



DEPARTMENT FOR THE PREVENTION OF TORTURE IN PLACES OF DETENTION – NPM

Activity report - 2024

Human rights are under assault [...] This year's theme (Our Rights, Our Future, Right Now) reminds us that human rights are about building the future – right now [...] We must stand up for all rights – always."

UN Secretary-General António Guterres

The activity of the NPM consists mainly of: carrying out periodic, announced or unannounced visits to places of detention; formulating recommendations to the management of the places visited and to the hierarchically superior authorities; formulating proposals for legislative amendments; activities to raise awareness regarding the mandate of the NPM and professional training of the staff working in places of detention, regarding the prohibition of torture and the prevention of ill-treatment; maintaining contact with the Subcommittee on Prevention of Torture and inhuman or degrading treatment or punishment (SPT).

For carrying out the NPM's activities are also co-opted external collaborators, based on service contracts, selected by the Ombudsperson, based on proposals received from the Romanian College of Physicians, the Romanian College of Psychologists and the National College of Social Workers. Thus, in 2024, the People's Advocate institution had 63 external collaborators (9 doctors, 10 social workers and 44 psychologists). Also, representatives of non-governmental organizations active in the field of human rights protection, selected by the Ombudsperson, take part in the prevention of torture activities. At present, cooperation protocols have been concluded with 44 non-governmental organizations.

Monitoring visits to places of detention

During 2024, the NPM carried out **63 of visits** to places of detention (some of the visits having the goal to verify the implementation of recommendations formulated in previous visit reports):

- **Penitentiaries – 15 visits:** Ploiești Penitentiary; Ploiești-Târgșorul Nou Women's Penitentiary; Constanța-Poarta Albă Penitentiary; Găești Penitentiary; Bucharest-Jilava Penitentiary; Giurgiu Penitentiary; Slobozia Penitentiary; Constanța-Poarta Albă Hospital Penitentiary; Bucharest-Jilava Hospital Penitentiary; Târgu Jiu Penitentiary; Craiova Detention Center; Satu Mare Penitentiary; Codlea Penitentiary Iasi ; Focsani Penitentiary;

● **Psychiatric hospitals – 5 visits:** Târgu Cărbunești Town Emergency Hospital – Psychiatry Unit, Gorj County; Pădureni-Grajdui Psychiatry and Safety Measures Hospital, Iași County; Giurgiu County Emergency Hospital – Vadu Lat Psychiatry External Ward, Giurgiu County; ‘Eftimie Diamandescu’ Psychiatry Hospital, Bălăceanca, Ilfov County; Voila Psychiatry Hospital, Câmpina city, Prahova County;

● **Detention and Preventive Arrest Centers – 11 visits:** Detention and Preventive Arrest Center within Dâmbovița County Police Inspectorate; Detention and Preventive Arrest Center within Buzău County Police Inspectorate; Detention and Preventive Arrest Center No. 1 within the Bucharest General Police Directorate; Detention and Preventive Arrest Center within Călărași County Police Inspectorate; Detention and Preventive Arrest Center within Teleorman County Police Inspectorate; Detention and Preventive Arrest Center within Tulcea County Police Inspectorate; Detention and Preventive Arrest Center within Prahova County Police Inspectorate; Detention and Preventive Arrest Center within Olt County Police Inspectorate; Detention and Preventive Arrest Center within Bihor County Police Inspectorate; Detention and Preventive Arrest Center within Cluj County Police Inspectorate; Detention and Preventive Arrest Center within Bacău County Police Inspectorate;”

● **Residential units for children – 6 visits:** Sulina Placement Center, Tulcea County; Azur Residential Center within the Râmnicu Sărat Social Services Complex, Buzău County; Emergency Reception Center for Children aged 3–18, Slobozia, Ialomița County; Family-Type House for the Residential Protection of Children ‘Huluba,’ Gorj County; Placement Center for Children with Disabilities within the ‘Princhindelul’ Services Complex, Sibiu County; Assistance Center for Children with Special Educational Needs, Galați County;

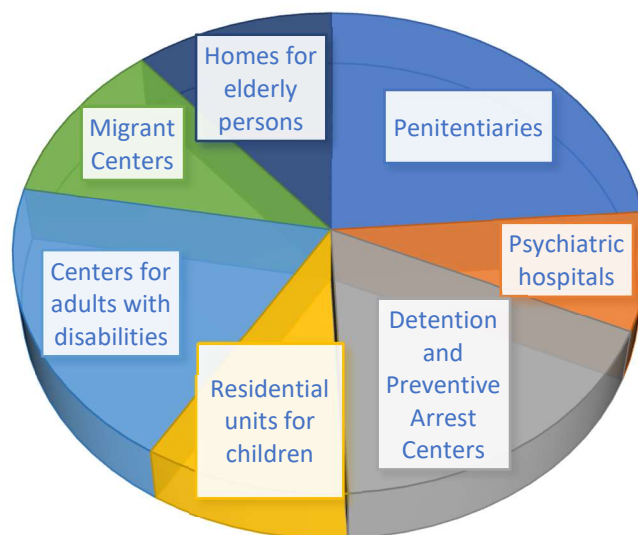
● **Centers for adults with disabilities – 12 visits:** Fierbinți-Târg Medico-Social Assistance Center, Ialomița County; Care and Assistance Center for Adults with Disabilities, Manasia village, Cernătești commune, Buzău County; Pitești Care and Assistance Center, Argeș County; Tabacovici Care and Assistance Center for Adults with Disabilities, Arad County; Geoagiu Care and Assistance Center for Adults with Disabilities, Hunedoara County; Stăuceni Care and Assistance Center for Adults with Disabilities, Botoșani County; Protected Housing Complex for Adults with Disabilities No. 1 Vaslui, Vaslui County; Casa Toma Breaza Residential Care and Assistance Center for Adults with Disabilities, Prahova County; Stejărel Center for Empowerment and Rehabilitation of Adults with Disabilities, sector 1, Bucharest; ‘Gema’ Care and Assistance Center for Adults with Disabilities within the Mislea Community Services Complex, Prahova County; ‘Ștefan Ionescu’ Down Syndrome Care and Assistance Center for Adults with Disabilities, Câmpina, Prahova County; Stîlpu Center for Empowerment and Rehabilitation of Adults with Disabilities, Buzău County;”

