

**HOPE
AND
HOMES
FOR
CHILDREN**



CHILD-LED REPORT ON THE RIGHTS OF THE CHILDREN IN ROMANIA

UN Convention on the Rights of the Child
2024 - Civil Society Alternative Report



CONTENTS

Introduction	3
Methodology	4
Children should be informed about their rights.....	5
best interest of the child.....	6
family and family vs. state care.....	7
children's opinions	8
access to age-appropriate information	9
access to adequate food, housing.....	10
access to education	11
the right to rest, leisure and play	12
protection of from all forms of violence.....	13
refraining from interfering with or denying the enjoyment of these rights	14
Conclusions	15

Hope and Homes for Children is a global expert in the field of deinstitutionalisation. Our mission is to be the catalyst for the eradication of institutional care across the world. We work to protect children from the harmful effects of institutional care and to ensure they have the opportunity to grow up in a secure and caring family environment and to fulfil their potential. Working in partnership with governments and civil society organisations, our model is creating the conditions for long-term reform.

Today, over 5.4 million children are trapped within institutions. It's not right and it must stop. Children deserve so much better. Always. Since 1994, Hope and Homes for Children has been working to stop the institutionalisation of children. We're 250 people, in ten countries, inspiring organisations, including the UN, EU and governments around the world, to close the doors of orphanages forever. Instead, we fight for every child to feel the love and belonging of a safe family home. As challenges get tougher, we work harder – with children, for children. Our care reform specialists set up community-based family support services. Our policy experts promote stronger child protection laws. And our skilled social workers work directly with children to keep families together, to reunite them, and to nurture new ones. Through national reform, we inspire global action. And we'll continue. Transforming the system. Consigning orphanages to history. Until every child, everywhere, has the chance to thrive in a strong, supported family. Because children deserve better.

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INTRODUCTION

This report, created and led with the support of children and young people, takes a look at the current state of children's rights in our country. We believe that children deserve to have their voices heard, especially when it comes to issues that affect their lives and future.

In Romania, like everywhere in the world, children have rights that should be protected under the United Nations Convention on the Rights of the Child (UNCRC). These rights include the right to protection, the right to participate in decisions that affect them, and the right to grow up in a healthy and supportive environment. However, the reality of these rights in our everyday lives can look very different. Child participation – a very important subject and also a right of the children, is something that Hope and Homes for Children Romania has been fostering from the start of its work in Romania and, with this report, we want to share some perspectives and experiences of children. We also aim to look at certain areas where improvement is needed in terms of respecting children's rights and improving child participation.

METHODOLOGY

The report incorporates the opinions of children, collected through a questionnaire devised by Hope and Homes for Children staff members, under the supervision of the Safeguarding and Participation Focal Person. In developing the questionnaire, particular attention was paid to the following aspects:

- a) *Clarity and simplicity* – the questions avoided jargon, technical terms or complex language and they were straightforward, avoiding confusion and ensuring that the participants understood what was being asked from them.
- b) *Sensitivity and neutrality* – the questions did not imply a type of answer that may be considered the “rights one” or the expected one and did not push the children to answer in a certain manner. At the same time, the language used was non-judgmental and the questions were framed in such a way that the children felt safe to share their thoughts and experiences without fear of judgement.
- c) *Privacy* – the children were assured, from the very beginning, that their answers were private and that no other persons but the ones contributing to the report would see these answers (this further encouraged openness). Overly sensitive questions were avoided, and children were encouraged to share as much as they wanted from their personal experiences and as much as they felt safe to do it.
- d) *Relevance* – while we attempted to make the questions as clear and as age-appropriate as possible, they were tailored to address the main topic (children’s rights and the way children consider that their rights are observed or not).

The questionnaire was developed starting from a child-friendly version of the CRC¹ that contains a visual representation of the rights of the child and explanations related to each of the rights in particular. We developed 10 questions based on the aforementioned document, which were distributed to children in residential services in 2 counties. A total of 49 children answered the questions and particular attention was paid to maintaining a gender balance, with an approximately equal number of females and males filling in the questionnaire.

This report is a qualitative report rather than a quantitative one and includes questions with open answer (the children were actually encouraged to elaborate on their answers and share as much as they felt comfortable) and it analyses the data by identifying patterns and common grounds within the responses.

