

## CHAPTER VI

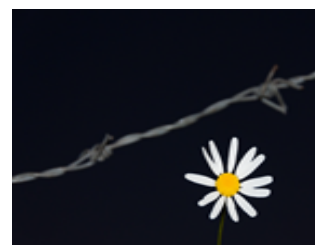
### THE DEPARTMENT ON THE PREVENTION OF TORTURE IN PLACES OF DETENTION - NPM

*No one shall be subjected to torture or to inhuman or degrading treatment or punishment... not even in case of war or other public danger threatening the life of the nation.*

(Art. 3 and 15 letter 2 of the European Convention for the Protection of Human Rights and Fundamental Freedoms)

*The worst cruelty is our indifference.*

Nils Melzer, UN Special Rapporteur on Torture -  
International Human Rights Day, 10  
December 2021



*Department on the prevention of  
torture in places of detention - NPM*

The activity of the NPM consists mainly of: making periodic visits, announced or unannounced, to places of detention; formulating recommendations to the management of the places visited and hierarchically superior authorities; formulating legislative amendment proposals; awareness raising activities on the NPM mandate and professional training of staff working in places of detention, regarding the prevention of ill-treatment.

External collaborators are also co-opted to carry out NPM activities, based on service contracts, selected by the Ombudsperson, based on the proposals received from the Romanian College of Physicians, the College of Psychologists in Romania and the National College of Social Workers. Thus, in 2021, the People's Advocate institution had 42 external collaborators (12 physicians; 10 social workers; 20 psychologists). Also, representatives of non-governmental organizations active in the field of human rights protection, selected based on their activity, by the Ombudsperson, participate in the torture prevention activity. Currently, collaboration protocols are concluded with 27 non-governmental organizations.

#### **Monitoring visits to places of detention:**

During 2021, the NPM carried out **79** visits to places of detention (**43 classic visits and 36 through alternative means to classic visits**, part of the visits being to verify the implementation of the recommendations formulated through previous visit reports):

- **Penitentiaries - 16 visits**
- **Psychiatric hospitals - 5 visits**
- **Detention and Preventive Arrest Centres - 14 visits**
- **Residential centres for children - 10 visits**

- **Centres for adults with disabilities - 12 visits**
- **Centres for migrants - 3 visits**
- **Homes for the elderly - 19 visits**

► **collaboration of the authorities with the NPM teams during the visits**

In the case of most of the units visited, there was a good collaboration of the management and staff with the members of the NPM, both during the classic visits and when the epidemiological situation required the use of alternative means, such as online meetings with the staff of the units and with persons deprived of liberty.

However, there have also been situations, such as the case of the Sf. Maria Home for the elderly, Unirea commune, Călărași county, when only part of the requested documents were sent, which demonstrates ignorance of the provisions of Art. 40 para. (1) from Law no. 35/1997, republished.

Another example is the Poroschia Psychiatric Hospital, which did not completely send copies of the general clinical observation sheets (of people who were hospitalized for more than 25 days in the hospital); the communicated documents did not contain the evolution of the patients during hospitalization, nor the informed consents that should have been signed upon admission.

**Examples of deficiencies found during monitoring visits:**

**The reduced number of staff compared to the real needs** of the monitored units represented, this year also, the main deficiency noted by the NPM teams.

In many of the penitentiaries visited, **overcrowding of the detention sections/rooms was found** (occupancy rate varied between 130%-160%).

And in some residential centres the number of **beneficiaries exceeded the legal accommodation capacity**.

Some of the deficiencies encountered by the NPM are presented below, depending on the type of detention place visited:

- **homes for the elderly:**

- there were no informative materials regarding the activities carried out and the services offered to the beneficiaries (brochures, leaflets, flyers), and in the case of the Home for the elderly Sf. Maria, Unirea commune, this information was not accessible even online, the unit not having a website or a presentation page on social networks;
- the beneficiaries admitted to the centre were not evaluated from the point of view of physical and mental functional status, health status and degree of preserved autonomy, communication ability, family and social relations, level of education, socio-economic situation, special treatment needs and recovery/rehabilitation, educational, cultural and spiritual needs, possible risks, possible addictions (drugs, alcohol, tobacco, etc.), work capacity - although this reassessment must be carried out annually, as well as when the situation requires it, respectively if there are significant changes in the state of health and in the physical and/or mental functional status of the beneficiary;
- medical assistance was inadequate (lack of medical personnel, failure to complete medical records, lack of informed consent forms); in the Home for the elderly in Sf. Maria, Unirea commune, medical assistance was provided by a single employed nurse;
- there were situations in which the beneficiaries received medicines for various symptoms (headache, abdominal pain), without the indication of the medical staff who recommended the treatment and without the description of the subsequent evolution of the case; in the register drawn up in the home there was no information about who prescribed the respective treatment, who supervised the case or about the subsequent evolution of the health status of the beneficiary (Smeeni Elderly Home);
- the doctor was not informed in the

