**Reply by Romania to**

**questionnaire on assistance and rehabilitation for children victim of sale and exploitation, including sexual exploitation**

**1. Provide information on guidelines and protocols that govern the establishment and management of care and recovery services provided by your organization for child victims of sale and exploitation, including sexual exploitation.**

The Law no. 272/2004 on the promotion and protection of the rights of the child, republished, states that the child has the right to be protected against abuse, neglect, exploitation, trafficking, illegal migration, kidnaping, violence, online pornography, as well as against all other forms of violence, irrespective of the environment where such acts occur – within the family, at institutional level (educational, medical, care units), within the community, online (Internet), mass-media etc.

Government Decision no. 49/2011 approved a common methodology for the intervention in cases of violence against children and domestic violence, and of children exploited or being at risk of exploitation through labor, children victims of trafficking in human beings and Romanian migrant children victims of other forms of violence found on the territory of other states. The methodology describes the signs that should indicate a possible risk situation, a child considered to be victim of trafficking in human beings, the way these cases should be reported to the competent authorities and the measures to be adopted in order to ensure the child protection. It also sets out the actions and activities that should be performed by specialists who intervene in and instrument these cases, so that a common and fluent cooperation be achieved for the best interest of the child.

A new comprehensive and coherent system for preventing, reporting and intervening in cases of child abuse, neglect and exploitation, including commercial sexual exploitation, child labor, child trafficking, illegal migration, domestic violence and other forms of violence against children was set up accordingly.

The methodology reflects the provisions of the UN Convention on the Rights of the Child, Law no. 272/2004 on the protection and promotion of children’s rights, and of the Law no. 217/ 2003 on the prevention of and fight against domestic violence. It is also based on the recommendations of the 2006 UN Report on violence against children. Moreover, in order to establish common concepts, the document promotes the use of the terminology recommended by the UN Report on violence against children.

An entire chapter is dedicated to monitoring the measures adopted in order to ensure a better protection of children victims of abuse, violence or trafficking in human beings in order to prevent the occurrence of such unfortunate situations.

Government Decision no. 1238/2007 approves the National standards for the specialized services which provide assistance and protection to victims of trafficking. In addition, quality standards for child protection services have been established.

The Law no. 678/2001 on preventing and combating trafficking in human beings, with subsequent modifications and additions, states a series of measures for assisting minors who are identified as victims of trafficking in human beings.

According to the Law no. 122/2006 regarding asylum in Romania, as subsequently amended and supplemented, unaccompanied minors benefit from o series of guarantees based on their specific needs. Foreign unaccompanied minors identified on the territory of Romania benefit from the same protection offered to Romanian children in vulnerable or risk situations.

In 2011, Romania became party to the Lanzarote Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. Furthermore, Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography and replacing Council Framework Decision 2004/68/JHA was transposed into the national legislation.

**2. Based on your experience, what elements are necessary for a comprehensive and rights-based care and recovery system of child victims of sale and exploitation, including sexual exploitation?**

In the opinion of the National Authority for the Protection of the Child Rights and Adoption (NAPCRA), which is the central authority in the child rights field, a better comprehensive and rights-based care and recovery system of child victims of sale and exploitation, including sexual exploitation, should be supported by the implementation of media and on-line awareness-raising campaigns. The messages of these campaigns should be focused on the gravity of the physical and psychological consequences of this kind of abuse, the methods used by the perpetrators in order to select their victims, with a special emphasis on the on-line means of communication.

In the same time an integrated system of services should be set up at the level of the competent authorities and service providers, together with a more efficient system of monitoring the situation of these children and the adequate training of the specialists involved in the protection and rehabilitation of the child victims.

**3. Provide examples of good practices and successful initiatives of assistance and rehabilitation programmes which facilitate the recovery and reintegration of child victims of sale and exploitation, including sexual exploitation.**

An example of good practices in Romania is the Safernet project, whose overall objective is to promote Internet safety for children by establishing a Romanian network consisting of a Hotline, a Helpline and awareness-raising activities. This program is developed by a Consortium comprising two non-governmental organizations and one company with extensive expertise in areas directly connected to children’s rights, to child protection and to the current technologies which might call for special preventive measures: Save the Children Romania (Helpline Coordinator), The Romanian Center for Missing and Sexually Exploited Children - FOCUS (Hotline Coordinator) and Positive Media developer of genium.ro and sigur.info portals.

The programs aim at combating illegal or harmful content and Internet-related offences (child pornography, abusers’ grooming, bullying, racism, xenophobia), to encourage the responsible use of the Internet and of the new communication technologies by children, parents and teachers, to influence decision making by bringing together key stake-holders in formulating and implementing realistic policies (official site [www.sigur.info](http://www.sigur.info)).

**4. Describe the challenges that your organization has identified in the establishment and management of assistance and rehabilitation programmes for child victims of sale and exploitation, including sexual exploitation.**

According to NAPCRA, one of the main challenges would be keeping within the system the specialists dealing with this type of cases and ensuring the right quality standards for the services offered to them.

According to the National Agency against Trafficking in Persons (NATP), in 2014, 251 children aged between 14 and 17 were victims of trafficking in human beings.

