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

Activity Report – 2025

We must take sides. Neutrality helps the oppressor, never the victim.
Silence encourages the tormentor, never the tormented.

Elie Wiesel, Nobel Peace Prize acceptance speech, 1986

By ratifying the ***Optional Protocol of 18 December 2002 to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*** **(OPCAT)**, Romania undertook to establish the National Preventive Mechanism for the Prevention of Torture in Places of Detention (NPM). Accordingly, in 2014, Government Emergency Ordinance No. 48 designated the institution of the Ombudsman, acting through the Department for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Places of Detention, to perform the functions of the national preventive mechanism. The NPM has a **preventive mandate** aimed at identifying situations that may give rise to ill-treatment, strengthening the protection of persons deprived of their liberty against ill-treatment, and ensuring that they can exercise their fundamental rights without discrimination.

The NPM's work consists primarily of conducting periodic visits to places of detention, whether announced or unannounced (as most visits are); making recommendations to the management of the places visited and to higher authorities; proposing legislative amendments; raising awareness of the NPM's mandate and providing staff working in places of detention with professional training on the prohibition of torture and the prevention of ill-treatment; and maintaining contact with the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (SPT).

The NPM comprises a Central Structure, which includes the Bucharest Regional Centre, and a Territorial Structure consisting of three regional centres: ● Alba Regional Centre, ● Bacău Regional Centre and ● Craiova Regional Centre. In 2025, the four regional centres had the following staff: seven legal advisers, four doctors, two psychologists and one social worker, as well as four administrative staff members with driving duties. In addition, during the last three months of the year, a legal adviser from the Office for the Analysis of Legislative Acts, External Relations and Communication was temporarily assigned to the NPM. Two NPM positions became vacant during the year. As a result, at the end of 2025, the following positions were vacant: the legal adviser position at the Craiova Regional Centre; the social worker and psychologist positions at the Bucharest Regional Centre; and the driver position at the Bucharest Regional Centre. Legislative restrictions prevented the recruitment of staff, particularly a legal adviser and a driver, and hampered the NPM's work. This work consists mainly of visits and awareness-raising and

professional training activities for staff in places of detention throughout the country. NPM staff therefore had to find alternative ways to carry out the Craiova Regional Centre's visits under the Annual Visit Plan, with legal advisers and doctors or psychologists from the Bucharest and Alba Regional Centres taking part, and to arrange transport for the Bucharest NPM teams.

External collaborators are engaged to assist with NPM activities under service contracts. They are selected by the Ombudsman on the basis of nominations received from the Romanian College of Physicians, the Romanian College of Psychologists and the National College of Social Workers. In 2025, the institution of the Ombudsman had 43 external collaborators: 11 doctors, 10 social workers and 22 psychologists. Representatives of non-governmental organisations active in the protection of human rights, selected by the Ombudsman, also participate in activities to prevent torture. Cooperation protocols are currently in place with 43 non-governmental organisations. However, **these organisations have limited staff, who are also involved in various projects, so their representatives have limited availability to participate in visits**.

Monitoring visits to places of detention

During 2025, the NPM conducted 63 visits to places of detention (some of the visits were to verify the implementation of recommendations made in previous visit reports):

● **Penitentiaries – 10 visits:** Bistrița Penitentiary, Bistrița-Năsăud County; Bacău Penitentiary, Bacău County; Vaslui Penitentiary, Vaslui County; Craiova Penitentiary, Dolj County; Mărgineni Penitentiary, Dâmbovița County; Slobozia Penitentiary, Ialomița County; Constanța-Poarta Albă Penitentiary, Constanța County; Bucharest-Rahova Penitentiary Hospital, Bucharest; Găești Penitentiary, Dâmbovița County; Bucharest-Jilava Penitentiary, Ilfov County;

● **Psychiatric hospitals – 7 visits:** Ștei Psychiatric Hospital and Hospital for Security Measures, Bihor County; Socola Iași Institute of Psychiatry – Bârnova External Ward, Iași County; Turceni Town Hospital – Psychiatry Ward, Gorj County; "St. Stelian" Centre for the Assessment and Treatment of Drug Dependence in Young People, Bucharest; "Sfânta Maria" Vedea Psychiatric Hospital, Argeș County; "Dr. Constantin Andreoiu" Ploiești County Emergency Hospital – Psychiatry Ward, Prahova County; Țăndărei Town Hospital – Psychiatry Unit, Ialomița County;