● **Centers for migrants – 7 visits:** Giurgiu Regional Center for Asylum Seekers’ Procedures and Accommodation, Giurgiu County; Constanța Border Police Territorial Service – Screening Room, Constanța County; Otopeni Accommodation Center for Foreigners Taken into Public Custody, Ilfov County; Screening Room within the Tulcea Border Police Territorial Service, Tulcea County; Timișoara Regional Center for Asylum Seekers’ Procedures and Accommodation, Timiș County; Șomcuta Mare Regional Center for Asylum Seekers’ Accommodation and Procedures, Maramureș County; Rădăuți Regional Center for Asylum Seekers’ Accommodation and Procedures, Suceava County;”

● **Homes for elderly persons – 7 visits:** Zimnicea Social Center for Elderly Persons’ Recovery, Teleorman County; Nikolas Residential Center for Elderly Persons, Schitu village, Costinești commune, Constanța County; Moșia Bunicilor – Casa Nuci Residential Care and Social

Assistance Complex for Elderly Persons, Nuci village, Vasilați commune, Călărași County; Fălcoiu Home for Elderly Persons, Olt County; Socolu de Câmpie Home for Elderly Persons, Mureș County; Sebeș Home for Elderly Persons, Alba County; ‘Pietricica’ Social Center, Neamț County.”

NPM VISITS



Collaboration of authorities with NPM teams during visits

In 2024, in all the units visited, there was a very good collaboration between the management and staff with the members of the NPM, both during the visits and afterwards. The visiting teams were allowed access to all the spaces they wished to visit and all the information and documents requested were provided.

During the feedback visits, the staff's concern for implementing the NPM recommendations was noted. During the visit carried out at the ***Social Center for the Recovery of Elderly Persons in Zimnicea***, the NPM team observed that, since the previous visit in 2023, most of the NPM recommendations had been implemented and positively acknowledged the concern and efforts made by the center's management and the local authorities to implement them and to improve the beneficiaries' conditions: all the premises of the facility were very clean and sanitized; the living rooms were very spacious, well-ventilated, bright, warm, comfortable, equipped with appropriate furniture, TV, air conditioning, and a private bathroom properly fitted (for example: handrail, shower chair, and non-slip mats); all accommodation rooms were equipped with a panic button which, once activated, notified the staff both through a sound alarm and a flashing light (at the entrance to the center, in the hallway, 7 display boxes corresponding to each accommodation room/bedroom were installed, allowing quick identification of the room where the alarm was triggered); 4 mobile beds with electric adjustment and anti-bedsore mattresses were purchased.

At the ***Regional Center for Accommodation and Procedures for Asylum Seekers – Șomcuta Mare***, the visiting team noted a significant improvement in the living conditions provided

to migrants, as a result of a large-scale investment process, with renovation and refurbishment works being carried out in the center's facilities.

Examples of good practices observed during monitoring visits

- During the visit carried out at the ***“Pietricica” Social Center***, the staff's efforts for involving the elderly beneficiaries in various activities was noted: the socializing room was bright and spacious, equipped with approximately 100 new and comfortable chairs, a sound system, a computer, a video projector, book cabinets, and a table, where, at the time of the visit, several beneficiaries were participating in a group activity. Discussions with the beneficiaries revealed that they regularly take part in such activities, in addition to contests and recreational games, as well as organized trips, outdoor walks, and birthday celebrations.

- At the ***Ploiești Women's Penitentiary – Târgșorul Nou***, a Therapeutic Community for women with depression, anxiety, and personality disorders was opened on March 1, 2024, in order to address the identified needs and to facilitate the reintegration of these persons into the community; at the time of the visit, 16 inmates were included in the program.

- During the visit to the ***“Huluba” Family-Type Home***, the children told the NPM team about the staff's attachment to them, stating they were satisfied with the living conditions in the home and gladly sharing details about the activities carried out (birthday celebrations, organized trips, participation in certain socio-cultural activities in the community, organized performances, etc.). They also mentioned that they are supported and supervised in order to properly carry out school and extracurricular activities.

- In the inner courtyard of the location where the ***Independent Detention and Preventive Arrest Service*** (SIRAP) and the Detention and Preventive Arrest Center no. 1 Bucharest operated, the rehabilitation of a chapel was completed. During the discussions held by the NPM team members with persons deprived of liberty, they stated that, on the occasion of Easter, all persons in custody received food packages permitted by law, specific to the holiday, and that they enjoyed them (especially those who had not received visits from relatives). The detainees also mentioned that they participated in the Easter service organized in this context.

- During the visit carried out at the ***“Gema” Care and Assistance Center for Adults with Disabilities***, the NPM team noted the staff's concern for facilitating the access of persons with locomotor disabilities to all the activities carried out in the center, not only to the usual ones. The majority of beneficiaries used wheelchairs, which did not constitute an impediment, as the NPM team observed them in the common spaces of the center and in the courtyard. The building was equipped with access ramps at the entrance and even at the toilet cabins, wheelchairs, bathing chairs, as well as a stair lift platform to facilitate the movement of persons with disabilities between the building's levels. The NPM representatives witnessed the use of the platform for transporting a person with disabilities, noting that it was carried out under safe conditions, both for the beneficiary in the wheelchair and for the other persons who were operating the platform or who were in its immediate vicinity.

All these facilities (even though the premises were not fully accessible, with the existing deficiencies at the time of the visit still to be remedied) and especially the staff's concern for the proper care of the beneficiaries are not commonly found in centers for persons with disabilities.

- At the time of the visit to ***Constanța-Poarta Albă Penitentiary***, the prison administration had implemented a series of current repair works in order to provide decent accommodation conditions, as well as to improve the working conditions for the employed staff (for example, current repairs and sanitation works in 31 detention rooms – bathrooms, pantries in 8 detention

sections). In addition, investments were underway in the penitentiary, aimed at developing the existing infrastructure, such as, for example, the arrangement and equipping, in accordance with standards, of at least 1,140 new detention places:

- Sections IV–V, Investment Objective included in the Memorandum, new construction on the current site of the sections that will be decommissioned and demolished. The investment objective will provide at least 363 accommodation places for semi-open regime and pre-trial detainees (closed regime), dining halls, walking yards, medical offices, sports halls, reading rooms, offices for social workers, educators, and psychologists;

Correctional Complex, which will also include a Multifunctional Pavilion and a Detention Pavilion with 80 places, open and semi-open regime. At the time of the visit, the work was in progress, at a financial stage of 69% and a physical stage of 75%, with the estimated completion date being 25 February 2025, etc.