situation when treatments were initiated on patients without an initial certain diagnosis, so as to avoid situations of medical malpractice; ● there were no informed consent forms for the medical assistance provided in the centre; ● the legal provisions regarding the preparation of the service monitoring sheet were not respected (the sheet must include 3 sections, respectively: health status and treatments performed, functional recovery/rehabilitation services and services for social integration/reintegration); the monthly, weekly or, as appropriate, daily activities were not registered, so that they could be adapted and customized according to the needs of each beneficiary; ● The individualized assistance plan did not include the activities carried out/services provided to cover the functional recovery/rehabilitation needs (psychological and/or physical), as provided for in Order no. 29/2019 regarding the approval of the Minimum Quality Standards for social services with accommodation, organized as residential centres for the elderly;

- **psychiatric hospitals:** ● there was a shortage of staff; in the case of the Titan Psychiatric Hospital "Dr. Constantin Gorgos" Bucharest, although the organizational chart provided for additional positions for medical and nursing staff, psychologists, social workers, physiotherapists, speech therapists, etc., these positions were vacant, not being put out to competition for their occupation; on the other hand, in the Poroschia Psychiatric Hospital, the organizational chart did not provide for positions such as that of social worker, occupational therapist/ergotherapy instructor, these activities being established as the responsibilities of the jurist or medical assistants; thus, the patients were not involved in occupational therapy or ergotherapy activities, individual or group recreational activities, due to the fact that there was no staff to coordinate these activities, only a small part of these activities were carried out with the support of medical assistants; ● the recommendations of the NPM (from a previous visit) were not implemented regarding the appropriate arrangement of the isolation rooms, as well as the replacement of their access doors and beds with new ones, according to the legal provisions in force (Psychiatric Hospital Poroschia); ● there were situations when psychiatric patients with severe somatic conditions were not received by transfer to a multidisciplinary hospital; ● the psychological office was not properly equipped; ● the number of counselling sessions performed by the hospital's psychologists per month was insufficient for the support and recovery of psychiatric patients (12 counselling sessions /month, in the case of the Gătaia Psychiatric Hospital); ● the psychologists did not develop individualized intervention plans for each patient included in the program of counselling or psychotherapy, specifying the objectives and recommended activities to achieve the objectives; ● voluntary contracts were not concluded with individuals or non-governmental organizations active in the field of occupational therapies, nor with universities, in order to carry out diversified activities with patients, but also to ensure internships for students;

- **penitentiaries:** ● some persons deprived of liberty served their sentences in penitentiaries located at a great distance from their homes (for example, in the Slobozia Penitentiary), and because of this, they were visited very rarely by family members (their visits implying a financial effort and a longer duration in these situations); ● the ratio of female/male employees was not respected (Ploiesti Women's Penitentiary Târgșorul-Nou); ● the accommodation conditions were inadequate (lack of furniture necessary to store personal belongings, poor hygiene, the presence of harmful insects, etc.); ● there was not even one accommodation room with a properly equipped sanitary unit for the disabled; ● there were no spaces intended for sports activities by the persons deprived of liberty in custody; ● the procedure for registering the refusal of medical assistance by a person deprived of liberty was not respected; ● there were no specific activities in the field of social reintegration, so as to

ensure a favourable climate for persons deprived of liberty, which would reduce educational, psychological and social vulnerability and facilitate social reintegration;