● **Centres for adults with disabilities – 13 visits:** Baia de Criș Medical and Social Care Unit, Hunedoara County; Gârbova Care and Assistance Centre for Adults with Disabilities, Alba County; Păuliș Care and Assistance Centre for Adults with Disabilities, Arad County; Ciocârlia High-Support Housing for Adults with Disabilities, Bucharest; Cloșca Sighetu Marmației Care and Assistance Centre for Adults with Disabilities, Maramureș County; "Sfânta Maria" Golești Care and Assistance Centre, Vrancea County; Habilitation and Rehabilitation Centre for Adults with Disabilities operated by the Intercalat Association, Bucharest; "Sf. Ioan" Bucecea Care and Assistance Centre for Adults with Disabilities, Botoșani County; Băbiciu Care and Assistance Centre, Olt County; Sfântul Vasile Care and Assistance Centre for Adults with Disabilities, Bucharest; Habilitation and Rehabilitation Centre No. 1 for Adults with Neuropsychiatric Disabilities, Bucharest; Agigea Medical and Social Care Unit, Constanța County;

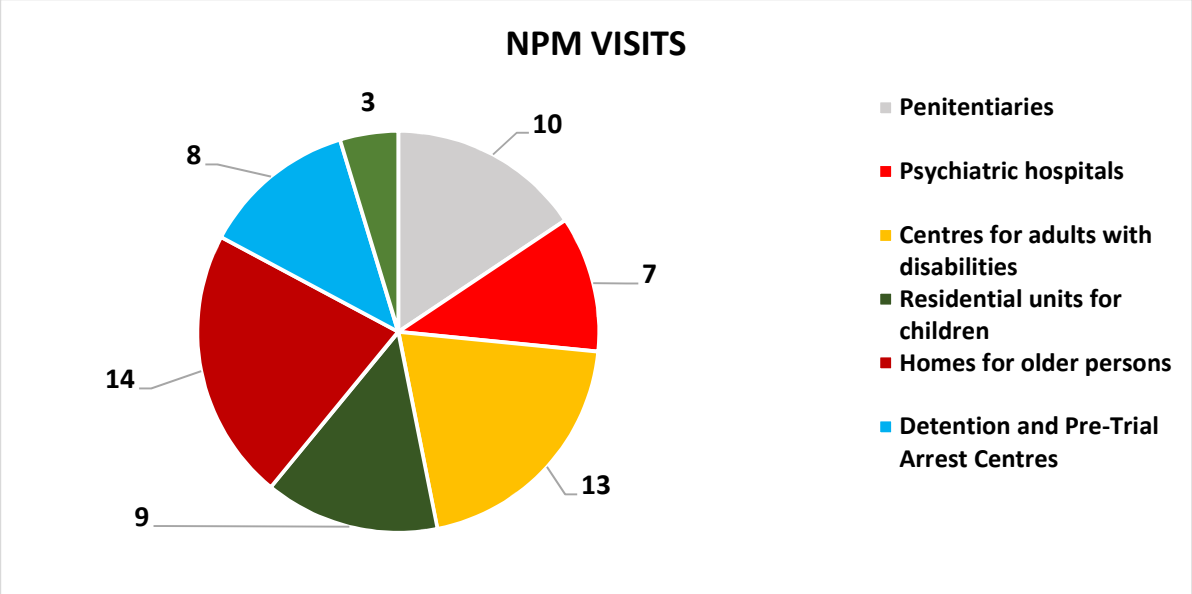
● **Residential facilities for children – 9 visits:** Gabriela Family-Type Home, Săcele, Brașov County; Brândușa and Narcisa Family-Type Homes, Sibiu, Sibiu County; "Ozana" Service Complex, Târgu Neamț, Neamț County; Multifunctional Service Complex for Children in Difficult Situations, Gura Humorului, Suceava County (Family-Type Home No. 6, Family-Type Home No. 7 for Children with Disabilities, "Iasmina" Family-Type Home for Children with Disabilities, "Iris" Family-Type Home for Children with Disabilities); Calafat-I Family-Type Home, Calafat, Dolj County; Family-Type Home No. I within the Valea Mare Family-Type Complex, Valea Mare Podgoria village, Ștefănești town, Argeș County; Urziceni Placement Centre – Urziceni Child

Protection Service Complex; Săftica Maternal Centre, Balotești, Ilfov County; Sulina Family-Type Home, Tulcea County;