- ***The Residential Care and Social Assistance Complex for Elderly People Moșia Bunicilor – Casa Nuci*** provided residents with the continuity of life “as at home,” regardless of changes resulting from the aging process. Residents lived in buildings according to their physical and mental health status, as follows: the Nuci Building was intended for autonomous persons (residents who were mobile, with early-stage illnesses); the Brazi-Castani Building was intended for semi-autonomous persons (residents who were semi-mobile, with slightly advanced illnesses); the Salcii Building was intended for persons whose health was more severely deteriorated (residents who were immobile or semi-mobile, with more advanced mental illnesses). This arrangement ensured the continuous care of residents at the various stages of their illnesses. Even if a resident was initially accommodated in the Nuci Building with a certain health status and their condition worsened over time, they were transferred to one of the buildings adapted to their needs. At the same time, if their health improved, they were transferred to a building adapted to their new needs.

- At the ***Pitești Care and Assistance Center***, the dormitories were elegant, bright, and spacious, in very good sanitary condition, with large double-glazed windows, heating and natural/artificial ventilation systems (air conditioning), and tiled flooring. Each dormitory was decorated differently, personalized with decorative items and TVs, appropriately adapted for persons with disabilities, while the common areas conveyed a friendly atmosphere.

- At ***Târgu Jiu Penitentiary***, inmates with mental disorders were included in activity projects and specific programs, psychological counseling, sports, moral-religious, and technical-applied activities. There was continuous reciprocal communication between the Social Reintegration Sector and the Medical Office for the identification of these inmates, as well as to provide optimal assistance during their detention.

- At the ***Sebeș Elderly Care Home***, the center’s courtyard and garden were very well maintained, with paved pathways, tables with chairs and sun umbrellas, benches, small book houses, a gazebo with a barbecue, a fountain, green spaces planted with flowers, an orchard with fruit trees (apple, pear, plum, cherry, sour cherry), and a small vegetable garden. The psychosocial assistance services provided at the center were efficiently organized, and the beneficiaries were involved in various recreational and social activities.

- At the ***Placement Center for Children with Disabilities within the “Princhindelul” Services Complex in Sibiu***, procedures regarding the adoption of the 9 minors in the center were carried out.

- At the ***Regional Center for Accommodation and Procedures for Asylum Seekers – Șomcuta Mare***, the General Inspectorate for Immigration equipped the psychological office with

a device that provides translations; the center also had translators to provide interpretation, as well as a database of sign language interpreters, called upon to support beneficiaries with disabilities according to their needs.

- The ***Detention and Preventive Arrest Center within Bihor County Police Inspectorate*** had a club/library, with a collection of 250 book titles in Romanian, Hungarian, Arabic, and Hebrew.

- ***Satu Mare Penitentiary*** had an indoor sports hall covering 138 sq.m., very well equipped, a library with approximately 12,200 book titles in Romanian, Hungarian, and Ukrainian, and a room for reading and cultural activities. The penitentiary also had an Agro-Zootechnical Farm (GAZ) located on the outskirts of Satu Mare, covering an area of 45 hectares, where zootechnical and plant/vegetable production activities were carried out, with the produce used to feed the inmates.

- The medical staff at ***the “Eftimie Diamandescu” Psychiatric Hospital in Bălăceanca*** were well trained regarding the provisions of the involuntary admission procedure developed within the hospital.

Examples of deficiencies found during monitoring visits

Systemic deficiencies identified by the NPM in previous years, such as **overcrowding, inadequate accommodation conditions, and insufficient and inadequately trained staff**, were also present in 2024. For example, regarding overcrowding, in penitentiaries such as Ploiești, Slobozia, Satu Mare, Constanța-Poarta Albă, etc., it was around 150%, while in the “Pădureni-Grajduri” Psychiatric Hospital and Safety Measures Hospital, overcrowding reached 160%.

Another concerning aspect, observed by the NPM teams during monitoring visits, is the **overwork of staff**, who are insufficient in number, in all types of detention facilities. The large volume of activities, relative to their complexity and the number of employees, can lead to staff burnout due to overexertion.

Such situations were found, for example, in Detention and Preventive Arrest Centers (no. 1 Bucharest, Dâmbovița, Buzău, Prahova), as well as in Târgșor Women’s Penitentiary (where the staffing level in the Medical Office was below 50%, despite the penitentiary’s efforts to fill vacant positions). The situation was similar in residential centers: at the “Gema” Care and Assistance Center for Adults with Disabilities, the center’s management and staff members mentioned to the NPM team, during the visit, the need to employ additional nurses (“*we cannot cope*”) – at least one more nurse was needed per sector, considering the beneficiaries’ conditions, and some beneficiaries required the permanent presence of care staff to prevent self-harm.

At the “Eftimie Diamandescu” Psychiatric Hospital in Bălăceanca, the hospital staff considered their numbers insufficient relative to the number of patients and their diagnoses. In one of the adverse event initial reporting forms associated with medical care (EAAAM) reviewed by the NPM team, the cause of an incident (patient aggression towards other patients and a staff member) *was attributed to the inability to properly monitor and supervise high-risk patients (hetero-aggressiveness, suicide risk, risk of falling, etc.) due to insufficient staff relative to the number of patients*. According to the hospital representatives, overwork at the workplace was one of the causes of the death of an auxiliary staff member who had comorbidities.

The management of detention facilities, following the recommendations of the NPM teams, has identified possible solutions to address staff shortages.

For example, at the Detention and Preventive Arrest Center within Prahova County Police Inspectorate, where in the Guard and Surveillance section there were 12 filled positions and 2 vacancies, and in the Arrest-Transfer Escort section there were 10 filled positions and 5 vacancies:

- the procedure was initiated to transfer a police officer position to Ialomița County Police Inspectorate in exchange for relocating an experienced police officer from that unit to the center;
- a police officer was identified whose service assignments were modified by transferring them to the center – Guard Section;
- the announcement for an external recruitment competition for 3 police officer positions was approved, with the procedure to be launched in the near future.

At the “Ștefan Ionescu” Down Syndrome Care and Assistance Center for Adults with Disabilities in Câmpina, where 11 out of 20 approved positions were vacant (1 center manager, 1 social worker, 1 psychologist, 1 physician, 1 psychopedagogue, 1 occupational therapy instructor, 1 nurse, 2 caretakers, 1 administrator, and 1 maintenance skilled worker), the Association’s management focused on attracting staff, both under employment contracts and on a volunteer basis. During 2023 and 2024, competitions were organized for the positions of occupational therapy instructor and social worker, which, however, were not filled. At the time of the visit, a job offer was published for a caretaker position. To ensure social and psychological services, the Association had contracts with several service providers. Additionally, the following personnel were active at the center on a voluntary basis: the beneficiaries’ case manager, who was a member of the Association; 3 occupational therapy instructors; a general practitioner; and a caretaker.

