family, community, and friends, frequently prohibiting attendance at educational institutions or workplaces, prohibiting/limiting professional advancement, imposing isolation, including within the common residence, deprivation of access to living spaces, deprivation of identity documents, intentional deprivation of access to information, as well as other actions with similar effects.

g) Spiritual violence - underestimating or diminishing the importance of meeting moral and spiritual needs through prohibition, limitation, ridicule, or penalties against family members' aspirations, access to cultural, ethnic, linguistic, or religious values, prohibiting the right to speak in one's native language and to teach children to speak in their native language, imposing adherence to unacceptable spiritual and religious beliefs and practices, as well as other actions with similar or similar repercussions.

h) Cyber violence - online harassment, hate speech messages based on gender, online stalking, online threats, non-consensual publication of intimate information and graphic content, illegal interception of communications and private data, and any other form of abusive use of information and communication technology through computers, smartphones, or other similar devices that use telecommunications or can connect to the internet and use social or email platforms with the intention of shaming, humiliating, intimidating, threatening, silencing the victim.

By issuing Joint Order M.A.I./M.M.J.S. no. 146/2.578/2018 regarding the management of domestic violence cases by the police, the implementation of the provisions of Law no. 217 of 22.05.2003 (republished) for the prevention and combat of domestic violence was regulated, establishing the model of the risk assessment form that police officers use when intervening in domestic violence situations to determine the existence/non-existence of imminent risk.

In accordance with the above-mentioned legal/dispositional provisions, in cases where police officers identify an imminent risk, they issue a temporary protection order for a period of 5 days/120 hours to reduce the risk to the victim, and measures that can be taken against the aggressor are also established in the normative/dispositional acts. The temporary protection order is subject to confirmation by a prosecutor who will refer the case to the competent court for the issuance of a protection order for a period of up to 12 months.

Furthermore, to monitor in real-time, ensure a rapid response by competent authorities, and, implicitly, increase the level of safety and protection for domestic violence victims, starting from October 1, 2022,



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Romania has implemented and operationalized an Electronic Monitoring System, which is currently functional as a pilot project in four counties. According to the rules adopted through the reference normative act, the system is planned to be expanded and applied nationwide in two successive stages, with a deadline set for the year 2025.

The Romanian Police, through its specialized units, continuously conducts activities to combat all forms of domestic violence, benefiting from the support of other authorities designated by law, including the National Agency for Gender Equality, central and local social protection authorities, and non-governmental organizations that focus on the protection of domestic violence victims by instituting additional social protection measures (shelter, psychological counselling, etc.).

Ref. page 24 of the National Report

Regarding the observations related to the stage of the approval of the National Strategy on children rights for 2023 - 2027, should be mentioned that currently the document is under the approval of the corresponding ministries prior to be submitted for the approval of the Government.

The document was finalized in September 2021 and submitted to the administrative procedures for approval provided by the Romanian legislation into force.

Regarding the process of consultations of the various stakeholders within the process of drawing up the new national strategy on children rights, should be underlined that the new text was the result of a complex process of consultation, with all the relevant ministries, the non-governmental organizations, the representatives' structures of children and other international partners.

Article 17 of the National Report

The need to invest in education is recognized through existing social package - measures that support access to quality education (The National Social Protection Program High School Money, Euro 200 Programme, the social welfare grants, the school supplies, electronic social vouchers, Hot meal programme, School after School Programme, School for All etc.) and that will continue to be implemented.

Programs for children/students facing special risks

Regarding the consolidation of the social package for education, targeting students from groups facing special risks, the Ministry of Education continued to run annual national social programs:

The Hot Meal Program

In order to reduce the phenomenon of social exclusion, manifested in the educational system through various forms, the most relevant being that of school dropout, by Emergency Ordinance no. 91/2021 the continuation of the pilot program for granting food support for preschoolers and students from 150 state pre-university schools, for the 2021-2022 school year, was approved.

The pilot program is a real financial support for parents, it stimulates students' participation in the educational process and ensures fair and non-discriminatory access to a quality education for all pre-schoolers, pupils and students. The selection criteria of the educational establishments within this programme considered the unfavorable socioeconomic and geographical conditions, as well as the lack of financial means of many families to support their children's participation in schooling.

By GEO no. 145/2022, the Pilot-Programme for providing food support to pre-schoolers, pupils and students (the *Hot Meal Programme*) was extended to 450 schools, having as outcome that, in the 2022-2023 school year, pre-schoolers, pupils and students from state pre-university education received a free hot meal or a food package of 15 lei/day/ beneficiary. For 2022, the amount of 147 mil. lei was allocated, and for 2023, an amount of 266,51 mil. lei was earmarked.