Sexual exploitation remains one of the most common forms of exploitation among the victims of trafficking in human beings, both adults and minors. A form of exploitation cannot exclude another, meaning that the victims can be exploited in several forms, depending on the needs and the criminal domain of the traffickers. The victims who were forced into prostitution or trafficked for the purpose of labour exploitation have also suffered from abuse or sexual exploitation.

NATP has developed the *Program regarding the coordination of the participation of victims of trafficking in human beings during criminal proceedings*. The program aims at creating a unified response for facilitating the victim’s access to justice, limiting the influence of traffickers on the victims and witnesses during court proceedings and the risks of re-trafficking. The victim’s cooperation with the justice could be more effective if the internal obstacles, pressures, threats and risks to which the victim is exposed are removed and the victim benefits from full physical and social protection and the protection of his/her fundamental rights.

**5. How do you ensure that the views and needs of children are duly taken into account in the design and provision of care and recovery services?**

The child’s right to an opinion is fully granted by the national legislation, being in accordance with its maturity and age. Both the special legislation on the protection of children rights as well as the civil or criminal law clearly states the right of the child to be heard and to express his/her views in matters that directly regard him.

**6. How do you ensure access of child victims to support services?**

The right of each child to services is granted by the law, the authorities at local level having the obligation to provide the child the adequate care and support according to his/her situation.

At national level, the Directorates General for Social Assistance and Child Protection (DGSACPs), organized at the level of each county and the six districts of Bucharest, provide specialized care services for children victims of abuse, neglect, exploitation and all other forms of violence, including protection and assistance for children victims of trafficking in human beings.

The referral of children victims of various forms of exploitation to the DGSACPs is mandatory for all institutions or organizations that identify the victims. This obligation is also imposed by the National Identification and Referral Mechanism for victims of trafficking and by the provisions of the Government Decision no. 49/2011.

Children victims of trafficking in human beings or other forms of violence receive, depending on their personal situation, psychological and/or medical recovery services, counselling and/or legal representation, support for integration in schools, physical protection and/or legal and also financial compensation, according to the legislation in force.

The various types of protection and assistance services are provided, as appropriate, on short, medium or long term, either within family or extended family or by protective measures outside the family, namely placing the children in residential structures specialized for protection in emergency situations, in foster care or in public or private shelters managed by DGASPCs or, respectively, by accredited NGOs in child protection.

**7. How do you adopt and implement a gender perspective in the establishment and management of the assistance and rehabilitation programmes? Do the programmes provide gender-specific measures for the care and recovery of boys and girls?**

The specific services provided to the children victims by the specialized authorities in the field are tailored according to their age, degree of maturity, specific needs and, of course, whenever necessary their gender. Gender equality principles are applied and implemented at national level, their philosophy being respected by the professionals working in the field.

**8. Provide information on prevention programmes developed by your organization with a specific focus on children at risk or in vulnerable situations (e.g. children working and/or living on the street, children placed in institutions, unaccompanied migrant children).**

At national level, institutional partnerships and action plans dedicated to the protection of children against abuse, neglect and exploitation, combating trafficking in human beings, sexual abuse of children, and the exploitation of children for commercial purposes were established.

Awareness-raising campaigns (“Prevention and combating children exploitation; the attributions of the responsible institutions”, “Protection of the victims of trafficking in human beings”, “Say NO to drug consumption!”) targeted children between 15 and 17 years old, especially girls, with a low level of education from families facing different problems (domestic violence, alcoholism, poverty) or from families with parents working abroad. In general, the campaigns aimed at involving children in the implementation process as well. The messages promoted were reinforced with brochures and leaflets. Representatives of the local authorities, police, and the church attended meetings with students, teachers and parents and informed them about the risks of trafficking in human beings and drug consumption

The prevention initiatives connected the actions against the worst forms of child labour (trafficking in children, begging and prostitution) with other actions (fighting against drug consumption) which are in fact connected in the real life. Relevant achievements were noted: decrease of school dropout, consolidation of a joined team anti-drug/anti-trafficking addressing more efficiently the phenomenon, and the emphasis at institutional level on the staff involved in dealing with specific social problems.

Schools, through the Centers for Psycho-Pedagogical and Educational Assistance, have continued to offer assistance and support to students, their families and teachers by counselling them in terms of prevention and intervention to address child sexual abuse online.

NATP has been conducting a series of specific activities and awareness raising campaigns during the European Day for Combating Trafficking in Persons, the International Day Against Sexual Exploitation and Trafficking in Women and Children, the “School in a Different Way” Week. The Agency actively supported the global campaign entitled “Stop Sexual Exploitation of Children and Youth People”, conducted by ECPAT.

The prevention campaign “Trafficking in minors explained to children”, developed in partnership with Child Helpline Association was meant to meet the information needs of children, parents and teachers in rural areas, on the issue of trafficking in persons in general and trafficking in minors in particular. The implementation of this preventive action (April-June 2012) offered the possibility of transmitting anti-trafficking messages to one of the most vulnerable categories of persons. The direct meetings with children ensured their information about the risks and implications of trafficking in minors and the various forms of exploitation, as well as about the opportunity to request help through the Hotline 0800.800.678 managed by NATP, when they may be in danger.

In 2008, NATP developed a campaign against the sexual exploitation of children. The aim of the campaign was to raise awareness on the consequences of sexual abuse and exploitation on the child’s development, and on the legal provisions criminalizing child sexual abuse.