In many of the visited facilities, **the provisions of Law no. 448/2006 on the protection and promotion of the rights of persons with disabilities were not respected regarding accessibility for persons with locomotor disabilities.** Thus, in most of the visited units, the NPM members noted the absence of access ramps to the buildings, as well as the lack of at least one accommodation room and a properly equipped bathroom for persons with disabilities (for example, in penitentiaries and detention and preventive arrest centers, as well as at the Screening Rooms within the Border Police). At the Giurgiu County Emergency Hospital – Vadu Lat Psychiatric Outpatient Section, the spaces were not accessible for persons using wheelchairs. The arrangement of spaces, as well as the presence of thresholds at the entrance to the ward/bathroom, made it unlikely for these persons to access outdoor areas.

Another problem observed by the NPM, particularly in psychiatric hospitals and residential centers for adults with disabilities, is **poor collaboration with some hospital units**, which in some cases may endanger the health of psychiatric patients/beneficiaries. For example, a patient brought to the emergency room of the “Eftimie Diamandescu” Psychiatric Hospital in Bălăceanca for agitation following medication ingestion was redirected to another hospital; the patient returned after 3 hours from the “Sf. Pantelimon” Clinical Emergency Hospital in Bucharest, where they had been transported by ambulance, with a set of routine tests but without any consultation; the patient was then redirected once again to the Bucharest Clinical Emergency Hospital – Toxicology Department, from where they later returned with a toxicology consultation and were admitted.

Below are presented some of [the deficiencies encountered by the NPM, depending on the type of detention facility visited](#):

- Centers for adults with disabilities: • Inadequate accommodation conditions: the rooms were not personalized to create a familiar environment; two toilets were installed in the same room (similar to sanitary groups in a kindergarten), separated only by a sink, without a dividing wall or curtain, which did not ensure the beneficiaries’ privacy if used simultaneously; some bathrooms/wards had thresholds at the entrance, which could pose a fall risk for beneficiaries; the center provided necessary hygienic and sanitary materials, but these were not readily available to beneficiaries, who had to request toilet paper each time they used the facilities, which does not encourage their autonomy (on the contrary, this approach infantilizes the beneficiaries, especially considering the arrangement of two toilets per room); color-coded markings intended to indicate

the mobility/immobility level of persons accommodated in the respective rooms did not correspond to the actual locomotor status of the residents. ● The center did not have video surveillance in the common areas and exterior, nor human security. ● At the center, terms were incorrectly used in most documents (Organization and Operation Regulation, Internal Rules, work procedures, etc.): “*patient*” instead of “*beneficiary*,” “*ward*” instead of “*room*,” “*admission*” instead of “*intake*,” “*Admission Register*” instead of “*Beneficiary Record Register*,” which led to a misinterpretation of the social service’s purpose and caused confusion, including for potential beneficiaries and their relatives. ● Re-evaluation of the beneficiary’s situation was not carried out at least annually or when required, i.e., in case of significant changes in the beneficiary’s health status or physical and/or mental functional status, and Individual Care and Assistance Plans/Intervention Plans were not drafted as required by specific social assistance legislation. ● The center did not develop an Activity Plan to be displayed for beneficiaries and staff, nor was there an Activity Register to record the activities in which beneficiaries were involved, as recommended by specialists in the intervention plans. ● The center did not have an annual training and professional development plan covering training sessions on relevant topics, nor a record of continuous staff improvement; most topics in the annual training plan for staff focused on medical, hygiene, regulations, and internal rules, without covering national and international human rights legislation. ● The center/DGASPC had no collaboration protocols with hospitals regarding medical care for beneficiaries; according to center representatives, there were difficulties in sending beneficiaries to the hospital, with some on-duty doctors reluctantly accepting evaluations or even refusing admission, as was the case of a beneficiary at the “Gema” Care and Assistance Center for Adults with Disabilities who required an orthopedic assessment and was sent back to the center at night (the next day she was brought again by center staff and examined).

- ***Elderly care homes:*** ● there were beneficiary files that did not contain the Individualized Assistance and Care Plans; ● Periodic re-evaluations were missing in several beneficiary files; ● The center did not provide recovery/rehabilitation services aimed at maintaining or improving the beneficiary’s functional autonomy, and the Individual Care and Assistance Plans and service monitoring sheets did not detail such services, as there was no staff to provide this type of service nor a register to record recovery/functional rehabilitation programs; ● Conditions necessary for socialization and leisure activities were not ensured, such as diversifying leisure activities (organizing trips, celebrating birthdays, religious holidays, entertainment activities, etc.); ● The psychological office was not methodologically equipped with licensed working tools; psychological activities were not recorded in a Professional Acts Register; ● Care staff (caretakers) worked 24-hour shifts, which is contrary to the provisions of art. 115 para. (2) of Law no. 53/2003 (republished) – Labor Code; ● Staff did not participate during the year in any training sessions regarding knowledge of the working procedures used in the center, and no annual training and professional development plan was prepared; ● Doors of the rooms did not display color-coded indicators corresponding to the locomotor status of the persons accommodated in the rooms.

- ***Psychiatric hospitals:*** ● Inadequate accommodation conditions: lack of an individual bed for each patient (Pădureni-Grajduri Psychiatric and Safety Measures Hospital); beds pushed together or very close and placed against windows; lack of personalization of wards; worn bedding and mattresses; insufficient and damaged furniture; lack of secure storage for personal belongings, with patients keeping their items under the bed; bare and peeling walls; windows with broken exterior metal frames; dirty floors with cracked mosaic; non-functional and damaged bathrooms, without doors, failing to ensure patients’ privacy; unsecured electrical installations; toilets (squat and standard) and showers in wards separated from the rest of the room by a wall, without doors,

with sinks immediately next to some beds; inadequate natural lighting in wards, with light switches inaccessible to patients, installed outside next to the ward entrance and operated by staff without consulting patients; insufficient or nonexistent dining rooms; patients appeared unkempt, with dirty and worn clothing and footwear.