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The **Transport for students** Programme is targeted through actions to ensure student mobility and financial settlement of their transport. In 2021, Government Emergency Ordinance no. 50/2021 for the amendment and completion of the National Education Law no. 1/2011, which regulates the settlement of students' transport expenses was approved. Thus, students who cannot be schooled in their place of residence are reimbursed, by schools, from the budget of the Ministry of Education, the transport expenses between their place of residence and the place where they are schooled, during school courses, within a limit of 50 km. Also, students who live in a boarding school or with a host family receive an amount of money representing the equivalent of eight round trips per semester, from the ME budget, paid by the schools.

In addition, by Government Emergency Ordinance no. 159/2022, a lump sum was proposed for commuter students, this representing a significant increase of the amount previously granted for the transport of students schooled in a locality other than the one of residence. The expenses incurred by the ME for the transport of pre-university pupils and students amounted to 4,33 million lei in 2021, and to 58,18 million lei in 2022. With regard to the expenses for university student transportation, the amount allocated by the Ministry of Education was 24,53 million lei for 2021, the same amount being earmarked for 2022.

Material support for children with special educational needs (SEN)

Children with SEN integrated in mainstream education, who follow the curriculum of mainstream education, children with SEN integrated in special classes/groups organized in mainstream education, children with SEN in special education, children with SEN requiring hospitalization periods longer than 4 weeks for which, as the case may be, groups or classes are organized within the health unit where they are admitted, as well as children with SEN who, for medical reasons or due to a disability, cannot be moved, for whom home schooling is organized, on a determined period, benefit from material support, based on art. 51 para. (2) from the National Education Law no. 1/2011, with subsequent amendments and additions and on Government Decision no. 564/2017 regarding the method of granting rights to children with special educational needs (SEN) enrolled in the pre-university education system, with subsequent amendments and additions. In the 2021-2022 school year, 65.981 children benefited from this material support.

For the 2022-2023 school year, according to Order no. 5150/30.08.2021 on the organization and conduct of admission to high school educational establishments, in addition to the number of places allocated to schools, separate places were allocated to mainstream educational establishments, for the individual integration of students with SEN coming from mainstream educational establishments and from special educational establishments.

Through the national social protection programme **Money for High School**, financial support is granted to high school students in order to continue/complete their studies. Following the adoption of Government Decision no. 712/2018, starting with the 2018-2019 school year, each beneficiary student receives the amount of 250 lei/monthly for the entire duration of the courses, provided that all legal conditions are met. In addition to the indexation of this amount (from 180 lei/month), the value of the maximum grant ceiling was also increased from 150 lei to 500 lei/family member. In the 2021-2022 school year, 22.853 students benefited from this financial support.

The **Euro 200** program is a national program that supports pupils and students with limited financial means to purchase computers. In 2021, 2.150 pupils and students were beneficiaries of the Euro 200 programme, and the expenditures made from the Ministry of Education budget with this programme totaled 1,95 million lei. In 2022, the expenses with this programme reached the amount of 1,75 million lei.

The **Professional Scholarship** programme is a national social program that is addressed to all students attending vocational education and consists of a monthly financial support that also benefit the children of foreign citizens who are beneficiaries of a form of protection in Romania or of foreign citizens with the right of stay/residence on the territory of Romania, who attend professional education. In the 2021-2022



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school year, 99,342 students benefited from professional scholarships through this program. For the 2022-2023 school year, the amount of 128,6 million lei was earmarked.

The school scholarships were financed, until 2020 inclusive, only from the local budgets. For the 2020-2021 school year, the Government of Romania established, by Government Decision no. 1064/2020, a minimum amount for excellence, merit, study and social scholarships of 100 lei, provided from the state budget, from quotas broken down from VAT. In 2021, the Government of Romania established, by Government Decision no. 1094/2021, a new amount for scholarships was established for the 2021-2022 school year, subjected to differentiation, for the first time, by scholarship category, as follows: 500 lei for the performance scholarship, 200 lei for the merit scholarship and 150 lei for study grants.

The **Romanian School Programme** provides free fresh fruits and vegetables, milk and dairy products and bakery products, within the limit of a daily value/preschooler/pupil, as well as the financing of educational measures that accompany the distribution of fruits, vegetables, milk and dairy products. For the 2021-2022 school year, the amount allocated was 501.553 million lei. The total number of preschoolers and primary and secondary school students, beneficiaries of the program, was 1.903.851. For the 2022-2023 school year, the amount allocated to the programme has reached 562,85 million lei.

School supplies are provided to students to encourage school attendance. At the beginning of each school year, school supplies packages specific to each grade are distributed through the **School Supplies Programme**. The number of beneficiaries, in the 2021-2022 school year, reached 258.356 students. For 2021, the expenses from the Ministry of Education budget amounted to 4.46 million lei, and for 2022 to 2.69 million lei. By Order no. 3783/03.03.2023, the maximum price of the school supplies packages granted to pupils and students was approved, to the amount of 65 lei/ package/ pupil in primary education and 75 lei/ package/ student in secondary education.

