

# Hidden Suffering

Romania's Segregation and Abuse of Infants and Children with Disabilities



**Testimony to the  
Commission on Security and Cooperation in Europe  
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I would like to thank Senator Brownback and all the members of the Commission on Security and Cooperation in Europe for this opportunity to speak today about the human rights of people with disabilities in Romania. I will describe the findings of Mental Disability Rights International's investigative report, *Hidden Suffering: Romania's Segregation and Abuse of Infants and Children with Disabilities*, published in May 2006. The Romanian government must be held internationally accountable for human rights violations against its citizens with disabilities.

Mental Disability Rights International (MDRI) is a human rights organization dedicated to the recognition and enforcement of the rights of people with disabilities worldwide. The rights of people with disabilities have been long overlooked by the human rights community, and MDRI is dedicated to bringing attention to the concerns of this population that is subject to stigma, economic and social marginalization, legal discrimination, and segregation from society in much of the world. MDRI has documented human rights abuses in 23 countries and we have published reports on human rights abuses against people with disabilities in Turkey, Peru, Kosovo, Mexico, Russia, Hungary, and Uruguay.

In our report, MDRI holds Romania to the same, universal human rights standards that we use to assess every other country. The life-threatening abuses, the extremely inhuman and degrading conditions of detention, and the large scale on which people with disabilities are segregated from Romanian society in stands out as some of the most serious and pervasive human rights violations MDRI has found anywhere. There are at least 30,000 children detained in institutions – and probably many more – who will be developmentally and psychologically scarred for life as a result of their improper and unnecessary placement in Romanian institutions. There are an even larger number of adults whose lives have been thrown away as they languish in almost total inactivity in abusive facilities.

These hearings come at a critical time when Romania's treatment of children and adults with disabilities is under intense international scrutiny. The European Union (EU) is now reviewing Romania's human rights record as it considers admitting Romania as its

newest member state. MDRI has called on the EU to require concrete action by the Romanian government to end the abuses we identified and to fully integrate children with disabilities into the community. Similarly, I urge the United States to take a stand on these issues. Foreign assistance, trade, and political cooperation should be linked to ending these human rights abuses in Romania. Romania can end these abuses – if the international community takes a strong stand. The world community would not tolerate such extreme abuses against any other population.

The factual findings of our report are based on MDRI's investigation in Romania from February 2005 through February 2006. Our findings are as follows:

MDRI's investigation found that children are detained in numerous adult facilities. While the rights of all people detained in these institutions are being violated, children are particularly at risk.

***I have visited institutions in twenty countries around the world. What I witnessed at the adult psychiatric facility Braila was the most disturbing horror I have ever seen. These children were close to death.***

In 2004, the Center for Legal Resources, a Romanian human rights organization, found 51 children living in the Brailia psychiatric institution in atrocious conditions. The Center wrote to the government to demand change. When MDRI visited Braila in June 2005, we found 46 children living in horrendous conditions. I personally observed children tied to cribs, wrapped head to toe in sheets used as full-body restraints, with open wounds and bed sores all over their bodies, malnourished, and near death. We found teenagers so emaciated that they looked like they were 3 or 4 years old. Their spindly arms and legs were twisted into contorted positions from disuse and atrophy. Their eyes had sunken deeply into their skulls, and they stared blankly at the walls. Ribs and other bones stuck out from their skin, which seemed to sag from their bodies without any extra flesh.

***Staff agreed to unwrap several of the children. As the staff removed the restraints on one girl, her skin came off with the sheet, leaving a raw open wound beneath it.***

I ask members of the Commission to look at the cover of MDRI's report, ***Hidden Suffering***, that we have distributed today. The emaciated child in this picture is a teenager who weighed less than 30 pounds.

- At the urging of the EU, Romania has begun reforming its child care system. Yet children with disabilities have often been left behind. Romania adopted much-publicized legislation, Law 272, which bans placement of babies in institutions. But there is a loophole in this law that permits any child with a "severe disability" to be institutionalized. The law is commonly used to institutionalize babies with even the most minor disabilities. MDRI also found babies without any disabilities detained in institutions, a clear violation of this law.

In February 2006, MDRI found 65 infants—with and without disabilities—in an institution for children in the city of Timisoara. One nurse working this facility told us:

***I have worked here for twenty years and my heart has turned to stone. I thought it would be better after the revolution, but it is not.... We do our best, but it is impossible for us to stop the spread of lice and contagious diseases...I give an injection and a baby cries and I have to keep going. There are too many. They become disabled from being here.***

There are so few staff at this facility that the children never leave their cribs. These children are becoming psychologically and developmentally disabled as a result of this lack of attention. Institution staff informed MDRI investigators that some children could easily be adopted, but they are stuck in the facility only because they lack identity papers. It is impossible to say how many more facilities of this kind exist in Romania.

