

## **Executive Summary**

The submission of Save the Children Romania (SCR) for the 4th cycle of the Universal Periodical review of Romania covers 4 key areas for the implementation of the international human rights obligations of Romania. The content of this submission is based on SCR experience and research as well as on the results of numerous and extensive consultations with children and other stakeholders.

## **Human rights obligations in relation with children in Romania**

1. Budget and resources for Human Rights implementation - Taking into account that the COVID-19 outbreak proved once again that Romanian children are more vulnerable than adults to the major risks (poverty or social exclusion, health and mental health challenges, lack of access to basic services), the authorities are urged to adequately monitor the situation of children and to allocate sufficient resources for the three fields of the utmost importance for children and their rights (education, healthcare and welfare) in order to guarantee the fulfilment of basic rights.
2. Protection of children against abuse, neglect and exploitation – although prohibited under the law since 2004, abuse, neglect and exploitation are still part of Romanian children’s lives at home, in schools and in the communities.
3. Right to education – Faced with the accumulated effects of failure to ensure equal chances and inadequate financing of public education as well as with the impact of repetitive and long-lasting school closures in response to the pandemic context, the Government must urgently take the necessary measures in order to guarantee access to free of charge and high-quality education to all children.
4. Right to health – We are urging the Government to acknowledge the shortcomings and the inequity of the healthcare system and to take all necessary steps in order to protect the life and health of all Romanian children.

## **Implementation of Human Rights Obligations**

### **A. Budget and resources for Human Rights implementation**

5. The Covid-19 pandemic brought a decline in Romanian children’s standard of living. Thus, after four years of constant decrease in the percentage of children at risk of poverty or social exclusion, since 2020 the level of this indicator has been increasing (from 40% in 2019 to 40.7% in 2020 and 41.5% in 2021) although, for the adults, the trend is opposite (the risk of poverty or social exclusion decreased from 35.5% in 2019 to 34.5% in 2020 and 32.8% in 2021)<sup>1</sup>.
6. The risk of poverty or social exclusion as well as the early school leaving are two indicators that can best illustrate the discrepancies between the urban and the rural population of Romania. Also, they can explain how material and educational poverty go hand in hand, leading to a vicious circle that shifts vulnerabilities from one generation to another. In Romania, 16.1% of the population living in cities is at risk of poverty or social exclusion, while in towns and suburbs the share of 30.7% and more than half (50.1%) of the rural population is facing this risk<sup>2</sup>.
7. At the same time, with an overall early school leaving rate of 15.2%, Romania fails to ensure equal chances in education to children and youth in rural areas (for whom the rate is 23.3%) compared to their peers living in towns (13.2%) or cities (4.5%)<sup>3</sup>.
8. At the same time, the quality of education is often low and not inclusive, leading many children either outside the school system or in special education. The percentage of Roma pupils in segregated classes has remained constant over the past years (10%)<sup>4</sup>. Children with disabilities face inaccessible schools, inadequate teachers, insufficient support and limited assistance<sup>5</sup>. The latest PISA results place Romania among the countries with the strongest link between socioeconomic status and the academic results of 15-year-old children<sup>6</sup>: the share of low achievers among the poorest students reached 62% (versus an OECD average of 35.6%), while the share of resilient students is of only 8.8% (versus 11.3%).

### **9. Recommendations**

- a) Prioritise children and vulnerable families in policy development and budgeting processes and support the local authorities in tackling child poverty, in particular by enhancing child rights budgeting at the local level,
- b. Develop, finance, and implement a coherent national strategic plan aimed at ensuring the equity in education of children in vulnerable situations,
- c. Strengthening the welfare system to support children and families at risk of poverty,
- d. Securing the implementation of the secondary legislation prohibiting segregation in education.

### **B. Protection of children against abuse, neglect and exploitation**

10. According to the most recent study carried out by Save the Children Romania on the prevalence of abuse, neglect and exploitation of children, 46% of Romanian children said that they were beaten at home by their parents, while 28% of the parents admit having corporally punished their children and a similar percentage (20%) believe that physical punishments are a correct and adequate instrument of educating their children<sup>7</sup>.

11. The same study revealed that 1 in every 10 children would prefer to abandon their families out of fear of being punished and 2% find themselves in this situation often and very often.

