

A strategy of inability in respecting people with disabilities

- A Romanian approach to disability rights - FACT SHEET

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When it comes to people with disability, in its national report for the UPR (A/HRC/WG.6/29/ROU/1, distributed on 27 December, 2017), paragraph 119, Romania only mentions under the topic “Protection of persons with disabilities” that it has adopted a Strategy for the period 2016-2020, aimed at implementing the Convention on the rights of people with disability, and generally details what this strategy is about. It reports nothing on the status of its implementation, although more than a year has passed since its adoption at the end of 2016.¹

Since the last UPR, Romania has lost in 2014 a case before the European Court of Human Rights, the case of an extremely vulnerable young man who died in a psychiatric institution under appalling conditions and who did not receive justice in Romania. This was an emblematic case for the many systemic problems associated with institutionalization in Romania. Our organization, who supported the case (*Centre for Legal Resources on behalf of Valentin Campeanu v. Romania* – Application no. 47848/08), continued to undertake unannounced human rights monitoring visits to closed institutions for people with intellectual disability/mental health problems, and in some of the places visited, we continued to find, to this day, appalling conditions, which deprive people of their human dignity. In our UPR submission, as well as in other communications to the Romanian state or other international human rights institutions², we spoke about our findings, as well as about ineffective criminal investigations when it comes to victims who are institutionalized people with disabilities, or about conflict of interest within the guardianship system and its general inadequacy³. Our findings and concerns have also been confirmed within the past few years by other international human rights institutions, upon their assessments of Romania, as is summarized in the Compilation on Romania, (A/HRC/WG.6/29/ROU/2) or in the Summary of stakeholders’ submissions on Romania (A/HRC/WG.6/29/ROU/3), Reports of the Office of the United Nations High Commissioner for Human Rights under the UPR process. Institutionalization and the ensuing deprivation of a host of basic rights have thus been raised by the UN Committee on the Rights of the Child, the UN Special Rapporteur on extreme poverty and human rights, the UN Committee against Torture, or the Council of Europe Commissioner for Human Rights.

Yet, in reply to all this, the Romanian state stays silent – we could not identify in the country’s national report for the purposes of the UPR (A/HRC/WG.6/29/ROU/1) information on how Romania ensures the respect of the rights of people with mental health problems/intellectual disabilities who are institutionalized, or on concrete progress towards deinstitutionalization and community life. This confirms once again that Romania has done nothing to effectively address and remedy the situation of these people. More dramatically, it shows to us that it does not even consider the rights of some of the most vulnerable and abused Romanian citizens to be worthy of attention.

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¹ Decision 655 of 14 September, 2016 for the adoption of the national Strategy “A society without barriers for people with disability” 2016-2020 and of the Operational Plan on the implementation of the national Strategy “A society without barriers for people with disability” 2016-2020.

² Centre for Legal Resources, Mobile Legal Clinic, Press information: <http://www.crj.ro/pledoarie-pentru-demnitare/clinica-juridica-mobila/kit-de-presa/>

³ Foundation Centre for Legal Resources Submission to the UPR of Romania, 3rd cycle, 29 June, 2017, available at: http://www.crj.ro/wp-content/uploads/2017/07/CLR_3rd-cycle-submission_RO_final.pdf.