

**Current state of care for persons with disabilities in Romania:
developments 2005-2006**

Testimony of ADRIAN MINDROIU

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**Honourable Members of the US Congress,
Distinguished representatives of the NGO community,
Ladies and gentlemen,**

I am sincerely honoured with the invitation presented by the Helsinki Commission to testify before the US Congress. I took the decision to respond to this invitation and come a long way from Bucharest sharing the belief this event will be a unique opportunity to inform you firsthand on a relevant set of measures that current Government of Romania - which I proudly represent today - has been undertaking on an issues of unique sensitivity both to our public responsibility and awareness: improving the life of people with disabilities, who are equal in civil rights to us all.

It is also my belief that today's event will be a constructive exchange of perspectives on lessons learned and good practices, to the benefit of our concerned citizens. I am familiar with the process, resiliently followed by dedicated defenders of the rights for people with disabilities in the United States, for a period of more than 20 years which ultimately lead to the *Americans with Disabilities Act*, a ground-breaking piece of legislation. It admirably transformed the entire American society into a more inclusive and equal opportunity community. A likewise and parallel progressive development has taken place in the EU countries. The very history of the European *aquis communautaire* proves the gradual maturation of the question in the Member States, both in terms of political awareness and result - oriented policies. Speaking about political awareness, I feel indebted to refer to the Moscow document of 1990, where Participating States acknowledged the importance of a binding *political* commitment, to ensure the protection of the human rights of persons with

disabilities in the OSCE area, as a consensual political platform to further action and shared accountability on the matter.

My testimony will be focused on what has happened during two last years in my country, period which I have been actively involved in the activity of the National Authority for Persons with Disabilities. As a governmental body we were charged to initiate action oriented policies, to elaborate, monitor and control the implementing of the quality standards in the field, to innovate interagency procedures and other chains of cooperation with NGO partners, in order to effectively and immediately implement policies. To make a long story short – we had to produce concrete results and unarguable progresses so as to rise up to the European standards and compulsory requirements of the EU integration process.

We started from a low level of accomplishments; we reached the moment when we have a National Strategy and a Plan of Action, sustainable by perspectives of significant financial resources.

For my Government, filling the gap of previous years with concern to assistance for persons with disabilities is a key component of developing a comprehensive care system with a long term vision. The main motivation of our strive is to comprehensively integrate the principle of mainstreaming, defined as systemic consideration of the specific needs of disabled people, in a broad sense, which have to be respected when designing policies and measures. Its main objective is to protect, offer equal opportunity, and combat discrimination on grounds of disability against those persons that, due to social, physical, psychical or economic impediments, cannot provide for their social needs, and develop their own capacities and capabilities to function and participate in society.

Legislative framework in Romania - To prove by facts the concept we embrace is implemented in real life, may I briefly point out to the basic tools we rely on – the legal infrastructure.

Under the current government, 17 legislative pieces have been approved or are currently under consideration by the parliamentary commissions, out of a total of 38 relevant regulations on the matter concerned. Among the most important, I will mention only the following:

In 2005, Romanian Government approved the National Strategy on the Protection, Integration and Social Inclusion of Disabled Persons for 2006-2013, entitled "*Equal opportunities for the disabled – towards a society without discrimination*". Its ultimate goal is to ensure the right to exercise fundamental civil liberties of persons with disabilities, and ensure a meaningful increase of their life quality. The core concept of the strategy is the liberty of choice: a person with disabilities has been ensured the opportunity to make choices concerning its own life. Therefore, the National Strategy is the basic platform to ensure a broad and consistent mainstreaming throughout all governmental policies.

Subsequently, the same year, the Romanian Government has approved and submitted to the Parliament a draft law concerning the protection of persons with disabilities. It was approved by the Romanian Senate and is currently under debate in the lower chamber of the Parliament.

In March this year, the Parliament approved the Framework Law (known as Law no 47) on the National System of Social Assistance, regulating the organization and functioning of the social assistance system in Romania, including the disabled persons. It replaced on outdated legislation of 2001 and all the other previous regulations and special provisions concerning the protection of the disabled. The Framework Law grants the Romanian Ministry of Labour, Social Solidarity and Family the main role in issuing and coordination of social policy at large, and social assistance in particular. As a result, the Ministry of Labour, Social Solidarity and Family and the National Authority for Persons with Disabilities, alongside other concerned institutions, participate in policy-making, manage and coordinate the national system for persons with disabilities, promote their rights and grant methodological and financial support to the social care programs for the disabled.

An outline of the National System of Protection for Persons with Disabilities - The services provided under this system enclose all types of financial aid addressed to disabled persons or their care-givers, as well as social assistance. Social services are targeted to maintain, rehabilitate and develop individual skills and are provided either at home or in specialized institutions. The increasing participation of non-governmental organizations and other social partners is a specific trait of the care system for persons with disabilities.