¹ The child-friendly version of the CRC is available at:

<https://www.unicef.org/romania/media/2271/file/Convenția%20Națiunilor%20Unite%20cu%20privire%20la%20Drepturile%20Copilului.pdf>

CHILDREN SHOULD BE INFORMED ABOUT THEIR RIGHTS

1) Regarding the way children should be informed about their rights, the answers show the following:

- a) The importance of school and formal education in informing children about their rights: Most responses highlight that schools and teachers should play a central role in educating children about their rights. It is suggested to include children's rights in the curriculum, organize educational activities, and even display information about these rights in schools for increased visibility.

"Every child has the right to a personal opinion. All children should go to school and talk to their teachers about their rights as children and the adults should listen to them."

- b) The role of adults, especially parents and teachers, in educating children about their rights: Many children mention that parents and teachers are essential in the information process. Children believe that adults should take responsibility for explaining their rights and obligations, helping them understand their importance.

"Our rights were explained to us both by teachers from school and staff members from the family type home."

- c) Accessibility and diversity of information sources: Children suggest using various sources, such as the internet, psychological counselling, and community activities, in addition to formal education, to ensure that all children have access to information about their rights, regardless of their situation.
- d) The need for a continuous and visible approach: Children see constant and visible promotion of their rights as helpful, through posters, campaigns, and events in schools and communities, to strengthen access to this information and encourage awareness.

Comment: Our experience shows that in many instances, while the rights of the children are theoretically known by adults, the latter regard these rights as something that is not very important and they assume that they are the ones who should make decisions for the children, for various reasons: experience, age, better decision making or a better understanding of various contexts. While they may inform children about their rights (and this is done to a certain degree in school or in informal contexts), putting in practice these rights is often overlooked.

BEST INTEREST OF THE CHILD

2) Regarding the way the best interest of the children is respected, the answers show the following:

- a) Adults' concern for children's future: Many children believe that adults, especially parents and teachers, think about their well-being when making decisions, aiming to ensure a good future for them and support their education and development. At the same time, there are children who expressed a greater desire for autonomy and opportunities to be involved in the decision making process.

"I believe adults should think about us, the children, when they make decisions that can influence our future. It is important that adults listen to us and pay attention to us when they make decisions that concern us"

- b) Differences in perception of adult involvement: The responses indicate a mix of opinions about the level of adult involvement. While some children think that adults always consider their best interests, others have felt that sometimes parents or others don't pay enough attention to their wishes or needs when making important decisions. Almost all children emphasized the importance of dialogue between adults and children to ensure that decisions reflect both the adults' experience and the children's desires and needs, especially when these decisions have an impact on their future.

Comment: Our experience shows that the best interest of the children is taken into account in the vast majority of the decisions taken. At the same time, this is also an obligation, being specifically mentioned in the legal frame protecting children.



FAMILY AND FAMILY VS. STATE CARE

3) Regarding the right to a family and family vs. state care, the answers of the children indicate:

- a) *Preference for family vs. state care:* While many responses indicate a belief that children will develop better in families due to the stability and affection they provide, a significant number also advocate for state care if families are unable to provide adequate support or if they recall instances when they were abused or neglected by their parents or extended family. There is a recognition that some families lack the resources or ability to care for their children, making state care a solution. This latter option also shows that children understand that each child's situation is unique. Some children said that their peers may be happier in state care, while others are better off in family environments. This variability highlights the need for tailored solutions that consider individual circumstances, in the children's opinion.

" I think it is important for children to grow up in a stable and loving family environment, when it is possible. If a family cannot take care of the children, there should be support and available resources to help these families overcome their difficulties and stay together."

- b) *Support for families in need:* Some children emphasized the importance of supporting families financially and emotionally to help them care for their children and suggested that if families cannot provide proper care, they should receive assistance to improve their living conditions, therefore avoiding family breakdown.

Comment: It is extremely important to consider the particular circumstances for each child and to determine the roots of the issues that led to family breakdown. Many of these issues are systemic and they cannot be dealt with in an expedited manner, but the best interest of children should always be kept in mind. Personalised solutions need to be identified for each child and while families are the best option, there are situations when this cannot be achieved. However, in all circumstances, family-type solutions should be provided, and no institutionalisation is acceptable.

Children outside family care, including those in institutions, are among the most vulnerable. Social protection and child protection, particularly deinstitutionalisation and community-based care, are crucial to safeguarding their rights and preventing institutionalisation. Achieving the SDGs, notably SDG 1, requires social protection programmes that reach all families with children, foster and kinship carers, and care leavers. Strengthening care reform and social protection systems involves shared priorities, such as policy reform, coordination, evidence-based approaches, and service delivery, with poverty reduction central to both efforts. These measures aim to reduce vulnerability, promote inclusion, and ensure children achieve their full potential.