In some psychiatric units, the general appearance resembled a prison, which did not ensure patient well-being: at the Vadu Lat Psychiatric Outpatient Section, for example, there were bars on windows and on the corridor between wards, at the door separating women's wards from men's; most ward windows were covered with opaque films, preventing patients from looking outside, while several patients reported to the visiting team that they were rarely taken outdoors.

At the "Eftimie Diamandescu" Psychiatric Hospital in Bălăceanca, wards were mixed, with both women's and men's wards on the same floor; this arrangement caused problems, including reports of sexual assault; in the shift reports reviewed by the NPM team, it was noted that a nurse found a patient behind a ward door undressing a female patient with the intent of engaging in sexual activity.

- In some wards, video cameras were installed, thus violating patients' right to privacy;
- At the "Eftimie Diamandescu" Psychiatric Hospital in Bălăceanca, the NPM team noted that during 2022 and 2023, verbal (insults), physical (punches), and sexual assaults against patients were committed by hospital staff/security guards, investigated disciplinarily and validated; some patients also reported being asked by a member of auxiliary staff to carry food trolleys and, when refusing, were insulted (e.g., "retarded," "filthy," "stinky");
- Medical consultations were usually conducted in the presence of supervisory staff, violating patient privacy and confidentiality of medical data (supervisory staff should only be present at the express request of the doctor if there are risk elements for the doctor and/or patient);
- Legal provisions regarding involuntary admission procedures were not respected:

 - the Involuntary Admission Commission (IAC) should convene within 48 hours of notification with the proposal for involuntary admission – admissions on Friday were reviewed only on Monday;
 - patient evaluation every 30 days after the court confirmed the involuntary admission;
 - regarding notification of the court to confirm the involuntary admission decision within 24 hours, this could not be done on weekends or legal holidays due to the court's schedule;
 - patient hearings by judges were usually conducted via videoconference, with a social worker or a RUNOS staff member, including a colleague for technical support, present; meetings with the assigned lawyer were also via videoconference or sometimes not held at all;

- at the "Eftimie Diamandescu" Psychiatric Hospital, patient-lawyer and patient-judge discussions were sometimes held by phone for patients unable to attend videoconferences, undermining the patient's relationship with their lawyer and their court hearing;
- Mechanical restraint was applied in violation of legal provisions: for potentially heteroaggressive patients, indicating it was not always used as a last resort; applied for 4.5–7 hours at night, contrary to legislation (maximum 4 hours); vital functions were monitored only hourly (law requires every 15 minutes) and no record was kept regarding physiological needs; restraint was applied at the patient's bed, with a security agent participating; straitjackets were used, which are not provided for in current mental health legislation;
- No informative posters regarding patient rights or contact information for relevant institutions were available to patients;
- There was no suggestion/complaint box;
- In voluntary admissions, not all consent forms were signed, and for some, it could not be assessed whether the patient agreed to admission or medication, as the option (YES or NO) was not checked;
- Social cases were maintained in hospital through an admission/discharge system, and their stay was extended for additional periods even if hospitalization was no longer necessary, preventing them from returning to the social protection system due to lack of places, increasing hospital occupancy,

especially given the rising demand for psychiatric services over the past year; ● Patients were not involved in occupational therapy or ergotherapy activities, as there was no staff to coordinate these activities.

- **Penitentiaries:** ● Inadequate accommodation conditions: presence of insects (cockroaches, bedbugs); the transit room required extensive repair and maintenance work, as the fixtures of the sanitary installations were old, rusted, and had reduced functionality; toilets were malodorous, possibly also due to deficiencies in the sewage system; mattresses were damaged (torn and/or dirty); there was insufficient space for storing personal belongings; a large number of beds were placed on the third tier; rooms lacked furniture, forcing inmates to eat in bed; ● There was no record of persons classified as having a disability or invalidity; ● There were no diversified programs and activities for persons deprived of liberty with secondary or higher education, taking into account new realities in the labor market; ● 17% of incident reports prepared at Slobozia Penitentiary (37 incident reports out of 213 reports prepared between January–August 2024) were dismissed by the disciplinary commission; according to Rule 38 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (“Nelson Mandela Rules”), penitentiary administrations are encouraged to use, wherever possible, conflict prevention, mediation, or any other alternative dispute resolution mechanisms to prevent disciplinary violations or resolve conflicts; ● Sanctions affecting the right to receive visits were applied for up to 3 months (e.g., 25 sanctions between January–August 2024 at Slobozia Penitentiary), whereas according to Rule 43 of the Nelson Mandela Rules, disciplinary sanctions or restrictive measures should not prohibit contact with family; applying disciplinary sanctions by suspending the right to visits affects inmates’ relationships with their families and the post-release psychosocial reintegration of persons deprived of liberty.

- **Pre-trial detention and arrest centers:** ● Inadequate accommodation conditions: the rooms were small, providing very little personal space for detained persons; night lighting was not provided in all rooms; the exercise yard was not equipped according to legal requirements, preventing persons deprived of liberty from properly exercising their right to outdoor walks; ● No screen was provided to ensure privacy during body searches; ● No room was arranged for isolating persons deprived of liberty who may exhibit violent behavior; ● Most arrested/detained persons did not know they could benefit from psychological assistance services – a situation frequently observed by the NPM in pre-trial detention and arrest centers; ● The principle of separation by age (provided in art. 43 of Law no. 254/2013 on the execution of sentences and deprivation of liberty measures ordered by judicial authorities during criminal proceedings) was not respected – for example, at Buzău Pre-trial Detention and Arrest Center, on the date of the NPM team’s visit, a minor was housed with two adults; center representatives explained that the minor had been transferred a few days before the visit from the Pre-trial Detention and Arrest Center under the Neamț County Police Inspectorate due to overcrowding and was placed in a room with the two adults (aged 34 and 61) because at the time there were many detained persons, no other minors or similarly aged persons were present, and the two adults were from Neamț County, knew the minor, and showed empathy towards him; ● No space was provided for online communications.

Most pre-trial detention and arrest centers are located in building basements. Regarding NPM recommendations on identifying above-ground locations for all pre-trial detention and arrest centers, which meet European standards in terms of area, volume, ventilation, and are not located in basements, the Romanian Police Inspectorate (IGPR) reported that an Action Plan for 2020–2025 was approved and adopted (developed to implement the pilot judgment *Rezmiveș and others v. Romania*). To implement the measures set out in the reference documents, IGPR initiated actions

to increase and modernize accommodation capacity in pre-trial detention and arrest centers. The new/modernized detention places will comply with the standards mentioned by the European Court of Human Rights in the *Rezmiveş* pilot judgment and will guarantee a minimum of 4 m² per detainee.