The Current State of the Residential System Care for Persons with Disabilities - The situation of the disabled persons in the residential system represents the most difficult and sensitive issue we are doing our utmost to cope with, on a priority basis. On March 31, 2006, in Romania there were registered 460,698 persons with disabilities, among which 405,107 are adults and 55,591 children. Out of this total, 17,959 adults and 354 children received specialized care in residential institutions. The rest receive care within their families and in a family-like environment. At the same date, Romania had 149 residential institutions for disabled adults. In these institutions, the provided social services do their best to fit the types and degrees of disability of each beneficiary.

The main challenges facing the institutions that provide care for persons with disabilities in Romania are:

1. The majority of residential institutions are over-crowded and the living standards in these institutions need important further improvement;
2. A mix of types and degrees of disability are encountered in the same institution, which limits the possibility to provide tailored-to fit services for the individual needs identified for each beneficiary;
3. The qualified personnel needs a quick increase in number by supporting specialized professional training programs;
4. Day centres, ambulatory centres for the rehabilitation of persons with different degrees and types of disability, as well as community services designed to prevent the institutionalization of the disabled are still scarce.

The National Authority for Persons with Disabilities has closely oriented its actions on identifying solutions for these challenges. Though much remains to be done, I will briefly go through what we have succeeded to achieve so far:

1. *Filled to capacity residential institutions* - at the beginning of the 2005, the County Plans for restructuring residential institutions of large sizes have been approved and endorsed by the National Authority. According to them, the number of residence located in these institutions will be reduced at the same time with the creation of alternative community services. The financial support for this reform is provided through means of Phare grants (16 million euro), national budgetary funding (3,9 million euro) and a loan granted by the World Bank (of 18 million euro). As we speak, this financial assistance is oriented to reorganize and transform almost 48 residential institutions in the very near future.
2. *Improving the quality of life* in residential centers - in February 2006, the Government of Romania has granted 3.4 million euros to ensure the modernization and indoor remodeling, including the purchase of new furniture, for 45 centers. Other 14 centers have been benefiting from a financial assistance to ensure the designing for the complete restoration of the buildings. Just last month the Government approved the financing of 2,9 million euros to complete repair of 5 centers for which already restoration projects have been passed. These days a new Government decision which will provide financing - in amount of 2.3 million euros - for the complete repairs of another 4 centers is in the endorsement phase.
3. *Cross handicap problem* – a sensitive issue is represented by the people with mental and neuro-psychical disabilities. Due to the fact the beneficiaries of the assistance offered by Centers for Rehabilitation and Recovery of Neuro-psychical disabled persons are people with psychical impairment - who mostly require specialized medical care - Ministry of Health is currently unfolding a comprehensive assessment mission of all residents in the centers. As a member of the Interagency Committee of Mental Health, coordinated by the Ministry of Health, the National Authority for Persons with Disabilities closely follows the developments on this particular issue. Moreover, in January this year, the Government has

- approved a Memorandum jointly initiated by the Ministry of Labor, Social Solidarity and Family and our Authority on the measures meant to solve problems of the institutionalized persons with mental disabilities. Among the most important measures is the approval for construction of 10 residential centers with a capacity up to 50 places each, to ensure an adequate assistance for persons who currently reside in overcrowded centers.
4. *Improve qualifications of the specialized personnel* – to this end National Authority has issued a nation wide plan to upgrade the professional skills of the personnel enrolled in the care protection system for people with disabilities. First stage of this plan is projected for the 2006 – 2008. During 2006, we are much focused on the program *training the trainers*.
 5. In 2006, another nation-wide program was created to provide the funds for the establishment of 47 ambulatory centres for the neuro-motor rehabilitation of the disabled, both institutionalized and living at home. These centres complement the community type services which are being created and advance in parallel with the reorganization of large capacity residential institutions.

All these measures are only the beginning of the institutional reform of the system, which target the disappearance of large scale institutions and creating the community type services. Other additional measures, included in the National Strategy for 2006-2013, will come into effect in the following years.

Recognizing the need and critical importance of the partnership with of non-governmental institutions in the field of care for the disabled, The Government of Romania has expanded the practice launched by our predecessors, in 2001, through providing financial aid to NGOs on a yearly basis. In 2006, governmental assistance was granted to projects submitted by 22 NGOs, comprising of 835,000 euros. Moreover all the available financing provided by the Government of Romania in the field of social assistance is open both to private and public social service providers, which means that in Romania there is no discrimination between NGOs and state service providers in the field of social assistance. We deeply acknowledge local and international NGOs contribution, as well as the

international donors' support, the US included, for remaining committed to help the Romanian Government's endeavour to seek improvement for people with disability life and to implement our public policies in the field. To this end, their role was and will be very meaningful for the years to come.

Ladies and gentlemen,

My intervention today could not exhaust neither the inventory of the progresses Romania has made within the last two years with respect to the protection of rights for disabled people, nor the difficulties my Government is working hard to bring to a rapid and irreversible solution. As soon as a full fledged member of the EU, Romania will take much advantage of Europe's experiences and EU legislative and financial tools to foster its social policies in service of all its citizens, including of those with special needs. I am confident that also thanks to the joint efforts with our NGO partners, the realities will steadily continue to be transformed, to ensure a life in dignity for people with disabilities in Romania.

The last, but not the least, may I appreciate the interest for this topic in relation to my country here, in the US, and I am ready to respond to other questions of interest.