



Bruxelles, 15 Martie 2006

Comunicat de presa

Deputatii europeni ingrijorati de situatia copiilor institutionalizati, a persoanelor cu dizabilitati si a situatiei adoptiilor internationale nerezolvate in Romania

Copiii abandonati in maternitati, paturile-cusca utilizate pentru copiii cu probleme mentale, felul in care sunt tratati si in care traiesc persoanele cu dizabilitati in institutiile de ingrijire, adoptiile internationale - acestea au fost problemele-cheie ridicate de deputatii europeni marti seara, la Strasbourg, in timpul unei sesiuni de intrebari adresate comisarului european pentru Extindere, Olli Rehn.

Paturi-cusca

Comisarul Rehn a fost intrebata daca este la curent cu faptul ca in Romania, pentru copiii cu probleme psihice sunt folosite in institutiile de ingrijire paturi-cusca si, in caz afirmativ, daca va discuta aceasta problema cu guvernul roman, pentru a determina oprirea utilizarii unei astfel de practici.

Informatiile conform carora in Romania s-ar utiliza paturi-cusca pentru copiii cu probleme mentale constituie o problema careia noi ii acordam o importanta majora, a declarat **Maired McGuinness (PPE-DE)**, intrebata, in acest sens, ce pondere acorda Comisia problemelor de genul aceasta in negocierile in curs cu autoritatile romane.

Comisarul **Rehn** a declarat ca nu detine dovezi conform carora in Romania s-au utilizat sau inca sunt folosite paturi-cusca pentru copiii cu probleme mentale, insa a afirmat ca o data acest lucru dovedit, va adresa problema autoritatilor romane.

Referitor la dovezi, deputatul **John Bowis (PPE-DE)** a amintit un articol aparut pe prima pagina a unei editii recente a publicatiei londoneze *Sunday Times* si a precizat ca alte informatii au venit de la *Centrul de Asistenta Juridica pentru Persoanele cu Dizabilitati Mentale, o institutie foarte bine documentata. "*Sper ca veti spune Romaniei, ca si celorlalte state care utilizeaza aceasta practica barbara, ca astfel de paturi sunt neadecvate pentru copii si pentru batranii cu probleme mentale in orice tara civilizata, cu siguranta intr-un Stat Membru al acestei Uniuni Europene*", a spus el.

La randul sau, **Maired McGuinness** a subliniat ca fiind cruciale vizitele neanuntate ale oficialilor si expertilor europeni la fata locului si a reafirmat ca "*doar prin presiuni se pot determina progrese*".

Adoptii internationale: cazurile in suspans

Deputatii europeni s-au declarat interesati, totodata, de situatia cererilor de adoptii internationale inregistrate inainte de intrarea in vigoare a noii legi si care inca asteapta un verdict. "Stim ca in Romania (...) exista copii care traiesc intr-o situatie dificila; in acelasi timp, in Uniunea Europeana exista familii care sunt dispuse sa-i adopte pe copii, cu toate garantiile necesare. Ar putea Uniunea Europeana solicita autoritatilor romane (...) facilitati pentru aceste familii?", a intrebat **Manuel Medina Ortega (PSE)**.

"Cunosc foarte bine cazurile cu adoptii internationale de copii romani si inteleg nelinistea familiilor care ar dori sa ofere acestor copii un nou camin. Insa, ca parte a reformelor legislative in vederea aderarii si cu sprijinul Parlamentului European, Romania a adoptat o noua legislatie privind protectia copilului, in vigoare de la 1 ianuarie 2005, potrivit careia adoptiile internationale constituie ultima solutie. Prin aceasta lege, Romania s-a aliniat la prevederile legale ale Uniunii Europene in materie si la Conventia ONU pentru Drepturile Copilului", a declarat comisarul **Rehn**. "Aplicarea acestor previziuni trebuie inteleasa in contextul in care au existat practici abuzive in ce priveste adoptiile internationale in Romania", a adaugat el.

"Ne aflam in contact permanent cu autoritatile romane si pot spune ca Romania se afla pe calea cea buna in ce priveste rezolvarea cazurilor de adoptii inregistrate inainte de intrarea in vigoare a noii legi", a declarat **Olli Rehn**. *"Autoritatile romane au stabilit un grup de lucru care ar urma sa-si incheie activitatea la 31 martie, iar Comisia va urmari indeaproape problema si o va mentiona in raportul de monitorizare, care va fi adoptat, asa cum a fost prevazut, la 16 mai"*, a adaugat el.