12. 3% of the parents say that, in the last year, one of their children was the victim of sexual abuse and a similar percentage of the teenage children declared that they were in a situation of being forced to have sexual contact without consent.

13. The under-reporting of sexual abuse against children in Romania is obvious if we compare the number of cases reported yearly to the child protection institutions ( 1349 in 2021<sup>8</sup>) with the number of cases for which the penal investigation of the aggressor was initiated (1041 in 2021) and the number of cases that are sent to courts (554<sup>9</sup>)

14. According to SCR research<sup>10</sup>, 3% of the children are sent by their parents to work for money instead of going to school (with a high gender difference: 7% of the boys and 2% of the girls) and 8% of the children skip school because they have to stay at home caring for younger siblings. The incidence of forced bagging decreased by 2 pp (from 3% to 1%) compared to the previous research (2013)

15. The material neglect rates are similar to those identified in 2013: 18% of the children reported that they have to go to bed while still hungry and 2% had to steal food. 3% of the participants in the SCR study declared that they were cold during the winter because they lacked warm clothes.

#### **16. Recommendations:**

a. Developing information programmes and materials aimed at improving parental skills and training the health, education and social work professionals that work with parents in order to be able to foster positive parental skills and approaches.

b. Create parental education centres and services across the country, in order to facilitate access to these services at the national level

c. Train the law enforcement and judiciary staff on the rights of the child and the consequences of abuse against children

d. Ensure adequate resources (including qualified social workers) for all public social services in both urban and rural localities.

e. Strengthen the capacity of the National Authority for the Rights of the Child and Adoption as a provider of technical assistance for local social services

### **C. Right to education**

17. As of January 2021<sup>11</sup>, 286.150 children aged 7-17 were not enrolled in education while in the school year 2019/2020, 20.878 pupils dropped out of primary and lower secondary education.

18. 41% of Romanian pupils are in the functional illiteracy zone according to the latest available PISA results<sup>12</sup>. The scores reached in mathematics and sciences are worse than ever since PISA tests are applied in Romania (2000): 46.6% of the pupils scored under Level 2 in mathematics and 43.9% in sciences.

19. For children under 3 years of age the main problem is the very low capacity of dedicated education and care settings (the crèches). In the school year 2020/2021<sup>13</sup> only 5.7% of the children under 3 were enrolled in both private and public early education services (while 97.5% of those enrolled lived in urban areas<sup>14</sup>).

20. The enrolment rate in pre-primary education (from 3 to 5 years) reached 76.9 % in 2020/2021 (2.5 pp lower than the previous school year)<sup>15</sup>. However, most places in public settings are open for only 4 hours per day and those that are open for 8 hours are very looked for by parents and, consequently, overcrowded.

21. The education system in Romania is supposed to be cost-free for all children. However, this is not true. Hidden costs of education have been a constant subject of interest for Save the Children Romania. We repeatedly measured (2010, 2018 and 2021<sup>16</sup>) the costs covered by the families in direct connection with their children's participation in public education and reached the conclusion that, although free under the law, public education in Romania implies a wide range of costs: from the unofficial payments requested from the families to cover the running costs of schools and classrooms (stationary, cleaning materials, security etc), to uniforms, textbooks, after-school programmes, private

tutoring in direct connection with school curriculum, transport to and from school and, most recently, as an effect of the school closure, IT&C equipment needed for the participation to online education. From one edition to another, the results showed an increased financial burden on the families, most probably caused by the insufficient resources allocated to education from the national and the local budgets and having as a direct consequence a gap in education quality between the children from vulnerable and well-off families.

22. Moreover, the impact of the school system on the emotional well-being of children is worrisome. According to a survey implemented by Save the Children Romania in February 2022<sup>17</sup> (with 1821 respondents enrolled in secondary education): one in two pupils (47%) complains that the homework is more difficult than before; 31% of the respondents believe that they are behind the corresponding curriculum levels; 70% of the pupils spend 1-3 hours/day for preparing their homework while pupils in the 8th grade spend an average of 3hours/day; 60% of the respondents say that they are privately tutored for at least one curriculum subject; almost half of the pupils (47%) indicate that they didn't talk to their teachers about how they feel and what emotional difficulties they encounter.

23. The SCR study<sup>18</sup> on the incidence of violence against children also showed that 5% of the children indicate that they were victims of physical violence inflicted by the educational staff, while 22% indicate emotional violence in the same context.