- **centres for migrants:** ● in the Centre for Accommodation of Foreigners Taken into Public Custody Otopeni, where the NPM carried out a visit to verify the implementation of the recommendations, the situation was similar to that found during the previous visit, in 2018: lack of staff, especially that on the date of the visit in 2021, many employees were on leave; three positions were vacant in the operational area; also, in the case of contractual staff, two positions of stoker and one position of waiter were vacant, and starting from the week following the visit, a position of caretaker became vacant; ● the permanence of medical assistance was not ensured, in both centres visited during 2021 (in the Accommodation Centre for Foreigners taken into Public Custody Otopeni, once every four days, for 24 hours the medical assistant was not present, sometimes there was no staff medical for the entire period of the weekend);

● the information regarding the rights, obligations, prohibitions and applicable disciplinary sanctions was not displayed in the rooms, in an international language, according to the provisions of Art. 5 para. (3) from the Regulation of internal order of the regional centres for procedures and accommodation of asylum seekers, approved by Order of the Ministry of Internal Affairs no. 130/2016 (Regional Centre for Accommodation and Procedures for Asylum Seekers Timisoara); ● several foreigners stated that they were not allowed to leave the rooms except during meal serving periods, and the fact that they were allowed to leave the rooms at the time of the NPM visit was determined by the presence of the visiting team (Accommodation Centre of Foreigners taken into Public Custody Otopeni);

- **Detention and Preventive Arrest Centres:** ● the accommodation conditions were inadequate: (lack of natural and artificial lighting, poor hygiene, walking yards without facilities - for example, in the Suceava Detention and Preventive Arrest Centre and the Brăila Detention and Preventive Arrest Centre); ● the rooms did not have a minimum space of 4 sqm/person; ● the toilet was not isolated, being separated from the rest of the room only by a curtain, which did not fully ensure the privacy of persons deprived of liberty; ● separation criteria were not respected when assigning persons deprived of liberty to detention rooms, in accordance with the legal provisions (in the Dolj Detention and Preventive Arrest Centre, a convicted person was accommodated together with arrested persons); ● the sanitary operating conditions of the centre were not periodically evaluated, until the construction of an above-ground detention centre (Prahova Detention and Preventive Arrest Centre); ● the working schedule of the medical staff was not adapted so that the distribution of medicines was carried out by him or in his presence; ● the permanence of medical assistance was not ensured; ● persons deprived of liberty were presented to the recommended medical consultations, with delays compared to the scheduled date; ● no Collaboration Protocol was concluded with a person who can communicate with a person deprived of liberty in custody, in case he does not speak or understand the Romanian language, whenever necessary;

- **residential centres for children:** ● for several years, the staff in the centre did not participate in professional training courses (Emergency Reception and Child Assessment Centre within the Giurgiu Social Services Complex); ● social assistance services were provided by the social worker, not respecting the legal provisions in the field of social assistance; ● The social and educational assessment sheets of the child, as well as the detailed assessment sheet of the child's needs, were completed and signed by the specialized inspector, as a member of the multidisciplinary team, signing as social worker even though he did not have this qualification; NPM reiterates the fact that the delegation of specific duties and responsibilities of the social worker to people from other specialties (psychologist, specialist

inspector, social worker), a situation found in several residential centres, could make it difficult to fulfil the duties set for them in their individual job description, being charged with additional responsibilities and difficult to implement because they do not have the specific skills; ● inadequate accommodation conditions (worn furniture, poor hygiene, etc.) were found in a number of centres visited;

- *centres for adults with disabilities*: ● there were no informative materials (leaflets, brochures, etc.); ● the staff did not participate in continuous professional training activities (for example, in the case of the Câmpina Centre for Rehabilitation for Adults with Disabilities, the centre's social worker did not participate in such courses during 2020-April 2021); ● there was no medical office set up within the unit (Garden Care and Assistance Centre); ● medical recovery services were not provided; ● certain sections of the documents (for example, the Personalized Plan) did not have notes in the Observations/Conclusions column, especially since some aspects recorded in the documents were quite general and would have required additional clarification; in the Evaluation Results section of the Beneficiary Evaluation Form, the identified needs and the short and medium-term objectives were also formulated in a general way, without specifying the specific needs and objectives for the beneficiary in question, given that the approach to the evaluation process of the beneficiary must be done in an individualized way (Nedelea Neuropsychiatric Recovery and Rehabilitation Centre for Disabled Adults); ● the centre's social worker and psychologist shared the same 10 square meter office; the office could not provide enough space for the two specialists, nor optimal conditions for carrying out conversations/counselling sessions or other specific activities carried out with the beneficiaries, nor could it induce the beneficiaries a sense of safety, privacy and confidentiality during the meeting (Adult Rehabilitation Centre for Adults with Disabilities Campina); ● the number of sanitary groups accessible for the use of residents with locomotor disabilities was reduced or there was no accessible bathroom; ● the unit did not have a space specially designed for the various types of recovery/functional rehabilitation services/therapies, nor a space designed and equipped accordingly to carry out social integration/reintegration activities/therapies, although these services were indispensable in the case of some beneficiaries.