● **Residential care homes for older persons – 14 visits:** "Sfânta Maria" Residential Care Home for Older Persons, Unirea, Călărași County; Căsuța Seniorilor Residential Care Home for Older Persons, Sector 6, Bucharest; "Alexandra" Residential Care Home for Older Persons, Breaza de Jos, Prahova County; Ideciu de Jos Residential Care Home for Older Persons, Mureș County; Cueni Residential Care Home for Older Persons, Vâlcea County; Casa Ilinca Residential Care Home for Older Persons, Săcele, Brașov County; Periș Residential Care Home for Older Persons, Ilfov County; Alexandru Marghiloman Service Complex for Older Persons – Buzău Residential Centre, Buzău County; Casa del Girasole Residential Centre for Older Persons, Bucharest; Iacob Casa Lili Residential Care Home for Older Persons, Bragadiru town, Ilfov County; "Sfânta Teodora" Residential Centre, Bucharest; Lummy House Residential Care Home for Older Persons, Pantelimon town, Ilfov County; Iacob Care Senior Center Residential Care Home for Older Persons, Dragomirești Vale commune, Ilfov County; Residential Centre for Older Persons, Racoviță village, Dâmbovița County;

● **Detention and Pre-Trial Custody Centres – 8 visits:** Detention and Pre-Trial Custody Centre within the Covasna County Police Inspectorate (IPJ); Detention and Pre-Trial Custody Centre within the Iași IPJ; Detention and Pre-Trial Custody Centre within the Gorj IPJ; Detention and Pre-Trial Custody Centre within the Ialomița IPJ; Bucharest Detention and Pre-Trial Custody Centre No. 10 within Police Station No. 19; Detention and Pre-Trial Custody Centre No. 5 within Police Station No. 6; Detention and Pre-Trial Custody Centre within the Călărași IPJ; Detention and Pre-Trial Custody Centre within the Tulcea IPJ;

● **Centres for migrants – 3 visits:** Galați Regional Accommodation and Procedures Centre for Asylum Seekers, Galați County; Arad Accommodation Centre for Foreign Nationals in Public Custody, Arad County; Bucharest Regional Procedures and Accommodation Centre for Asylum Seekers, Sector 2, Bucharest.



Cooperation of the authorities with NPM teams during visits

In 2025, the management and staff of most facilities visited cooperated very well with NPM members, both during and after the visits. The visiting teams were granted access to all areas they wished to inspect and were provided with all the information and documents they requested.

There were, however, exceptions. For example, during the visit to the Psychiatry Ward of the "Dr. Constantin Andreoiu" Ploiești County Emergency Hospital, the team maintained an ongoing dialogue throughout the monitoring visit with the ward's representatives and management, who understood the NPM's mandate and the purpose of the visit. By contrast, there were shortcomings in cooperation with the hospital management, which alone was able to provide certain information/documents and provided them only in part.

In this context, the NPM recalls that, by ratifying OPCAT, Romania undertook to establish the National Preventive Mechanism and to allow it to visit all places under its jurisdiction where persons are or may be deprived of their liberty.

In carrying out its mandate, pursuant to Article 20 of OPCAT, the NPM has access to: all information concerning the number of persons deprived of their liberty in places of detention, as well as the number and location of such places; all information concerning the treatment of those persons and their conditions of detention; all places of detention and their installations and facilities. It may interview persons deprived of their liberty without witnesses, as well as any other person who may provide relevant information, and is free to choose the places it wishes to visit and the persons it wishes to interview.

Furthermore, under Article 40(1) of Law No. 35/1997, as republished, the institutions visited are required to provide the representatives of the visiting team, before, during or after the visit, with any documents or information in their possession or which they can obtain, as requested by the team for the purpose of carrying out its statutory duties.

Another difficulty encountered by NPM teams, including during awareness-raising and staff training activities at facilities within the social welfare system, was a lack of familiarity with national and international legal provisions concerning the terms "place of detention" and "deprivation of liberty", or with the NPM's authority to monitor residential facilities for adults with disabilities, children and older persons.

The NPM notes that, under Article 4 of OPCAT and Article 34 of Law No. 35/1997, as republished: a place of detention means any place where persons are deprived of their liberty by virtue of an order of a public authority, at its instigation or with its express or tacit consent, while deprivation of liberty means any form of detention or imprisonment, or the placement of a person in a public or private custodial setting which that person is not permitted to leave at will, by order of any judicial, administrative or other authority. Furthermore, any place forming part of the social welfare system is a place of detention or, as the case may be, a place where the institution of the Ombudsman exercises its functions relating to the prevention of torture.

