



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD
Fifty-first session
25 May - 12 June 2009

**IMPLEMENTATION OF THE CONVENTION
ON THE RIGHTS OF THE CHILD**

**List of issues to be taken up in connection with the consideration
of the third and fourth periodic reports of Romania (CRC/C/ROM/4)**

**Under this section the State party is requested to submit in written form additional
and updated information, if possible by 6 April 2009.**

PART I

1. Please indicate whether the Convention on the Rights of the Child has been invoked or referred to directly in domestic courts, and if so, please provide examples of such cases.
2. Please provide brief information on the status of the project to amend the Civil Code to set at 18 years the age of legal marriage for both boys and girls.
3. Please update the Committee on any news about the filling of the post of Deputy Ombudsman who has the mandate, *inter alia*, to consider complaints on violations of child rights. Is there any progress with respect to the establishment of an Ombudsperson for children?
4. What is the State party's assessment on the ongoing decentralization process, including the setting-up of general directorates of social assistance and child protection at local level? Are all the services (health, education, social services, child protection) subject to decentralization? How does the State party ensure that this decentralization does not result in disparity in the provision of services among different counties?

5. Please indicate the processes and mechanisms that exist to ensure an efficient coordination of policy and strategy development with regard to programmes, services and laws for the implementation of the Convention.
6. Please indicate whether human rights education, including child rights, is integrated in school curricula. Furthermore, is training on child rights systematically provided to teachers, law enforcement officials, judges, social workers and other professionals working with and for children?
7. Please inform the Committee on measures taken to reduce disparities in children's access to education and school attendance between urban and rural areas. Also with respect to education, please update the Committee on measures taken to address the prejudices and stigmatization of the Roma community and the segregation of Roma children in schools. Do programmes exist in schools to foster among children a culture of tolerance, non-violent communication and acceptance of the other?
8. Is there a mechanism available to children, in particular those deprived of their liberty and those confined in psychiatric institutions, where they can file a complaint related to their deprivation of liberty, conditions of detention/internment and treatment?
9. Please explain how the right of all children to rest, leisure and engagement in play and age-appropriate recreational activities is enshrined in legislation and ensured in practice.
10. Please inform the Committee on the measures taken to protect the rights of children affected by migration, especially those left behind by their parents.
11. Please inform the Committee on:
 - (a) Whether the State party has established a comprehensive system of juvenile justice in accordance with article 40 (3) of the Convention;
 - (b) Whether all persons below 18 are dealt with by juvenile courts composed of specialized judges;
 - (c) What the treatment is of children below the age of criminal responsibility who are allegedly in conflict with the law.
12. Please indicate the issues affecting children that the State party considers to be priorities, requiring the most urgent attention with regard to the implementation of the Convention.

PART II

Under this section, the State party is invited to briefly update (3 pages maximum) the information provided in its report with regard to:

- New bills or enacted legislation;
- New institutions;

- Newly implemented policies;
- Newly implemented programmes and projects, and their scope.

PART III

Data and statistics, if available

1. In the light of article 4 of the Convention, please provide updated data for 2006, 2007 and 2008, on budget allocations (including trends analysis) regarding the implementation of the Convention throughout the country, notably in the areas of education and health.
2. Please inform the Committee on the number of children in psychiatric hospitals for the years 2006, 2007 and 2008 and on the reason for their internment. Please also inform the Committee on the number of reported cases of abuse of children in these institutions and the type of follow up given to these cases.
3. Please provide data covering the last three years on the number of children below the age of two who are institutionalized for health reasons. In this respect, please also clarify which authority is in charge of taking the decision on institutionalization and indicate the frequency of the review of their placement.
4. Please provide data covering the last three years on the number of dropouts at primary and secondary level, disaggregated by sex, social and ethnic background and geographic location.
5. Please provide data covering the last three years on the number of:
 - (d) Persons below 18 who have been tried as adults;
 - (e) Persons below 18 detained in adult penitentiaries;
 - (f) The number of children below the age of criminal responsibility who enter in conflict with the law;
 - (g) Reported cases of abuse or ill-treatment of children occurred during the arrest and/or detention of children in conflict with the law, as well as the type of follow-up given to these cases.
6. Please provide data covering the last three years on the number of trafficked children as well as of those involved in sexual exploitation, including prostitution and pornography. In this respect, please provide further information on the type of services specifically available for the recovery and reintegration of victims as well as on the number of children provided with access to these services. Are child victims of exploitation, including those trafficked and used in prostitution, always considered as victims in the criminal justice process?

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PART IV

The following is a preliminary list of major issues (which does not contain issues already covered in part I) that the Committee may take up during the dialogue with the State party. They do not require written answers. This list is not exhaustive, as other issues might be raised in the course of the dialogue:

1. Protection from discrimination, in particular with respect to Roma children, children in alternative care, children living in poverty, children with disabilities, children with HIV/AIDS, children in conflict with the law, migrant children.
2. Independent monitoring, evaluation and follow-up.
3. Children in alternative care, including training of foster carers and supervisors.
4. Day care and other provisions for children below the age of three.
5. Domestic violence, including corporal punishment, and sexual abuse.
6. Children with disabilities, in particular their access to education and social and health services as well as cultural and recreational activities.
7. Basic health and welfare, access to health services.
8. Adolescent health (e.g. suicide, teenage pregnancies), substance abuse, reproductive and mental health.
9. Standard of living, in particular with reference to the Roma community.
10. Children and education, including aims of education and quality education.
11. Leisure and play.
12. Trafficking and sexual exploitation of children.
13. Administration of juvenile justice, in particular with regard to conditions in places of detention for children, trials in adult courts and placement with adults.
14. Children belonging to a minority group, in particular the Roma.