- **Centers for migrants:** • Inadequate accommodation conditions: uncleaned and unpainted rooms, with dirty/peeling walls and dampness; old/worn bedding; lack of wardrobes for storing personal belongings of persons deprived of liberty; lack of air conditioning systems to ensure an optimal temperature during summer, considering that in recent years temperatures have exceeded 40 degrees Celsius; shower cabins without curtains to ensure privacy for users; • In the case of persons in custody, border police officers provided the necessary clothing, since there was no dedicated fund for this purpose (Screening Room within the Territorial Service of Border Police Tulcea); • Vacant positions (psychologist, officer, caregiver, boiler operator, plumber); the staffing level for security was insufficient for carrying out the center's specific activities; • The consultation form did not include informed consent for access to the required treatments; • Persons in custody did not have access to activities to help them spend their time in the center; • The system procedure on the organization and operation of the Screening Room did not contain information regarding the admission of persons with medical conditions who have medication on them, persons with psychiatric disorders, or those with chronic psychotropic medication, who are detained until the identification procedures are completed.

- **Residential units for children:** • Inadequate accommodation conditions: poorly ventilated rooms; persistent unpleasant odors; bare walls without decorative items (paintings, ornaments, etc.); lack of room personalization; no carpets, runners, or rugs on the floors; • No records existed regarding the organization of information sessions for beneficiaries about their rights; • Psychological evaluation sheets for the child were not prepared, nor quarterly reports on the child's physical, mental, spiritual, moral, or social development and on the way the child is cared for, nor personalized psychological intervention plans; • Continuous medical assistance was not ensured; • Beneficiaries were not consulted in drafting the daily menus; • Vacant positions (educator, social worker, caregiver) or positions not provided in the organizational chart; • No continuous professional training courses were organized for staff; • The computers used by specialists, including social workers, were outdated both morally and physically; • Incident reports did not record subsequent measures taken, whether the beneficiaries involved received psychological counseling; likewise, the sections on the current state of the person and what changes occurred in their situation were not completed.

► In the visit reports prepared by the NPM in 2024, a total of **573 recommendations were addressed** to the monitored units and their superior authorities. **The vast majority of the recommendations were implemented.**

In the case of recommendations under implementation, deadlines for implementation were specified, while for the remaining unimplemented recommendations, the reasons were justified (mainly the lack of necessary funds, the legal framework stipulating the suspension of filling vacant positions through competition or examination until December 31, 2024, as well as the lack of candidates).

Thus, in the case of the *Fierbinți-Târg Medico-Social Assistance Center*, where reconfiguration of the bathrooms was necessary by replacing the old cast-iron bathtubs with shower areas adapted to the locomotor needs of the beneficiaries, in response to the NPM's recommendation in this regard, the management of the center communicated the following: *"The issue of sanitary facilities is a complex one. The Center's management had as its main priority this*

year the complete refurbishment of the sanitary facilities; however, due to limited financial resources, we were not able to fully achieve the proposed objectives, intervening only where it was absolutely necessary. With the new budget year, we will submit to Ialomița County Council our request for the allocation of the amounts required for the complete refurbishment of the sanitary facilities.”

In the case of **Slobozia Penitentiary**, following the NPM’s recommendation to fill the vacant medical staff positions (doctors, nurses) and/or contract medical services with external collaborators, according to the response received, the unique vacant positions were put up for competition in 2024, but were not filled: for the chief physician management position, no candidates applied; the unique nursing position (dentistry) was advertised twice during 2024, but not filled (in the first competition, both candidates failed the psychological testing stage, while in the second session no candidates applied); for the unique nursing position (hygiene) no candidates applied.

Consequently, in order to ensure the right of persons deprived of liberty to medical care, the only temporary solutions, in the context of current legislation, for carrying out the duties of a physician at Slobozia Penitentiary were either to assign a general practitioner from another penitentiary unit, designated by the Medical Directorate of the National Administration of Penitentiaries, or to conclude a service contract with a doctor outside the penitentiary system.

The management of the **Bacău Detention and Preventive Arrest Center** justified the non-implementation of the NPM recommendation to modify/supplement the organizational structure according to the real needs of the center, invoking the legal framework which does not allow new hires, as well as the fact that legal procedures are required, involving investment planning and unforeseen expenditures.

In the case of **Pădureni-Grajduri Psychiatric and Safety Measures Hospital**, where overcrowding was 160%, the hospital management argued that admissions and discharges to/from the institution are dictated exclusively by criminal sentences under Articles 110 and 109 of the Criminal Code, issued by the competent courts.

Examples of successfully implemented recommendations

- Following the NPM’s recommendation addressed to the **Ministry of Internal Affairs** (MAI), concerning the creation of a standardized, unified tool in the form of a structured interview to be applied by the doctor during the medical examination in **detention and remand centers** – also including the obligation to inform the detained/arrested person about the possibility of receiving psychological assistance – the MAI Medical Directorate communicated that it would propose the establishment of a working group, during the convocation of the heads of the county medical centers, for the development of such a standardized tool covering the elements indicated by the People’s Advocate.

- At the **Care and Assistance Center for Adults with Disabilities in Stăuceni**, following the NPM’s recommendations, the necessary furniture for the medical office was purchased (examination bed, screen, and sufficient cabinets for storing medicines and medical supplies).

- Following NPM recommendations concerning accommodation conditions, **the Constanța Territorial Service of the Border Police** communicated that the Logistics Service of the Coast Guard had identified the necessary works and calculated the required funds for cleaning and modernizing the Sorting Room, and in 2025 steps would be taken to request the necessary funding.

- At the **Sulina Placement Center**, at the NPM’s recommendation, laptops/computers were purchased for children, to help them acquire IT knowledge and develop skills that facilitate access to digitalization.

- At **Găești Penitentiary**, following the NPM team's recommendation to reduce overcrowding, all necessary steps were taken to continue the investment project "Conversion of production workshop into detention spaces," which will create 48 new accommodation places. In addition, for the investment project "Conversion of Administrative Pavilion III into detention spaces," which involves the demolition and reconstruction of a new section with a capacity of 48 places, the works were contracted, and the demolition order was issued.

- At the **Psychiatry and Safety Measures Hospital in Pădureni-Grajduri**, following the NPM's recommendation, the organizational chart was supplemented with an additional social worker position, beyond the existing one, and steps were taken to fill it.