Ar trebui notat, insa, ca in momentul de fata nu exista o legislatie comunitara in domeniul adoptiilor internationale; in fapt, Regulamentul Consiliului (EC) Nr.2201/2003, referitor la recunoasterea reciproca a evaluarii responsabilitatilor parentale, exclude in mod explicit adoptiile din obiectivul sau, a mai afirmat **comisarul european**. "Cata vreme autoritatile romane respecta Conventia ONU pentru Drepturile Copilului si legislatia europeana in materie, Guvernul roman si autoritatile de la Bucuresti sunt cei care trebuie sa gaseasca o solutie referitoare la adoptii", a adaugat el.

"Procesul de monitorizare a cererilor pentru adoptii inter-statale inregistrate inainte de intrarea in vigoare a noii legislatii se asteapta sa fie incheiat luna aceasta. Ne asteptam ca autoritatile romane sa dea raspunsuri individuale solicitantilor", a mai incheiat comisarul **Rehn**.

Copiii institutionalizati

82 000 copii care acum se afla in sistemul de protectie sociala - familii sau centre de plasare - beneficiaza de o structura de protectie a copilului (care prevede accesul la sanatate si educatie) in linie cu Conventia ONU pentru Drepturile Copilului, a subliniat **Olli Rehn**. Conform unor rapoarte foarte detaliate, stim ca situatia ingrijirii copilului s-a imbunatatit, mai ales ca Uniunea a furnizat sprijin sustantial (circa 160 milioane de Euro in ultimii 15 ani) pentru restructurarea sectorului de ingrijire a copilului, a spus el.

Persoane cu dizabilitati si handicap mental

Evaluarea situatiei sistemului roman de ingrijire a persoanelor cu dizabilitati si cu handicap mental constituie una din problemele carora le acordam o atentie majora si pentru care lucreaza experti atat din partea Comisiei cat si a Statelor Membre.

*"In ce priveste sistemul de ingrijire a persoanelor cu dizabilitati, ne concentram atentia asupra unei strategii pentru inchiderea si restructurarea institutiilor mari de ingrijire, prin dezvoltarea serviciilor alternative bazate pe comunitate, sprijin pentru familii si unitati mici de ingrijire. Pentru aceasta, alocam pana la 15 milioane Euro. In plus, in Romania se desfasoara in momentul de fata o campanie de constientizare publica a drepturilor persoanelor cu dizabilitati. Desi reformele in acest sector se afla inca la inceput, Comisia considera ca Romania se afla acum pe drumul cel bun", a declarat **comisarul european**.*

Sistemul de ingrijire a persoanelor cu handicap mental

"Problema tratamentelor medicale in spitalele de psihiatrie din Romania trebuie sa fie luata in considerare imediat. Noi am subliniat acest lucru in raportul nostru de monitorizare din octombrie anul trecut, iar deficitele semnificative in ce priveste conditiile in care traiesc si sunt tratati cei cu probleme mentale in unele institutii trebuie sa fie rezolvate", a mai afirmat **Olli Rehn**.

"Am sfatuit autoritatile romane sa faca din sistemul de ingrijire a persoanelor cu handicap mental o prioritate si sa aloce suficiente resurse pentru acest lucru. Autoritatile romane sunt incurajate puternic sa profite de asistenta curenta PHARE si sa stabileasca o strategie si un plan de actiune pentru o reforma in acest sistem", a spus el.

* Centrul de Asistenta Juridica pentru Persoanele cu Dizabilitati Mentale este o organizatie neguvernamentala internationala cu baza la Budapesta, care promoveaza drepturile persoanelor cu probleme mentale si dizabilitati intelectuale, din Europa Centrala si de Est si din centrul Asiei. Centrul lucreaza pentru a imbunatati calitatea vietii acestor persoane, prin litigii, cercetare si avocatura internationala. Centrul are statut participativ la Consiliul Europei si este o organizatie care coopereaza cu Federatia Internationala pentru Drepturile Omului, de la Helsinki.

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Brussels, 15 March 2006

Press Release

European Parliament worried about the situation of childcare sector, disabled persons and unresolved requests for international adoptions in Romania

Abandoned children in maternity hospitals, caged beds used for children with mental problems, the way disabled persons live and are treated in care-institutions, international adoptions - these were the key-problems raised by the European parliamentarians on Tuesday night, in Strasbourg, during Question Time addressed to the European commissioner for Enlargement, Olli Rehn.

Caged beds

Commissioner Rehn has been asked if he is aware of the fact that in Romania, for children with psychic problems there are used caged beds in care-institutions and, if so, if he will discuss this problem with the Romanian government, with a view to bringing the practice to a speedy end?

Information regarding the use of caged-beds in Romania for children with mental problems is an issue of huge concern for us, **Maired McGuinness (EPP-DE)** said, asking how much weight it attaches to these issues in its ongoing negotiations with the Romanian authorities?