Consequently, facilities within the social welfare system are subject to NPM monitoring in view of: their falling within Article 34(1) of Law No. 35/1997, as republished (and Article 4 of OPCAT); the existence of a decision by a judicial, administrative or other authority, or a request by or the express or tacit consent of the person concerned. Under Government Decision No. 797/2017 approving the framework regulations on the organisation and operation of public social welfare services and the indicative staffing structure (Article 6(d)), local public authorities are required to communicate or, where appropriate, make available to institutions with responsibilities for the prevention of torture the information requested and to assist them in conducting monitoring visits, in accordance with the law.

Furthermore, during the visit to Calafat-I Family-Type Home, Dolj County, the team was allowed to enter the facility only after the head of the centre had been notified, because staff feared

possible adverse consequences from the head of the centre if they granted the team access (the visit subsequently proceeded without difficulty). The NPM therefore reminds the management of places of detention that no person (whether a person deprived of liberty or a staff member) may be held accountable for cooperating with NPM teams.

Examples of good practices observed during monitoring visits

• Residents of ***Ideciu de Jos Residential Care Home for Older Persons*** had taken part in a wide range of recreational/social/occupational therapy activities, including initiatives to promote books and encourage reading among residents; residents were also involved in household and gardening activities: whitewashing trees, planting flowers, maintaining green areas, tending vegetables grown in the centre's greenhouse and harvesting them; they had taken occasional trips to the local saltwater swimming pool, excursions along the Ideciu de Jos-Toplița-Borsec-Bicaz-Piatra Neamț-Bicaz Gorge route, a boat trip on Lake Bicaz, a visit to Red Lake, a visit to Bistrița Monastery, etc.;

• Children living in the ***Brânduța and Narcisa Family-Type Homes in Sibiu*** had taken part in a range of recreational activities, including: ice skating, a visit to the ASTRA Museum of Traditional Folk Civilisation, an Easter egg hunt in Sub Arini Park, a creative recycling workshop, bicycle rides and competitions in the park, attendance at the Sibiu International Theatre Festival (FITS), a trip to Făgăraș Fortress, outdoor games, a seaside camp, trips to Brașov, the Praid Salt Mine, Ocna Sibiului, Bran Castle and Râșnov Fortress, a visit to Sibiu Zoo, etc.; particular attention was also given to informing the children about a range of relevant topics: How to protect ourselves from infectious diseases and recognise communicable infectious diseases, Sexually transmitted diseases, Identifying types of abuse – Risks of child trafficking, etc.

• At the ***Baia de Criș Medical and Social Care Unit***, all the centre's accommodation areas were well maintained, clean, hygienic, adequately lit, heated and ventilated, and personalised with photographs and decorative items that helped create a pleasant, homelike atmosphere; the same was true of the "Sfânta Maria" Unirea Residential Care Home for Older Persons, which had two spacious, well-maintained and clean courtyards with a gazebo, a barbecue and several swings;

• In September 2025, ***Slobozia Penitentiary*** acquired a modern vehicle for transporting 22 people, and an additional 16-seat vehicle was being delivered at the time of the visit, with a delivery deadline of 30 October 2025; these measures improve safety and efficiency when transporting people to courts and other destinations; to help maintain family ties and support social reintegration, the area designated for visits without a separating barrier was refurbished in August 2025, providing a suitable setting for outdoor visits; the "Father and Child" room was also modernised as a play area to lessen the impact of the oppressive penitentiary environment on visiting children – the room was welcoming and appropriately furnished and equipped for visits between fathers and their children, with furniture, toys and a television;

• In the ***Psychiatry Ward*** of the "***Dr. Constantin Andreoiu" Ploiești County Emergency Hospital***, information on patients' rights and obligations was available to patients at all times in a folder attached beside the door of each patient room. The folder contained information on: patients' rights and obligations; rules of conduct for patients within the medical facility; admission requirements; discharge requirements; information on the processing of personal data; the ward's evacuation plan; the daily cleaning and pest-control schedule;

• During the visit to ***Gabriela Family-Type Home in Săcele***, given the complexity of the medical conditions of the children accommodated in this social service, the NPM team noted the professionalism and active involvement of the care and assistance staff, as well as management and specialist staff, in providing appropriate care; they were familiar with each child's history and individual needs;

• ***The Gârbova Care and Assistance Centre for Adults with Disabilities*** had a service contract with a private provider, for psychology and psychotherapy services and medical consultations in psychiatry, neurology, dermatology, speech therapy, ear, nose and throat care, nutrition and dietetics, for an indefinite period;