At the Horia Neuropsychiatric Recovery and Rehabilitation Centre, a resident diagnosed with Alzheimer's disease, was immobilized as a result of a functionally unrecovered femoral neck fracture, which generated significant pain when the staff tried to mobilize the beneficiary. She did not benefit from functional recovery services, as the centre did not employ a physiotherapist. Following the recommendations of the NPM, a doctor specializing in physiotherapy and medical recovery was consulted, who recommended, as the only effective measures: physical therapy, passive mobilization to prevent bedsores, massage for muscle toning, performing an orthopedic specialist check for recommendations and therapeutic conduct (possible surgical intervention if the doctor considers it can be performed). The beneficiary's case manager proposed informing the beneficiary about the steps taken and obtaining her consent/cooperation for the specialized medical check-up (orthopedic doctor); following the specialized medical examination, according to the doctor's recommendations/guidelines, a recovery program (kinesiotherapy/massage) was to be developed and carried out. Documents such as: medical consultation sheet, beneficiary information minutes, transfer request, evaluation sheet, personalized plan, action plan, monitoring sheets, were communicated to the NPM.

In the visit reports drawn up in 2021, **804 recommendations** were made to the monitored units and hierarchically superior authorities. The vast majority of the recommendations were **implemented** (622 recommendations - **77%**), and in the case of the

recommendations remaining unimplemented (182 recommendations), the reasons being, in general, justified: unit dissolved after the visit; lack of financial funds; non-registration of participants in the contest in order to fill the vacant places, or the units visited were within the legal deadline for formulating the answer to the NPM.

#### **Examples of successfully implemented recommendations:**

- in the *Iași Penitentiary*, following the recommendation of the NPM, work was started to build a new visiting sector, according to the specific needs of persons deprived of liberty, considering that, at the time of the visit, intense activity could be observed in the visiting sector, although the space in which the meetings were held was not sufficient, the building being old, dark, in an inadequate state of hygiene;

- in the case of the *Timișoara Penitentiary*, in order to allow the participation of as many people deprived of their liberty as possible in labour activities, the NPM formulated the recommendation to continue the steps to conclude service contracts with legal entities; according to the answer, 50 service contracts were concluded with various economic operators, a number of 444 persons deprived of liberty carrying out remunerated labour activities; also, the unit was in discussions with 5 beneficiaries, in order to provide the possibility to participate in remunerated activities for 50 persons deprived of liberty;

- following the recommendation of the NPM, the staff of the *Sopârlița Care and Assistance Centre* were trained on recognizing and combating forms of abuse and neglect, exploitation, violence, degrading treatment, emotional, physical or sexual abuse; also, the care and support staff were trained on first aid, risk management and other procedures used in the centre;

- in the *Centre for emergency reception and assessment of the child within the Giurgiu Social Services Complex*, on the recommendation of the NPM, solutions were identified to increase the child's sense of belonging to the centre, increasing cohesion between children and staff through the permanent implementation of some psychological activities with the role of preventing risky behaviours by exploring the environment necessary for the development of the beneficiaries as well as their relationship and openness towards other children and towards the staff;

- in the *Horia Neuropsychological Recovery and Rehabilitation Centre*, for one of the beneficiaries, who was not classified as disabled, steps were being taken to resolve the legal situation (identity establishment). The NPM recommended the urgent resolution of the beneficiary's legal situation and his assessment in order to determine the degree of disability and, possibly, the transfer to a centre according to the type of deficiency. According to the response communicated by the centre's management, steps were being taken to issue an identity card for the beneficiary and, after the clarification of his civil situation, the other objectives related to his socio-medical situation were to be achieved. In March/April, correspondence was carried out with IPJ Tulcea, in which consent was given for taking samples for DNA determination, in order to establish the identity of the unknown person, this depending on the appointment at the National Institute of Legal Medicine, but also on the consent of the alleged mother. After establishing the identity and obtaining the identity card, the beneficiary was to be evaluated in order to determine and issue the disability certificate;