Commissioner Rehn said he has never had any proof about the use of caged beds in Romania for children with mental problems, but he added that if proved, he will raise the matter with Romania, if need be.

Regarding proofs, MEP **John Bowis (EPP-DE)** reminded a first page article published recently by *Sunday Times* and said that other information have come from the *Mentral Disability Advocacy Centre, a very well documented institution. *"I hope that you will say to Romania, as indeed to the other countries that have engaged in this barbaric practice, that caged beds are inappropriate for children, the confused elderly or for people with mental health problems in any civilised country, and certainly in a Member State of this European Union"*, he said.

Maired McGuinness underlined as crucial the **un-announced visits** of European officials and experts to the ground. *"It is only by pressure that we will make progress"*, she said.

International adoptions: cases unresolved

MEPs have shown interest in the situation of the requests for international adoptions registered before entering into force the new law and which are still waiting for a verdict. "We know that in Romania (...) there are children living in difficult conditions; in the same time, there are families in the European Union willing to adopt these children, with all the necessary guarantees. Can the EU ask the Romanian authorities (...) to grant facilities for these families?", **Manuel Medina Ortega (PSE)** asked.

"I am deeply aware of the pending cases of international adoptions of Romanian children and the understandable anxiety surrounding this issue among the families who would like to give these children a new home. As part of the legislative reforms in preparation for acceding to the Union, and with the support of the European Parliament over the years, Romania recently adopted new legislation on child protection. According to this legislation, which entered into force on 1 January 2005, international adoptions are a last resort if a suitable in-country solution cannot be found. Through this law, Romania has aligned itself with the legal provisions of the European Union in this area, as also embodied in the UN Convention on the Rights of the Child", commissioner **Rehn** said. "The application of these provisions must be seen within the context of former abusive practices relating to international adoptions in Romania", he added.

*"We are in regular contact with the Romanian authorities and I would say that Romania is on the right track concerning the solution of pending petitions for adoption, filed before entry into force of the new law", **Olli Rehn** declared. "The Romanian authorities have established a working party which should finalise its work on 31 March, and the Commission will follow closely the issue and will mention it in the comprehensive monitoring report which will be adopted, as scheduled, on 16 May", he added.*

It should be furthermore be noted that there is currently no Community legislation in the field of international adoption; in fact, the Council Regulation (EC) No 2201/2003, which provides for mutual recognition of judgments on parental responsibility, explicitly excludes adoption from its scope, the **European commissioner** said. "Our view is that as long as the Romanian authorities respect the UN Convention on the Rights of the Child and European legislation, then it is up to the Romanian Government and authorities to look for a solution", he added.

"The screening process of applications for inter-country adoptions registered before the entry into force of the new legislation is expected to be completed this month. We expect that the Romanian authorities will inform all the applicants individually", commissioner **Rehn** concluded.

Childcare

82 000 children currently under social protection - families or placement centres - are benefiting from a child protection structure (with access to health and education) in line with the UN Convention on the Rights of the Child, **Olli Rehn** underlined. On the basis of very detailed reports, we know that childcare system in Romania has improved, not least because the European Union has provided substantial support for the restructuring of the childcare sector, accounting for around EUR 160 million in the last 15 years, he said.

Disabled and mentally handicapped persons

The evaluation of the Romanian care-system for disabled and mentally handicapped persons is one of the problems we have major concern for and for what a lot of experts are working, not only from the Commission but from the Member States too.

"Concerning care for disabled people, the main focus is now on developing a strategy that aims at closing and restructuring large residential institutions by developing alternative community-based services, support for families and smaller residential units. We provide, for instance, up to EUR 15 million. Moreover, a public awareness campaign is ongoing in Romania in order to raise awareness on rights of people with disabilities. Although reform in this sector is still very much in its early stage, from the point of view of the Commission we estimate that the country is now on the right track in this regard", the **European commissioner** declared.

Mental healthcare system

"The persistent problem of ill treatment in psychiatric hospitals in Romania needs to be addressed immediately. This was stressed in our comprehensive monitoring report of October, and the significant deficits in living and care conditions in some establishments need to be tackled", **Olli Rehn** said.

"We have strongly advised the Romanian authorities to make mental health a priority area and devote sufficient resources for this purpose. The Romanian authorities are strongly encouraged to take advantage of the current PHARE assistance and draft a strategy and action plan for the mental health reform", he added.

* The Mental Disability Advocacy Centre (MDAC) is an international non-governmental organization based in Budapest that promotes and protects the human rights of people with mental health problems and intellectual disabilities across central and eastern Europe and central Asia. MDAC works to improve the quality of life for people with mental disabilities through litigation, research and international advocacy. MDAC has participatory status at the *Council of Europe* and is a cooperating organization of the *International Helsinki Federation for Human Rights*.

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