• ***The Păuliș Care and Assistance Centre for Adults with Disabilities*** had assistive equipment and devices, such as wheelchairs, walking frames, crutches and walking sticks, which enabled residents to move around both indoors and outdoors; the centre also had a wheelchair ramp and a lift; the "Alexandra" Residential Care Home for Older Persons in Breaza de Jos had electric chairs used to transport people with mobility disabilities, particularly when going up and down stairs;

• During the visit to the ***Habilitation and Rehabilitation Centre for Adults with Disabilities operated by the Intercalat Association in Bucharest***, the NPM team appreciated the emphasis placed on maintaining/increasing residents' independence, as follows: light switches were located in accessible places and could easily be operated by residents, including wheelchair users; residents' personal hygiene items were individually assigned and kept in their cupboards, with a notice on the information board stating that these items were not stored centrally; the information board also stated that residents with decision-making capacity would have their own toilet paper, soap, shampoo, hand towel and bath towel, while staff kept these items for other residents and helped them use them; residents had access to their own clean clothing, which was kept in unlocked cupboards for that purpose.

The individualised approach to residents is an example of good practice for all residential facilities, most of which adopt a uniform approach, particularly to the use of personal hygiene items, regardless of residents' level of independence.

• At the ***Arad Accommodation Centre for Foreign Nationals in Public Custody***, the project "Expansion of the Accommodation Capacity of the Centre, ROFAMI2019OS3P11" had been implemented, providing 240 places in a U-shaped building with a ground floor and two upper floors, exercise yards, sports areas and children's playgrounds. Its objectives were to increase the accommodation capacity of the General Inspectorate for Immigration and improve accommodation and safety conditions for foreign nationals staying illegally in Romania for whom placement in public custody and accommodation at the centre had been ordered;

• Improving accommodation conditions at the ***Galați Regional Procedures and Accommodation Centre for Asylum Seekers*** is an ongoing objective. Accordingly, in 2024, the investment project "ROFAMI2020OS1P13 – Expansion of the accommodation and assistance capacity for asylum seekers at the Galați Regional Procedures and Accommodation Centre for Asylum Seekers through the construction of metal-frame buildings and the modernisation/construction of the existing perimeter fence" was completed, with several buildings providing 300 new accommodation places, kitchens, toilets, communal areas, 1 office building, 1 building for NGO staff and 1 building intended for medical isolation; the centre doubled its accommodation capacity from 300 to 600 places; furthermore, to improve accommodation conditions, the following activities were carried out in 2025: 25 routine repairs (to toilets, kitchens and communal areas), 4 disinfection, insect control and rodent control services in the accommodation and administrative buildings, and 1 bedbug control treatment; refurbishment of the activity rooms (a gym and recreation rooms for children and adults) and restoration of outdoor benches; replacement of wooden doors, floor tiles and wall tiles in the kitchens and toilets of the building accommodating applicants for international protection;

• At the ***Detention and Pre-Trial Custody Centre within the Covasna County Police Inspectorate***, all detention rooms had access to natural light and sufficient ventilation, as the building was above ground, with each room having one or two windows, as applicable; the

situation was similar at the ***Detention and Pre-Trial Custody Centre within the Ialomița County Police Inspectorate***, where the detention rooms were clean, painted, sanitised and equipped with appropriate furniture, a table, chairs, air conditioning, a television, a radiator, private sanitary facilities with vandal-resistant fixtures, and a landline telephone;

• At ***Bistrița Penitentiary***, although the penitentiary faced a high level of overcrowding, high standards of cleanliness and hygiene were maintained, owing to rigorous planning and the sustained implementation of all activities contributing to the maintenance of these conditions; the penitentiary is included in the Memorandum on the 2020-2025 Action Plan for the execution of the pilot judgment in Rezmiveș and Others v. Romania, with two new investment projects: the construction of two detention blocks, one with a capacity of 500 places and the other with a capacity of 100 places; under a cooperation protocol with Auchan România SA, detainees could place online orders using tablets available in the detention wings;

• ***"Sfânta Maria" Vedea Psychiatric Hospital*** had an operational protocol with Pitești County Emergency Hospital and the Argeș County Ambulance Service, setting out in detail the procedure to be followed according to how the patient presented: as a psychiatric emergency (covering the following possible situations: a new patient, a known patient with a psychiatric history, a patient who does not consent to admission and meets the conditions for involuntary admission), with a referral or through an inter-hospital transfer; a range of aspects are addressed: identification of the psychiatric emergency and stabilisation of the patient (carried out at the Emergency Department of Pitești County Emergency Hospital, allowing rapid intervention even when the patient's emergency is not psychiatric), respect for the patient's preference for a hospital/psychiatric ward, identification of available places in hospitals, and provision of patient transport;