- At **Slobozia Penitentiary**, following the NPM's recommendation to eliminate or reduce overcrowding and to find solutions concerning inmates in transit – since placing so many people in the same space raises hygiene and discomfort issues in addition to the detainees' existing problems – the prison administration undertook the following measures:

- informed the Director General of the National Administration of Penitentiaries (ANP) to redistribute prisoners to other detention facilities, including those not fitting the penitentiary's profile; submitted lists of prisoners classified in closed, open, and semi-open regimes who had received favorable opinions from the sentence adjustment committee, with a view to their transfer to appropriate units;

- monitored inmate numbers, taking measures to balance detainee distribution across detention sections and accommodation rooms, in line with separation criteria;

- in order to maximize accommodation capacity, in October 2024, Slobozia Penitentiary submitted to the ANP a concept note and design brief entitled "Intervention on detention pavilions at Slobozia Penitentiary," aiming to increase accommodation capacity, refurbish, and equip spaces so as to allow the legal application of prison regimes, in line with the Ministry of Justice Order OMJ 2772/C/2017, which approves minimum mandatory standards on detention conditions.

For the same penitentiary, at the NPM's recommendation, between 23–26 September 2024, the Ialomița County Inspectorate for Emergency Situations "Barbu Catargiu" carried out medical training for all Slobozia Penitentiary staff. The activity aimed to train staff in first aid and the use of the defibrillator.

- At the **Pitești Care and Assistance Center**, following the NPM's recommendation, the management organized staff training sessions on topics such as: Equal opportunities; Respect for diversity; Respect and encouragement of individual autonomy and independence of persons with disabilities.

- At the NPM's recommendation, the management of the **Timișoara Regional Center for Asylum Procedures and Accommodation** identified a room in Pavilion E, which was made available to asylum seekers for religious activities.

- At **Satu Mare Penitentiary**, following the NPM's visit, all data in the psychological files and intervention records, as well as other documents with incomplete entries in the education and psychosocial assistance files of prisoners, were updated.

- Following the visit carried out at the **Giurgiu County Emergency Hospital – Vadu Lat Psychiatry Unit**, according to the response communicated by the Giurgiu County Council (notified as the superior authority, since the hospital had not replied to certain recommendations on accommodation conditions, and also to support the hospital given its very limited budget for necessary works), measures were taken to implement the recommendations formulated during the visit, as follows: hazardous objects were removed from the courtyard of the unit, benches and the existing gazebo were scheduled for repair; opaque films were removed from ward windows;

thresholds at ward and bathroom entrances were to be removed by the end of the year; accessibility works for persons with mobility impairments were nearing completion, with a final deadline of 15 December 2024; a TV was installed in the corridor of the chronic men's psychiatry ward.

In addition, for the rehabilitation and modernization of the Vadu Lat Psychiatry Unit, the DALI (technical and economic documentation) for the investment project was drawn up, and following the tender procedure, the design and execution contract was awarded. The contract objective is "Rehabilitation and modernization of Corps C2, C6, C7, partial extension and superstructure of Corps C5, and arrangement of the premises of the Vadu Lat Psychiatry Unit, including equipment." For the completion of this investment, the execution contract was submitted to the National Investment Company (CNI), and at the time of the response, the project was included in the summary list of the healthcare unit program carried out by CNI.

In 2024, the NPM cooperated with other departments and Territorial Offices of the People's Advocate Institution through joint investigations and the drafting of responses to various entities, for example: ● with the Department for *Human Rights, Equal Opportunities between Men and Women, Religious Denominations and National Minorities*, regarding the preparation of the response to the National Ombudsman of the Netherlands, on the elaboration of the good practices document for the 2024 IOI (International Ombudsman Institute) Conference; ● with the *Department for the Rights of Families, Youth, Pensioners, and Persons with Disabilities*, concerning the launch of the Special Report on the implementation of ECtHR judgments in cases of involuntary admissions to psychiatric hospitals; ● with the *Department for the Protection and Promotion of the Rights of the Child – Ombudsman for Children*, regarding the meeting with the Interdepartmental Monitoring Group of Ukraine, for the purpose of assessing the stay of Ukrainian children in Romania; ● with the *Legal Affairs, External Relations and Communication Bureau*, concerning the request from the Association "Pro Refugiu" for information necessary in drafting a report on Romania, focusing on issues related to asylum and migration, asylum seekers, and beneficiaries of a form of international protection; ● with the *Bureau for Constitutional Litigation and Appeals in the Interest of the Law*, concerning the request of the Bucharest General Directorate of Police – Criminal Investigations Service, for information regarding the application of mechanical restraint measures in neuropsychiatric recovery and rehabilitation centers, in relation to the provisions of Law no. 487/2002 on mental health and the protection of persons with mental disorders, republished; ● with the *Alba Territorial Office*, for two investigations carried out at the Alba County Police Inspectorate and at Aiud Maximum Security Penitentiary; ● with the *Bacău Territorial Office*, for two investigations carried out at the Casa Colibri Războieni Center for Skills Development and Rehabilitation, Neamț County, and at Bacău Penitentiary.

[Proposals for legislative amendments](#)

During the visit to the "Eftimie Diamandescu" Bălăceanca Psychiatric Hospital, the hospital representatives informed the NPM team of the case of an involuntarily admitted patient who had escaped from the hospital and was not found by the police. In order to resolve the legal situation, the court was contacted, which maintained the measure of involuntary admission, considering that the hospital had the necessary means to bring the patient back. Consequently, the patient remained recorded as involuntarily admitted (with the note "escaped patient"). Later, however, it was discovered that the patient (a drug user) had been admitted to the "Prof. Dr. Alexandru Obregia" Clinical Psychiatric Hospital. At the hospital's request, the patient returned in order to terminate the involuntary admission measure.

To avoid such situations (double admission), the NPM considers it necessary to establish a single national electronic registry of all involuntary admissions, to which only the courts seized in admission procedures would have access (in order to safeguard the patient's right to privacy).