CHILDREN'S OPINIONS

4) Regarding the way the children's opinions are taken into account and the way child participation is fostered, the following aspects were highlighted by the children:

- a) *Desire for active listening:* Many children expressed a strong desire for adults to listen to them more attentively. They emphasized the importance of being heard, particularly in situations where they have something important to share. There is a consensus that adults should not only listen but also provide appropriate guidance based on what children say.

“Yes, there was one instance when I had something important to say and the adults did not listen to me. I believe it is crucial that adults are open and receptive to children's opinions and thoughts.”

- b) *Experiences of not being heard:* A rather significant number of children shared their experiences of feeling unheard or ignored by adults, particularly in school settings. They spoke about instances where teachers or caregivers did not give them the attention they needed, which can lead to feelings of frustration and isolation.
- c) *Importance of understanding:* Beyond simply listening, children emphasize the need for adults to understand their perspectives. Some responses indicate that listening alone is not enough; adults must also engage with and validate children's feelings and opinions to foster a supportive environment. They also hinted to the fact that their opinions are sometimes heard and/or listened to, but they were not taken into consideration and decisions were made without their views being included. On the other hand, there were answers that recognized the positive experiences that children had – they felt listened to and respected by adults. These children noted that their opinions were taken into consideration, which fosters a sense of validation and encourages open communication.
- d) *Advocacy for better communication:* There is a call for improved communication between adults and children. Some children suggest that adults should be more patient and open when engaging with them, allowing for more meaningful dialogue. There were also answers that acknowledged communication and participation as being a two-way street, saying that while adults need to be respectful and attentive when listening to children, the children, in turn, should pay the same attention to adults.

Comment: Our experience shows that child participation and involving the children in decisions that affect their future has improved in Romania, but there is still a long way to go. Child participation is formalised at several levels, with consultative groups of children in schools/high schools and with a council of young care-leavers that is consulted in certain decisions. At the same time, there is also a piece of legislation that formalizes child participation, which is currently under discussion in parliament. Nevertheless, there are many areas and instances where child participation is not considered important, and it is not put into practice.

ACCESS TO AGE-APPROPRIATE INFORMATION

5) Regarding the access to age-appropriate information and to information from diversified sources, the following aspects were considered important by the children:

- a. *Need for clear and patient explanations:* Many responses emphasized the importance of adults explaining things in a clear and patient manner. Children appreciated when adults, particularly teachers and caregivers, explain difficult concepts calmly and use practical examples. There are instances when children do not understand very well certain concepts and they need to be explained as thoroughly as possible. At the same time, the children felt that there were situations when they needed repeated explanations or simplified language to fully grasp new information. They expressed a need for adults to check their understanding and explain concepts as many times as necessary.

“Yes, there were situations when I wanted to learn and find out new and more detailed things. The persons who could help me understand new information should be the teachers, parents and other older colleagues of mine. It is essential that they be patient with us and use practical examples to make the information more accessible.”

- b. *Role of trusted adults in learning:* In terms of sources for information, children often turned to family members, teachers, and older peers when they did not understand something. There is a strong preference for receiving explanations from those they trust and who have relevant knowledge. When this happened, many children felt that the information needed to be conveyed respectfully and without criticism. Children valued a supportive approach, free from negative or dismissive remarks, especially when they are struggling with understanding.

Comment: From our extensive grass-roots activity, we often noticed that children desired for clarity, respect, and patience in learning and that they will always turn to the source that provides this type of patience. Therefore, there are situations when children turn more and more to the internet and to the on-line sources rather than to trusted adults/peers. While this is a positive aspect from the point of view of the rich information that can be gathered, they are at risk of receiving information that is inappropriate for their age and/or erroneous information.



ACCESS TO ADEQUATE FOOD, HOUSING

6) Regarding access to adequate food, housing and other resources, the following aspects were indicated by the children's answers:

- a) *Provision of basic needs:* the vast majority of the children emphasized that the provision of these needs is mainly the attribute of the authorities (government, local/central authorities, "the state") in the case of vulnerable families and children. Several answers also pointed out that charities should have a role in this, and that donations and volunteering should be encouraged in this respect.

"It is very sad to know there are children who face such serious shortages, like lack of a home, food, electricity or running water. In order to be able to help these children, the community should be actively involved in helping them."



- b) *Employment for parents:* Some responses proposed helping parents find jobs to support their children, which would enable families to become self-sufficient rather than relying only on external aid.
- c) *State care as an option:* A number of children suggested that children without adequate family support or stable homes should be placed in state care/foster families, where their basic needs can be met.