The granting of educational support based on **Social Vouchers on electronic support** is ensured by Government Emergency Ordinance no. 133/2020 whereby preschool, primary and secondary school students from families with modest incomes benefit from social vouchers for educational support worth 500 lei each. The total number of beneficiaries for whom cards have been issued is 245.018 (children/students) from 10.115 schools, delivered by mid-April 2022.

Within the **National Program of remedial activities for students**, in 2022 the payment of financing instalments for all remedial activities carried out between March and August 2021 was completed. The total value of the instalments paid in the project was 107,18 million lei.

Within the HCOP call /736/6/1 Second chance education measures for young NEETs - Less developed regions, 5 projects are implemented. The amount of EU funding granted for this call is 19.880.173 lei. The HCOP call /737/6/1 Second chance education measures for young NEETs - More developed region - Bucharest Ilfov includes a project under implementation, the value of the EU funding granted is 3.800.739 lei. The calls for project proposals aim to support actions focused on increasing access to education measures for young NEETs. The unemployed NEET is defined as a person between the ages of 16 and 24 who does not have a job, does not follow a form of education and does not participate in professional training activities, according to art. 5, IV⁴ of Law no. 76 /2002 regarding the unemployment insurance system and employment stimulation, with subsequent amendments and additions. Support measures refer to educational, psychological, social support, etc. in order to identify these young people, enroll them in a school unit, as well as develop and provide Second Chance programs for the purpose of completing basic education within compulsory education and preparing for obtaining a professional qualification, as appropriate.

In Romanian Health Insurance system, the insured persons benefit of a package of basic medical services in case of disease or accident starting from the first day of the incident and up to the moment of healing in a fair and non-discriminatory way.

According to the Law no. 95/2006 regarding the reform of the Health System, the basic package of medical health services includes medical consultations, investigations, medication, medical devices and other



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types of services connected to medical activities, approved by Governmental Order. In this package are included medical services for mental health.

According to article 224, paragraph 1, letter a) from the Law 95/2006, children up to 18 years and youngsters from 18 years to 26 years that are in a studying process, including here the High Schools graduates up to the beginning of a new University Year (but no more than 3 months after graduation), and the PhD students are entitled to benefit of health insurance coverage, free of charge under the conditions of the article 154 from the Law no. 227/2015, regarding the Fiscal Code.

As already mentioned, the National Strategy on Children Rights for 2023 - 2027 is under the approval of the corresponding ministries prior to be submitted for the approval of the Government.

Article 17 paragraph 1 of the National Report

Regarding on the comments related to the need for more awareness campaigns informing the and educating the parents and caregivers about the existing legislation, it is worth mentioning that the legislation within the field of children rights states the obligation of the public authorities to inform the young people leaving the child care system about their rights, together with their corresponding preparation for an independent life, in case they will decide to leave the child protection system at the age of 18.

Related to the conclusions of a survey carried out for a number of 627 respondents, the relevance of the conclusions should be appreciated related to the total number of young people within the special protection system, which in 2021 was of 11036 persons (aged 15-17 years old) and 5687 (+18 years old).

A report drawn up at national level, at the end of 2021, meaning within the reporting period, within an exercise of monitoring data related to the deinstitutionalization process, who took into consideration all children with a special protection measure, with ages of 10 and above protected in social services belonging to DGASPC (both residential and family type) showed that from a total of 26861 children, 11244 declared to be happy within the special protection system while 12581 declared to be very happy.

Out of the total number of participant children and youth, 9885 had between 15 to 17 years old, while 4999 were 18+.

In the same time, 81,7% declared that they feel safe within the system all the time, while 17,2 declared to feel so most of the time, only 0,4 declaring that they never feel this way.

The same high rates were registered also when asked if they are involved in the everyday decisions concerning their life, being involved in activities aimed at preparing them for an independent life.

Another study, also published within the reporting period (2020) by SOS Satele Copiilor, named "Study on the situation of young people leaving the special protection system in Romania", indicates that in the opinion of the young persons participating to the study the preparation for an independent life was a milestone. They have given detailed information about the role played by their persons of reference, the activities they were involved in, or globally the social norms they had to adhere to while still living within the special protection system, which helped them to get all the information they needed for the moment when they decided or not to leave the system.

According to the study, the fact that during their last years within the system they were offered educational support services or were involved in various activities on a voluntary basis helped them to be more prepared for an independent life.

In respect to the respect for children's right to opinion, the legislation encourages the strengthening of this right, Romania being one of the states that took a number of initiatives in this respect, which proved to be relevant even at European level.