Awareness raising activities on the NPM's mandate, participation in conferences, domestic and international symposia, staff training, working groups

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

► **To increase awareness on the prevention of torture and ill-treatment, as well as on the mandate and activity of the NPM, its members carried out in 2024 an extensive awareness/information campaign**, addressed to persons deprived of liberty, staff in detention facilities, authorities supervising units monitored by the NPM, as well as cooperating NGOs and external collaborators, for example: • General Directorates for Social Assistance and Child Protection – DGASPC (Prahova, Baia Mare); • Centers for adults with disabilities (e.g., CAbR Câmpina, Prahova County; CIA “Cireșarii” Ploiești, Prahova County; CIA “Sf. Anton” Timișu de Sus, Brașov County; Protected Housing Lazu and Cumpăna, Constanța County; CIA Pitești, Argeș County; Residential Complex for Persons with Disabilities Pitești, Argeș County; CIA Govora, Vâlcea County; CIA Dobrița, Gorj County; CIA “Sf. Dimitrie cel Nou” Filiași, Dolj County; CIA Ocna Mureș, Mureș County; CIA Baia de Arieș, Alba County; Maximally Protected Housing for Adults with Disabilities Bărbant, Alba County); • Residential homes for the elderly (e.g., “Perla Senior Snagov” Ilfov County; Moșia Bunicilor – Casa Nuci, Călărași County; Schitu Residential Center, Costinești Commune, Constanța County; Zimnicea Social Center for Elderly Recovery, Teleorman County; “Sf. Andrei” Elderly Home Bărbant, Alba County); • Penitentiaries (Bucharest-Rahova, Bucharest-Jilava, Drobeta-Turnu Severin, Aiud, Târgu Ocna Penitentiary Hospital); • Children's centers (Sulina Placement Center, Tulcea County; “Sâmbăta Mare” Family-Type Home, Tulcea County; Cocorii 1, 2, and 3 Family-Type Homes, Tulcea; “Sf. Nicolae” Residential Services Complex for Children, Caracal, Olt County; Găvojdia Placement Center – “Sf. Ioan Nădrag” Family-Type Home, Timiș County; Maternal Centers under DGASPC Hunedoara and DGASPC Mureș; Family-Type Homes in Târgu Frumos, Iași County; “Ion Creangă” Residential Services Complex, Piatra Neamț, Neamț County); • Psychiatric hospitals (Târgoviște County Emergency Hospital – Gura Ocniței Psychiatry Unit, Dâmbovița County; “Sf. Stelian” Evaluation and Treatment Center for Young People with Addiction Disorders, Bucharest); • Detention and remand centers (No. 1 Bucharest, Călărași, Mehedinți, Teleorman, Tulcea, No. 3 Bucharest, Caraș-Severin, Mureș, Sălaj); • Non-governmental organizations (European Association for Human Rights and Social Protection; Human Rights Defense Organization – Regional Branch Craiova; Philanthropy Orthodox Association Alba Iulia; RUHAMA Foundation Oradea; Community Partnership Association Brașov; Community Safety and Anti-Drug Association ASCA Harghita Branch; Humanitarian Association “Together for Them” Baia Mare; UCOS Foundation – Sibiu); • The National Training School for Prison Officers Târgu Ocna, Bacău County; • External collaborators of the NPM (doctors, psychologists, and social workers).

► NPM conducted professional **development activities for the staff in the units under its mandate to be monitored**, for example: Empowerment and Rehabilitation Center for Adults with Disabilities Câmpina, Prahova County; Lazu and Cumpăna Sheltered Housing, Constanța County; Home for the Elderly Văratec, Neamț County; Mărgineni Penitentiary; DGASPC Prahova; Sâmbăta Nouă family-type home, Tulcea County; Cocorii 1, Cocorii 2, and Cocorii 3 family-type homes, Tulcea Municipality, Tulcea County, on topics such as: the concepts of torture

and ill-treatment; the importance of activities to prevent torture and ill-treatment in places of detention and the presentation of NPM duties and activities; findings observed during NPM visits, etc.

► During 2024, NPM members participated (physically or online) in a series of **webinars, meetings, conferences, and symposia, organized at national and international level** and, in accordance with the Guidelines on National Preventive Mechanisms, developed by the Subcommittee on Prevention of Torture and Inhuman or Degrading Treatment or Punishment (SPT), regularly followed **professional training sessions** on topics such as: management of prisoners on hunger strike; particularities of interviewing persons deprived of liberty; ways to identify/detect signs of abuse or neglect in the case of bedridden beneficiaries/patients; social reintegration of persons deprived of liberty; the Bangkok Rules; social assistance for women deprived of liberty in prisons; preparation of NPM visits; persons in vulnerable situations deprived of liberty; management of situations caused by food refusal by foreigners held in custody in accommodation centers for foreigners taken into public custody; the necessity of psychological support for minors in detention and preventive arrest centers; provision of medical assistance in care and assistance centers for adults with disabilities, in detention and preventive arrest centers, and in prisons; carrying out psychological interventions with women deprived of liberty in prisons. Additionally, they attended courses organized by the Council of Europe on the HELP e-learning platform.

Collaboration with SPT, APT, NPMs and other international partners

► Subcommittee on Prevention of Torture and Inhuman or Degrading Treatment or Punishment (SPT)

NPM contributed to the study conducted by the European Regional Team (ERT) within the SPT, regarding the broad definition of the term “deprivation of liberty” in Art. 4 of OPCAT, which covers a variety of situations of deprivation of liberty that do not necessarily have to be based in the sovereign territory of the State Party. In this regard, NPM addressed the National Penitentiary Administration, the General Inspectorate for Immigration, the Ministry of Labor, Family, Youth and Social Solidarity, as well as the Ministry of Health, regarding extraterritorial agreements on the rental of facilities between states (whether parties to OPCAT or not) where persons may be deprived of liberty.

Additionally, during 2024, a series of online meetings and correspondence took place with Mr. Martin Zinkler, SPT member and country rapporteur for Romania, regarding NPM activities.

► United Nations High Commissioner for Human Rights (OHCHR)

At the request of OHCHR, NPM provided the requested information for the preparation of the report on religion or belief and torture and other cruel, inhuman, or degrading treatment or punishment.

► Association for the Prevention of Torture (APT)

During 2024, NPM participated in events organized by APT for NPMs, as well as in the preparation, by the Association, of the Global Report on Women Held in Prisons. The report was publicly presented during the webinar organized by APT on December 12, 2024.

► National Preventive Mechanisms – SEE NPM Network

NPM Romania is part of the Network of National Preventive Mechanisms in South-Eastern Europe, in which capacity, also this year, it maintained correspondence with members of the

network as well as with other international NPMs, and participated online in joint events, such as: “Monitoring material conditions of detention and the rights of persons in preventive detention,” an event organized by the Council of Europe (CoE) within the European NPM Forum (4–5 June 2024) and the launch event of the UK NPM Preventive Guide, organized by the UK NPM (27 June 2024).