- in the case of the *Poroschia Psychiatric Hospital*, the NPM recommended that the accident suffered by a person in the performance of his work related duties, as a result of an aggression that causes temporary incapacity for work for at least 3 calendar days, disability or death, should be considered a work accident, in the case of assaults suffered by hospital staff in the performance of their duties (according to the provisions of Art. 5 letter g), Art. 30 and

Art. 31 of Law no. 319/2006 on safety and health at work, as amended). According to the response communicated, steps were taken in the hospital to develop a work procedure related to the registration and analysis of work accidents;

- in the *Slobozia Penitentiary*, as a result of the recommendations of the NPM, steps were taken to transfer persons deprived of their liberty who are at considerable distances from their homes, so that, by the date of the response (June 3, 2021), two inmates have already been transferred; for the other inmates, the management of the penitentiary unit mentioned that they did not receive any requests from them regarding the transfer to another penitentiary unit located in the proximity of their home, in order to start the legal procedures for making the transfer;

Steps have been taken to fill vacant positions, for example: 9 agents have been hired in the operative sector, starting on March 10, 2021; also, an education officer, an accounting agent and a store agent were being recruited from the external source; competitions were underway to fill the post of an IT officer, from an external source, as well as an education officer and an officer to keep the evidence of the detainees, from an internal source, and it was stated that steps would be taken to put the vacant posts up for competition.

At the level of the medical department, the nurses were trained on the recording in the Nurses' Shift Change Process, as well as in the Register of Traumatic Injuries, of the cases of self-harm, of the absence/presence of suicidal intent. This activity was to be monitored by the day staff on the unit, respectively the shift leader on duty, on the occasion of the presentation of the person deprived of liberty who resorted to acts of self-harm; he was to make the appropriate entries in the incident file, as the case may be, entries that may determine the inclusion of the respective person in the monitoring of the multidisciplinary team for the management of aggressive / self-harming behaviours.

**Examples of unimplemented recommendations:** (in most cases, the non-implementation of recommendations was justified by the units visited)

- to the recommendation for setting up a medical office within the *Grădinari Care and Assistance Centre*, which would comply with the legal requirements, the General Directorate of Social Assistance and Child Protection Giurgiu communicated that this could not be done due to the configuration and compartmentalization of the building; beneficiaries received health care support in a space arranged inside the living area, with minimal necessary equipment and in which there was a lockable cabinet where medicines and materials needed for medical treatments were stored, to which only authorized staff had access.

- in the case of the *Smeeni Home for the elderly*, NPM notified the hierarchically superior authority (General Directorate of Social Assistance and Child Protection Buzău), considering that some recommendations were not implemented, including: reducing overcrowding in the home; ensuring a special space arranged for the various types of services/functional recovery/rehabilitation therapies offered and a space arranged and equipped accordingly to carry out social integration/reintegration activities/therapies. According to the response communicated by the Directorate, the possibility of expanding/building new accommodation spaces and activities is being analysed, either by accessing funds or by including in the budget for the year 2022 some amounts for this purpose, this being an objective that was to be contained in the county strategy for the development of social services 2022-2027.

- in the case of the *Poroschia Psychiatric Hospital*, neither a reasoned response to the recommendations nor the concrete steps regarding the implementation of several recommendations were communicated to the NPM, such as: taking steps for the appropriate arrangement of the isolation rooms; the provision of sanitary facilities accessible to persons

with disabilities; starting steps to supplement the existing staff with positions such as: social worker, occupational therapist; filling vacant positions; periodic training of hospital staff; identifying solutions to attract patients to socialization and occupational therapy activities, in order to increase self-esteem and safety, so that the patient can become independent; intensifying efforts to transfer social cases that cannot be reintegrated into the family in order to place them in social services adapted to the identified psycho-social needs. Consequently, a letter was addressed to the Teleorman County Council asking them to communicate complete information regarding the implementation of the recommendations, however, until the time of writing this report, no response was received.