24. The schools are far from being a safe environment for children while the Ministry of Education hasn't enforced yet the secondary legislation on the prevention of and response to bullying in schools. A very recent SCR online consultation with pupils in secondary (4449 respondents aged between 10 and 18) shows that almost half of the pupils (49%) indicate that they were victims of bullying in school, while 1 in 10 has been experiencing this situation often and very often. At the same time, more than 1 in every 4 pupils (27%) admits that they bullied their peers.

## **25. Recommendations:**

- a. Develop ECEC infrastructure (especially crèches for children 0-3) to increase available places and prioritise access for children from rural and vulnerable communities.
- b. Improve and implement the ECEC vouchers legislation and include ECEC costs in the minimum inclusion income scheme.
- c. Improve the cost-per-pupil financing so that the allocated budget entirely covers the costs and parents' financial participation is no longer needed.
- d. Invest in improving the school infrastructure, taking into consideration accessibility issues and public health standards.
- e. Ensure well-trained and adequately paid teachers and support staff, based on the needs identified in each educational community.
- f. Extending the "School after School" services and providing free access to these services for vulnerable children

## **D. Right to health**

26. In 2021, only 10% of the hospitals and 1% of the school medical cabinets were functioning in rural localities of Romania, where 43.3% of the population lives. The percentage of the population with unmet medical needs is almost double in rural areas (8.5 vs 4.9) and 63% of the girls who give birth before the age of 15 are from rural area<sup>19</sup>.

27. Romania has the highest infant mortality rate in the EU (5.6 per thousand) with a significant discrepancy between rural (6.8) and urban areas (4.5).

28. At the same time, Romania has been facing a chronic and severe incapacity to respond to neonatal care needs: out of the 600 neonatal intensive care beds needed (as per the 30 places/1 million inhabitants recommendations), only 300 exist in the hospitals, thus 50% of the new-born care capacity needed. The medical equipment is often missing or insufficient.

29. According to EU data<sup>20</sup>, over ¼ (28.05) births in underage mothers are registered in Romania although only 5% of the overall live births in the EU are from our country. In 2000, out of the 198.302 children born in Romania, 4.17% of the children born in Romania had an underage mother.

30. Equally worrisome is that out of the 731 mothers under 15, 706 were at the first child while 24 were at the second birth and 1 was at her third. Among the 7545 mothers aged 15 to 17, 6898 were at the first child, 1264 at the second, 113 at the third and 1 at the fourth<sup>21</sup>.

31. The underage mother phenomenon is complex, but its consequences are impacting both the mother and the child. An analysis<sup>22</sup> of the living conditions of pregnant women and mothers in rural areas shows that there is a direct relation between early motherhood and the social and educational

exclusion risks.

32. Furthermore, consultations carried out by SCR with pregnant girls from vulnerable communities showed that pregnant girls under 16 are often at risk of being excluded from accessing health services (since they are under the age of medical consent and parents are not always supporting them).

33. Education for sexual and reproductive health is one of the most ignored dimensions of child protection and education in Romania while the fertility rate for teenage girls (15-19) in Romania reaches 35.1 per thousand compared to the 8/thousand EU average.

34. Regarding access to mental health support, children in need of this kind of support can only rely upon the school counsellors, but with major limitations. Firstly, parental agreement is needed, secondly not all school counsellors have a psychological background, and thirdly school counsellors are not available in every school and, where available, they have at least 800 pupils. Given these worrying facts, mental health support is mainly covered by NGOs, Save the Children Romania included.

#### **34. Recommendations:**

- a) Develop a comprehensive screening programme for children under 3 years of age and ensure effective access to this programme for all children, including those living in remote/rural areas.
- b) Strengthen the school-based screening programme, by developing the school health infrastructure and human resources and ensuring harmonisation with the primary healthcare (family doctors) and relevant medical specialities.
- c) Develop the network of integrated community centres, especially in rural/isolated areas.
- d) Ensure the equipment, financial and human resources needed in the area of neonatology and reproductive health.
- e) Revise the age limits of unsupervised consent for access to healthcare in areas such as reproductive or mental health.
- f) Introduce education for health, sexual and reproductive health as a stand-alone subject or across the relevant core curriculum subjects.