- As part of Romania's reform, many children with disabilities have merely been moved from large to small institutions. While these facilities are newer and cleaner, they are still inappropriate for children and will contribute to increased disability. Extensive Romanian and international funding has gone into building new institutions, draining scarce resources from the process of creating foster care and other services necessary for the community integration of children with disabilities. According to UNICEF, nearly 200 new "small" institutions have been opened in recent years.

The government of Romania claims that it has reduced the population of its institutions for children from 100,000 to 30,000 in the last few years. Our investigation calls into question those numbers. There is no way to tell how many children are detained in adult facilities and how many children have merely been transferred to smaller institutions now called "family-like" environments. We visited one facility for 25 children in the center for Timisoara, where children had been moved after a notoriously abusive orphanage had been closed. The local child protection authorities referred to this facility as a form of community integration. In fact, these children were entirely segregated from society. We observed children sitting around in rooms doing nothing. Deprived of a family and of loving care, the children who grow up in these facilities will become more and more disabled.

As the psychiatric literature reveals, it is not just physical deprivation that can lead to loss of life. Emotional abandonment – resulting in "failure to thrive" – causes both emotional and physical damage to children at a critical time in their development. Even children who receive adequate food in clean institutions become disabled; some children are so emotionally neglected they will not eat – they may become malnourished and die.

In addition to the 30,000 children acknowledged to live in institutions, at least 9,000 babies are abandoned each year—a rate of abandonment that has not changed over thirty years since the Ceaușescu era. Romania has created a "maternal assistance"

program to provide foster care for children with disabilities, but it cannot meet the enormous needs of the large number of abandoned babies. The government admits that at least 700 abandoned children languish in maternity wards of hospitals – other sources put the number much higher. There is a particularly large gap in services for children and adults with disabilities. Throughout the country, we found children and adults with disabilities detained in institutions because of the lack of community supports. Most children with disabilities face the prospect of life-time institutionalization unless major changes take place.

While the government of Romania has worked hard to demonstrate to the world that it is reducing the size of its orphanage population, **what we have observed could be described as an enormous shell game – where children are being hidden as they are moved from one institution to another.**

The Sub-Secretary in charge of Mental Health at the Ministry of Health admitted to MDRI in February 2005 that he has no way to estimate the number of children in adults facilities. According to the Sub-Secretary at the Ministry of Health:

*It is not clear how many patients there are with disability in psychiatric hospitals. We do not know why or on which basis people are kept in different institutions. There are people with disabilities and without disabilities in institutions . . . patients' rights are not well known, even by the doctors. . . . All institutions are over-crowded.*

One of the greatest obstacles to reform – or for the implementation of any effective national policies regarding people with disabilities in Romania – is that responsibility for care of children and adults with disabilities is divided among numerous ministries and authorities at the local and national level. Nor is there any independent mechanism for monitoring human rights conditions in institutions or assuring quality of care. The Sub-Secretary told us:

*To date, I have never received any complaint about what is going on in the mental health system. There is no mechanism in place to bring complaints to me.*

Behind the closed doors of institutions for children and adults with disabilities, terrible human rights abuses take place. Yet there is no accountability for abuse, even when documented and publicized by human rights organizations in and outside of Romania. For example, the Center for Legal Resources and Amnesty International documented that more than 100 people died of exposure in the Poiane Mare psychiatric facility in 2003, and 17 people died in the facility in February 2004. To date, no one has been held accountable. The Romanian government still insists that people died of natural causes or “deficiencies of an administrative nature.” In papers submitted to the European Committee for the Prevention of Torture, the Romanian government described as “administrative deficiencies” such practices as the “lack of heating in the patients’ rooms, hypo-caloric food, insufficient and unqualified staff for the care of psychiatric patients,

lack of good medicines, extremely reduced possibilities of pre-clinical investigation. . . .”  
etc.

**The government of Romania cannot remedy human rights violations that it continues to deny.** The government has shamefully responded to MDRI’s report by simply denying the facts we have presented and claiming that we have fraudulently used old video. In an echo of communist-era thinking, officials have accused MDRI of being part of a conspiracy for one ulterior motive or another. Since the release of our report, however, our findings have been extensively corroborated by independent journalists from Romania, the United States, and Europe. ABC News broadcast video footage taken in early May 2006 showing institutions for children every bit as abusive as those depicted in MDRI’s report. The respected Romanian newspaper, Jurnalul National, conducted a series of powerful independent exposes of institutions for children, labeling them “a refined Auschwitz.” A group of 33 service providers for children in Romania took out a full page advertisement in the Financial Times to protest human rights abuses against children in Romania’s child care system. Just last week, ITV news broadcast another two-part documentary on abandoned babies in abusive Romanian institutions. The Sunday Mail and the Times of London have also run similar stories.

There is a humanitarian crisis facing people with disabilities in Romania. This crisis is taking place on a grand scale. Immediate attention is needed to protect children and adults with disabilities from these life-threatening abuses.