- in the case of the ***Psychiatric Hospital "Sf. Nicolae" Roman***, some of the NPM recommendations were not implemented, for example: intensifying the surveillance of patients with severe diagnoses, which can lead to serious medical situations and even death (as was the case of a patient who suffered cardio-respiratory arrest, through mechanical asphyxia with food); completing all the data regarding the application of the restraint measure (degree of restriction and immobilized anatomical segments), both in the Restraint Register and in the General Clinical Observation Sheet of each patient; the continuation of surveillance measures, prevention and limitation of healthcare-associated infections; intensifying approaches to the competent authorities, with the aim of improving the situation of social cases. NPM asked the hospital for information on the measures taken to implement the recommendations.

► During 2021, **based on the collaboration between the departments and the Territorial Offices of the People's Advocate institution**, NPM made a visit to the placement centre intended for the residential protection of children Târgu Cărbunești, together with the Department on the defence, protection and promotion of children's rights (Ombudsman for Children) and carried out an investigation at the Căprioara Home for the Elderly, Arad county, together with the Timișoara Territorial Office, following an ex officio notification regarding possible ill-treatment of the beneficiaries.

#### **Proposals for legislative changes:**

- during the visit to the ***Iași Penitentiary***, the **National Administration of Penitentiaries** was recommended to take the necessary legal measures to *develop unitary system procedures, which can be applied in all penitentiary units and which would facilitate the access of persons deprived of liberty to specialized medical investigations*, as well as improving the way in which the collaboration is carried out with the Târgu-Ocna Penitentiary-Hospital, as a unit through which the purchase of medical equipment, medicines, disinfectants, other sanitary materials, as well as other products necessary for the activity of the penitentiary is carried out. According to the response received, we were informed that *a joint project of the Minister of Justice and the Minister of Health regarding the provision of medical assistance, treatment and care to persons deprived of liberty in places of detention under the authority of the National Administration of Penitentiaries is being developed*.

- during the visit to the ***Bucium Iași Residential Centre***, it was recommended to the **General Directorate of Social Assistance and Child Protection Iași** to take steps at the Ministry of Labour and Social Solidarity to present the existing situation in the residential centres and to request an increase in the amount of the food allowance granted to the beneficiaries, at a value that ensures menus with quality products and that also respects the conditions of diversity and caloric ration recommended for beneficiaries. According to the response received, such an initiative took place in June 2021, and a point of view will be received.



### **Actions to raise awareness on NPM duties, participation in conferences, internal and international symposia, staff training, working groups:**

In 2021, NPM carried out **187** such actions.

When setting the annual activities, the NPM takes into account the SPT's recommendation to focus not only on visits, but also other prevention activities, such as media actions (awareness raising actions regarding the prevention of torture) (CAT/OP/ROU/ 1).

► In order to increase the level of awareness regarding the prevention of torture and ill-treatment, the NPM carried out this year also an **extensive awareness raising activity** addressed both to persons deprived of liberty, as well as to the staff in places of detention and to the authorities that have subordinate units subject to NPM monitoring (**124 awareness raising actions**)

► Regarding the **professional training of MNP members**, during 2021, alongside the national and international seminars, workshops attended by NPM members, professional training activities were organized at an internal level, within the People's Advocate institution, with topics such as: Qualities needed for the coordinator of an NPM visit; The involuntary admission procedure in French law; Elaboration of the visit report; The rights of persons deprived of liberty; Children in the social protection system; National and International Legislation on the Prevention of Torture, Nelson Mandela Rules of the United Nations; Aspects regarding legislation in the field of migration and asylum in Romania; Techniques for interviewing persons deprived of liberty during the visits of the National Preventive Mechanism; How to use Skype in Windows 10; Traumatic skin injuries - medico-legal evaluation (course presented by Dr. Ovidiu Chiroban, primary forensic physician at the Institute of Forensic Medicine Cluj Napoca, head of department at UMF "Iuliu Hațieganu" Cluj Napoca).