Comment: Our experience shows that there is still a lack of consistency in tackling the issues of vulnerable families/children in terms of covering their basic needs. The social protection system still has systemic issues in terms of identifying vulnerable families, of including them as beneficiaries of support and of monitoring their progress and making sure to reduce (as much as possible) the long-term reliance of these vulnerable persons on state services. There are many instances when extremely vulnerable families fall through the cracks of the system and cannot benefit, for various reasons, from the support they need. One major aspect that needs to be tackled by the authorities is the one of the "poverty pockets" that are more and more often visible at the outskirts of cities.

ACCESS TO EDUCATION

7) Regarding access to education and equal opportunities for education, the children indicated as follows:

- a) *Education as a way to a better future:* Many responses highlighted that attending school is essential for securing a stable future, achieving a good job, and becoming successful. Children understand that education provides foundational knowledge and skills needed for a fulfilling career. At the same time, some responses emphasized that school contributes to emotional and cognitive growth and thus children saw education as a way to develop their minds, vocabulary, and social skills, which are important for them both at personal and professional levels.

“It is important to attend school because education offers you the necessary knowledge and abilities. I know there are children who cannot go to school due to different reasons. To help them, we should provide free education programmes for them, offer them scholarships, but also material support for vulnerable children.”

- b) *Providing support for disadvantaged children:* A recurring answer was the need to help children who cannot attend school due to poverty or other obstacles. Suggestions included government and community involvement, scholarships and providing material support (such as school supplies and transportation) to ensure equal educational opportunities. There was a unanimous recognition that many children face financial hardships, and some responses recommended increased funding for schools, and creating special transportation services for children in remote areas.
- c) *Encouraging attendance and motivation:* Children suggested encouraging their peers to attend school and understand its benefits. They strongly believe that it is important to communicate the value of education and to motivate those who may be hesitant to attend.
- d) *Community and parental involvement:* Most of the children suggested that NGO and parents play a key role in supporting children's education. They recommended that communities should help families ensure their children can attend school and that parents prioritize their children's education.

Comment: From our experience, we can state that while education *should* be a priority for families, there are many instances when it is not like that in reality. In many cases, there are factors that hinder access to education (even though it is free in Romania), such as lack of IDs (children and/or parents), distance to school, lack of basic resources at home or lack of interest from the parents. There are many parents who do not understand that education will break the vicious circle of poverty and who believe that children would rather benefit from working alongside them from a very early age than from attending school. The parents' lack of understanding the role of education also has negative effects for children who attend school but are not properly supported by their parents (in preparing homework, in school projects etc). The parents are not real role models for their children in terms of school attendance and therefore the children become discouraged and careless about school (and their performance) as they grow up. This accounts partly for the early school leaving rate in Romania, which is one of the highest in the EU – 16.5%.²

² 2024 Report Romania, page 74. Available at: https://economy-finance.ec.europa.eu/document/download/dcac26a0-120e-4233-88b6-8c7b0d919257_en?filename=SWD_2024_623_1_EN_Romania.pdf

THE RIGHT TO REST, LEISURE AND PLAY

- 8) Regarding the right to rest, leisure and play, cultural life and the arts, the children highlighted the following aspects:
- a) *Importance of personal time and rest:* Many responses showed how important it is for the children to have spare time for relaxation, rest, and enjoyment. This time is seen as necessary for physical and mental well-being, allowing children to unwind and engage in activities they enjoy. Children further showed that personal time should include play and leisure, which are essential for them. They suggested organized activities or programs where children can relax and socialize, integrating them into enjoyable and supportive environments.

“Yes, it is very important for me to have time for myself, time to play, to rest or do whatever I like. We should teach other children about the importance of having time for themselves.”

- b) *Creating a balanced schedule:* A recurring suggestion was to establish balanced routines that allow time for relaxation in addition to schoolwork. This balance is viewed as critical for overall happiness and to prevent burnout from academic or other obligations.
- c) *Education on time management:* Many answers suggested that children should learn about the importance of managing their time effectively. Teaching time management and encouraging children to prioritize personal time is seen as valuable for their development. Some children showed the fact that they were aware of others who may lack free time and expressed willingness to include these peers in their activities.

Comment: While generally acknowledged as a necessity for children (not necessarily viewed as a formalised right per se), there are often situations when children do not have their necessary spare time or time to unwind. The educational system is often viewed as part of the problem, with children spending sometimes unnecessarily long time in school and having an equally long time dedicated at home to preparing their homework and school projects. On the other hand, there are parents who do not regard spare time as a necessity for children, therefore they will have children work after school (or instead) in order to supplement the income of the family.