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Concerning the comments on the insufficient information of children/youth on the benefits they might receive in case of deciding to leave the system, it is important to underline that in line with this purpose the recent modifications (2022) brought to the law on children rights, special provisions were introduced in this respect.

According to the law, young people might stay within the special protection system up to the age of 26 if they are still enrolled in a form of education or are employed.

A similar right is granted for two more years, if the young person in question does not attend a form of education or has a job, but is confronted with the risk of social exclusion.

In terms of informing them about their rights, the law states clearly as an obligation for the authorities to support them into finding a job and a home, in the last year before the moment they will be leaving the system.

New provisions were also introduced in order to offer them the possibility of being monitored by the social services for a period of 2 years after leaving the system, if they agree with such a measure. The purpose of this monitoring is that of continuing to support them in case they encounter difficulties in adjusting to an independent life.

Article 17 paragraph 2 of the National Report

We would like to draw attention to the following measures taken by the Ministry of Education during the pandemic period:

- A “tele-school” program, called “*Teleşcoala*”, produced by the Romanian Public Television (TVR) in partnership with the Ministry of Education in Romania was launched shortly after the suspension of face-to-face courses in the first part of 2020. The program, which has been continued in the current school years as well, broadcasts lessons for final-year pupils, in particular, in order to prepare them for the national exams. Lessons are also provided in Hungarian for the pupils belonging to Hungarian national minority.
- Since the closure of schools, the Ministry of Education, with support from its network of county school inspectorates, private partners and NGOs, took the necessary steps to identify the pupils that could not benefit from online learning due to lack of the necessary equipment and resources.
- Helplines for the social and emotional counselling of pupils and parents were launched during the lockdown at the initiative of various NGOs.
- Romanian Government allocated additional funds, through which the National Programme “Home School” was approved and launched, with the aim of purchasing electronic devices with internet connection in view of facilitating distance learning activities for pupils from disadvantaged backgrounds.
- Additional funding was also provided for a second national program - “Safe Education”, which allowed for the purchase of health protection materials and electronic devices for the benefit of schools lacking the corresponding necessary funds.
- Ministry of Education and two leading IT companies concluded a partnership providing teachers and educational establishments with free access to the educational platforms developed by those companies, including access to the accompanying support programmes and educational resources.
- A memorandum on the provision of internet connection for a number of pre-university educational establishments through a voluntary support programme was concluded, which allowed the Romanian Government to ensure internet connection to some thousands of pre-university school establishments, as



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a matter of urgency, with support from the electronic communication operators and the concerned industry in Romania.

- Capitalizing on a funding opportunity provided within a joint project of the Council of Europe and the European Union, a micro grants scheme aiming to support the most disadvantaged schools in Romania during the pandemic was launched by the Ministry of Education.
- The National Program “Euro 200”, implemented since 2004, provides students from economically disadvantaged families a financial aid for purchasing a personal computer.
- The Ministry of Education implements the National Pilot Program “School after school” (the second semester of the 2020/21 school year). The aim of the Programme is to prevent school failure and early school leaving by means of remedial educational activities, which will support pupils’ learning and skills development, targeting in particular pupils who had poor access to or no access at all to distance/online teaching during the first semester of 2020-2021 school year in the COVID-19 context. The Programme’s target group includes primary and lower secondary pupils at risk of early school leaving/ school failure, in particular pupils belonging to vulnerable groups. A special focus was put on pupils belonging to Roma minority, pupils with disabilities, pupils from rural areas and from economic disadvantaged communities. A budget of Euro 30,000,000 was allocated for the implementation of the Programme.
- A financial package of Euro 34,906,081 was allocated for the centralized purchase of ICT equipment, consisting of laptops, videoconference cameras, interactive boards and distributed to eligible low performing high schools targeted by the major Romania Secondary Education (ROSE) Project that Romania has been implemented since 2015.

In the context of the challenges determined by the COVID-19 in education, the said activity has been added to one of the Project’s sub-components in order to contribute to creating better conditions for learning and to a better quality of education in beneficiary schools, by increasing their capacity to use digital content, applications and equipment, in general, including the possibility to ensure online teaching and learning.

In addition, training activities for teachers and school directors (in person and/ or virtual) were envisaged, which allowed them to adapt the curriculum to the needs and abilities of targeted students, apply student-centred methods and use digital technologies for teaching-learning-assessment.

The reference to the Guide elaborated by the Institute in 2022 exceeds the reporting period. Nevertheless, since the child protection system in Romania is a decentralized one, any cooperation meant to facilitate raising awareness for a certain subject, among the children and youth within the special protection system should be carried out in close cooperation with the General Departments for Social Assistance and Child Protection in each county of Romania, under whose subordination function the social services for children.