#### **Published reports:**

In May 2021, the *Special Report on psychological assistance in detention and remand centers - Extract from the findings of the 51 visits of the National Preventive Mechanism 2015-2020* was published on the website of the People's Advocate institution, which was presented on May 26, 2021, before the Commission for human rights, equal opportunities, religious cults and minorities of the Romanian Senate. The report can be viewed by accessing the link: <https://avp.ro/wp-content/uploads/2021/04/RAPORT-asistenta-psihologica-CRAP-uri.pdf>

In August 2021, the *Report on the monitoring activity carried out by the National Preventive Mechanism in the State of Emergency and State of Alert (2020)* was published on the website of the People's Advocate institution, in which are presented the aspects observed during the activity of monitoring the places of detention (homes for the elderly, centres for migrants, penitentiary units, detention and remand centres, psychiatric hospitals, institutionalized quarantine places, COVID-19 hospitals) carried out by the NPM during 2020, as well as proposals in order to improve the treatment provided to persons deprived of liberty within the meaning of Art. 4 of OPCAT. The report can be viewed by accessing the link: [https://avp.ro/wp-content/uploads/2021/07/Raport-monitorizare-MNP-stare-urgenta\\_alerta\\_2020.pdf](https://avp.ro/wp-content/uploads/2021/07/Raport-monitorizare-MNP-stare-urgenta_alerta_2020.pdf)

► There have been **meetings of the NPM with the non-governmental organizations** with which the People's Advocate institution has concluded collaboration protocols (Organization for the Defence of Human Rights - Craiova Regional Branch; Christian Roma Association "Calea, Adevărul si Viața" Bacău; Iris Vaslui Association; Galați Family Foundation ; Alternative Sociale Association Iași, A.S.C.I.S. Iași, A.R.C. Bacău; Pro

Democrația Piatra Neamț; Institute for Social Partnership Bucovina; ADO Iași), during which topics related to the monitoring visits, organization and observed aspects were addressed.

► **Meetings** were organized **with external collaborators** (psychologists, social workers) on professional topics (national and international legislation regarding the prevention of torture, aspects found in the visits of the NPM regarding the provision of psychological/social assistance, drawing up visit reports, etc.).

#### **Collaboration with CPT, SPT and other international partners:**

##### **Subcommittee on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (SPT)**

In accordance with Art. 49 of Law no. 35/1997, republished, the NPM maintained contact with the SPT, especially regarding the invitation of the Subcommittee addressed to the National Preventive Mechanisms to provide information for the elaboration of a general comment on Art. 4 of the OPCAT, namely, the exact scope of this article (regarding places of detention - *any place under its (the State Party's) jurisdiction and control, where persons are or may be deprived of their liberty*).

##### **► European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)**

On the occasion of the ad hoc visit carried out by the CPT in Romania for the purpose of examining the treatment applied to persons deprived of liberty in penitentiaries and detention and remand centres and verifying the implementation of the recommendations formulated after the visit in 2018, in the period 10-21 May 2021, the NPM collaborated with CPT representatives, by exchanging information and holding a meeting.

##### **► Association for the Prevention of Torture (APT)**

During 2021, as in previous years, NPM Romania, similar to other NPMs, maintained contact with APT and participated in the events organized by this association, such as: the virtual dialogue *Reducing prison population in times of COVID-19 - Insights from a global analysis*; webinar *First hours of detention: Lessons from a 3-year prevention journey. Insights from Brazil, Madagascar and Thailand*; the 4th APT/ODIHR regional meeting on the prevention of torture for national preventive mechanisms and civil society organizations, *Monitoring the situation of elderly persons deprived of liberty, in the context of the COVID-19 pandemic*; the *Principles on Effective Interviewing for investigations and information gathering* workshop, organized together with OSCE-ODHIR, etc.

##### **► National Preventive Mechanisms - SEE NPM Network**

NPM Romania is part of the South-East Europe Network of National Preventive Mechanisms, whose activity can be followed on the website created this year and which can be viewed by accessing the link: <https://see-npm.net/>.

In 2021, NPM Romania maintained permanent contact with other NPMs and participated in meetings/professional training sessions organized by them, for example: the conference *Monitoring Corruption and Preferential Treatment in Places of Deprivation of Liberty – the CPT/NPM Perspective*, organized by Kosovo NPM and the Council of Europe; the international colloquium *Monitoring conditions of arrest, custody, and pre-trial detention*, organized by the Tunisian NPM (INPT - *Instance Nationale pour la Prevention de la Torture*); the first meeting of the Network of Southeast European NPMs focused on monitoring visits during the coronavirus pandemic, organized by Hungary NPM; the 2nd meeting of the SEE NPM Network - the Technical Conference on interviewing vulnerable groups, organized by the Office of the Commissioner for Fundamental Rights in Hungary; the webinar organized by the South African National Preventive Mechanism to mark the World Day in Support of Victims of Torture and the ratification of the OPCAT.