PROTECTION FROM ALL FORMS OF VIOLENCE

9) Regarding the protection of children from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, the answers indicated the following:

- a. *Need for safe environments:* Most of the answers highlighted the importance of safe spaces, such as families, homes, schools, but also family type homes (for children in state care), where children feel protected. Many responses emphasized that parents, teachers, and responsible adults (staff in family type homes) should be actively involved in ensuring children feel safe. Trusted adults are seen as the first line of support and protection, particularly in situations where children may feel vulnerable.

“ In my case, there were no situations in which I did not feel safe, but for the children who do not feel safe, they can talk to a psychologist or call the emergency no. 119.”

“Yes, there were situations when I did not feel safe. Children who are not safe or do not feel safe, they should be helped by parents, teachers, authorities or NGOs.”

- b. *Involvement of authorities:* The police and child protection services were frequently mentioned as important resources for children who feel unsafe. Some responses suggested that the state and police should take specific actions to protect children and educate them on handling unsafe situations. There were children who indicated that they have called emergency services (i.e. 112 or a dedicated child line) when feeling unsafe. This shows a reliance on emergency resources and highlights the importance of accessible hotlines for children.



Romania is a pathfinder country in the Global Partnership to the 2024 – First Global Ministerial Conference on Ending Violence Against Children.

<https://endviolenceagainstchildrenconference.org/wp-content/uploads/2024/11/Romania-pledge.pdf>

REFRAINING FROM INTERFERING WITH OR DENYING THE ENJOYMENT OF THESE RIGHTS

10) Regarding the fact that the states must respect the rights of the child by refraining from interfering with or denying the enjoyment of these rights and the aspect related to who should support vulnerable families and children, the answers highlighted the following:

- a. *Government and municipal support:* Many responses suggested that the state and local authorities, especially the municipality, should play a key role in providing financial assistance, food, clothing, and shelter to underprivileged families. There's an expectation that public funds should prioritize helping vulnerable citizens. At the same time, the children identified the role of charities and NGOs as very important, they were seen as vital in providing support through donations and essential resources.

“The families and children who do not have enough income should be supported by the government, charities and the local community. The help could include: financial support, access to education, community services and job opportunities.”

- b. *Employment opportunities:* A recurring answer was to help parents and adults find steady jobs to enable families to become self-sufficient. Employment support is viewed as a sustainable solution to break the cycle of poverty and reliance on support from other sources. There were several answers that pointed out the need for self-responsibility and work ethics, emphasizing the importance of encouraging adults to work and viewing employment as essential to maintaining a steady family life, ensuring children's well-being and thus respecting the children's rights.

Comment: as shown before, the vulnerable children and families turn to the state in order to get their needs fulfilled, but there are gaps and many flaws in the way the state does this. While some of the issues are simply practical and could be solved with a different approach, others are systemic and need to be solved with a top-down approach, either starting with the legal frame (in some instances) or with the way the social protection system is designed or connected to other services and systems. Progress has been achieved in terms of the legal frame, with the introduction of the *Child Observatory* (an online platform at national level, where vulnerable families are enrolled and services can be seen in real-time), but it is still slow and the initiative needs to be synced with other similar initiatives at local level.

CONCLUSIONS

The answers of the children reveal several trends in the way their rights are respected:

- There are still major gaps in the realization of children's rights, despite the legal frame which is (in most instances) favourable in this respect and the awareness regarding children's rights. There are many situations in which this awareness is mostly theoretic and when it comes to practice, the children's rights are overlooked.
- Many challenges arise from systemic issues such as poverty, limited access to information, and inconsistency in the application of rights protection. Children express a strong desire for autonomy, meaningful engagement, and accessible resources, all of which point to the need for both immediate and systemic changes to uphold their rights.
- While the legal frame in education encourages and fosters children's rights, they are many times seen as something optional, they are not discussing and if they are, the discussions are mostly theoretic. The children do not receive meaningful information in terms of how these rights need to be put into practice, how/where they can communicate any breach of their rights.



About Hope and Homes for Children

Every child deserves the love and belonging of a safe family home—never the violence, abuse and neglect suffered in orphanages.

We're Hope and Homes for Children. Since 1994, we've inspired the UN, EU and local and national governments worldwide, from Romania to Rwanda, to close the doors of orphanages forever. In their place, we fight to keep families together, to reunite them, and to create new ones – always working with children, for children.

**ALWAYS
FAMILIES.
NEVER
ORPHANAGES.**

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