Annex 1 - Thematic Lists of Recommendations with assessment/comments on the level of implementation

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- <sup>1</sup> Eurostat data base, Persons at risk of poverty or social exclusion by age and sex [ilc\_peps01n], accessed on September 29, 2022
- <sup>2</sup> Eurostat data base, Persons at risk of poverty or social exclusion by degree of urbanization [ilc\_peps13n], accessed on October 6, 2022
- <sup>3</sup> Eurostat data base, Early leavers from education and training by sex and degree of urbanisation [edat\_lfse\_30], accessed on October 6, 2022
- <sup>4</sup> European Union Agency for Fundamental Rights, 2018, A persisting concern: anti-Gypsyism as a barrier to Roma inclusion, <https://fra.europa.eu/en/publication/2018/persisting-concern-anti-gypsyism-barrier-romainclusion>
- <sup>5</sup> Ministry of Labour & World Bank – Diagnose of the situation of persons with disabilities in Romania, 2020
- <sup>6</sup> OECD, PISA 2018 – Insights and Interpretations, 2019
- <sup>7</sup> Save the Children Romania, 2021, Study on the incidence of violence against children <https://www.salvaticopiii.ro/sci-ro/files/90/90746705-4fd6-4843-b16c-055a66a81abb.pdf>
- <sup>8</sup> National Authority for the Protection of the Rights of the Child and Adoption, <https://copii.gov.ro/1/date-statistice-copii-si-adoptii/>
- <sup>9</sup> Prosecutors General of Romania, [https://www.mpublic.ro/sites/default/files/PDF/raport\\_de\\_activitate\\_pe\\_anul\\_2021.pdf](https://www.mpublic.ro/sites/default/files/PDF/raport_de_activitate_pe_anul_2021.pdf)
- <sup>10</sup> Save the Children Romania, 2021, Study on the incidence of violence against children <https://www.salvaticopiii.ro/sci-ro/files/90/90746705-4fd6-4843-b16c-055a66a81abb.pdf>
- <sup>11</sup> National Institute of Statistics, TEMPO-ONLINE, accessed May 31<sup>st</sup> 2022
- <sup>12</sup> PISA 2018 Results : [https://www.oecd.org/pisa/Combined\\_Executive\\_Summaries\\_PISA\\_2018.pdf](https://www.oecd.org/pisa/Combined_Executive_Summaries_PISA_2018.pdf)
- <sup>13</sup> National Institute of Statistics, TEMPO-ONLINE, accessed October 7<sup>th</sup>, 2022
- <sup>14</sup> Ministry of Education, Report on the Status of the Pre-tertiary Education 2020-2021
- <sup>15</sup> Ministry of Education, Report on the Status of the Pre-tertiary Education 2020-2021
- <sup>16</sup> Save the Children Romania, 2010, <https://www.salvaticopiii.ro/sci-ro/files/9f/9fec6efa-93cd-4a23-9765-4d62bf239809.pdf>, 2018, <https://www.salvaticopiii.ro/sci-ro/files/7d/7da9f60a-0725-43a7-b04b-a717ca489210.pdf>, 2021, <https://www.salvaticopiii.ro/sci-ro/files/56/564f73ce-954b-41d5-8d70-463a42858a7b.pdf>
- <sup>17</sup> Save the Children Romania, 2022, <https://www.salvaticopiii.ro/sci-ro/files/17/171ad472-6611-4cf0-a08f-9d3c8781e14a.pdf>
- <sup>18</sup> Save the Children Romania, 2021, Study on the incidence of violence against children <https://www.salvaticopiii.ro/sci-ro/files/90/90746705-4fd6-4843-b16c-055a66a81abb.pdf>
- <sup>19</sup> National Institute of Statistics, TEMPO-ONLINE, accessed October 7<sup>th</sup>, 2022
- <sup>20</sup> Eurostat, Live births by mother's year of birth (age reached) and birth order [demo\_fordager], accessed on May 15, 2022
- <sup>21</sup> Eurostat, Live births by mother's year of birth (age reached) and birth order [demo\_fordager], accessed on May 15, 2022
- <sup>22</sup> Save the Children Romani, 2021, <https://www.salvaticopiii.ro/sci-ro/media/Documente/Raport-cercetare-situatia-mamelor-adolescente-2021.pdf>