• Staff from ***Ștei Psychiatric Hospital and Hospital for Safety Measures*** (36 people) attended a training session in 2025 entitled "Intervention tactics in cases of spontaneous aggression, attacks, riots or to restore order", delivered with the participation of staff from Oradea Penitentiary, under a cooperation protocol with Oradea Penitentiary aimed at developing interinstitutional and professional relations in healthcare, psychology and institutional security through exchanges of experience between professionals, as well as developing the skills of medical and auxiliary staff at Ștei Psychiatric Hospital and Hospital for Safety Measures in managing patients with severe mental health conditions, including those displaying aggressive behaviour, providing staff with professional training on protective measures, intervention and risk management, and increasing personal and institutional safety within the hospital;

• At ***Mărgineni Penitentiary***, the main focus of activities in 2025 was the continuation and expansion of projects financed through European funds. Together with the National Administration of Penitentiaries (ANP), the penitentiary visited carried out significant activities under the SECURE project – "A safe, educated and responsibly engaged community", funded through the "Justice" Programme of the Norwegian Financial Mechanism 2014-2021, administered by the Ministry of Justice as Programme Operator. The following were noted as significant achievements of the project:

a) the multidisciplinary project carried out at Mărgineni Penitentiary had a significant impact on the penitentiary administration system and was approved for implementation throughout the system; an analysis was conducted of the existing legal framework governing the conditions under which the maximum-security regime is implemented and the characteristics of this detention regime, from the perspective of its impact on detainees' psychological and emotional stability and on aspects of their behavioural change/development, resulting in a document intended to help inform future public policies in this field;

b) a multifunctional block with a capacity of 52 places was under construction, with works 45% complete and completion scheduled for 2025, and included: Wings dedicated to the quarantine/observation and open regimes; Spaces for social and vocational reintegration activities; A modern sports facility, with a fully equipped gym and a football pitch; Medical consultation rooms to improve the healthcare services provided to persons deprived of their liberty;

c) alignment of infrastructure and services – through this project, Mărgineni Penitentiary succeeded in combining two strategic directions: • improving the services provided to persons deprived of their liberty by creating an environment conducive to education, health and social reintegration; • modernising the existing infrastructure;

Examples of shortcomings identified during monitoring visits

Systemic shortcomings identified by the NPM in previous years, such as **overcrowding, inadequate accommodation conditions, and insufficient and inadequately trained staff**, persisted in 2025.

For example, occupancy levels stood at 172% of capacity ***at Bistrița Penitentiary***, 155% ***at Slobozia Penitentiary***, 136% at ***Craiova Penitentiary***, and 130% at ***Mărgineni Penitentiary***. Furthermore, the accommodation capacity of the building housing ***Calafat-I Family-Type Home*** was excessive in relation to the living space available. In practice, the premises were insufficient, in terms of both floor area and layout, to provide decent accommodation for 12 residents. A four-bed bedroom for boys was very cramped and lacked personalisation, with no private sanitary facilities or television, and with dirty walls; there was no space between the beds; the wardrobe/cupboard doors were either broken, removed and propped against the walls, or did not close properly.

Overcrowding was also found at the ***Agigea Medical and Social Care Unit***, which had a capacity of 61 beds under its sanitary operating authorisation but accommodated 73 residents, and at the ***"Lummy House Cămin Seniori" Residential Care Home for Older Persons in Pantelimon***, which accommodated 22 people despite having a legally authorised capacity of 18 places. Staff shortages were found in almost all places of detention visited, mainly because of legal provisions suspending the filling of vacant posts in public institutions and authorities through competitive recruitment procedures or examinations.

Within penitentiaries, the areas most affected by staff shortages were operations, healthcare and social reintegration (for example, at ***Constanța-Poarta Albă Penitentiary***, only the healthcare department was understaffed – of the 8 doctors and 15 nurses provided for in the staffing structure, only 3 doctors and 11 nurses were employed); consequently, the volume and complexity of activities and assignments were high in relation to the number of staff. At ***Bistrița Penitentiary***, the number of psychologists and social workers was insufficient for the volume of specialised work generated by the number of detainees held there, while at ***Craiova Penitentiary***, given the number of persons in custody (980), an additional 13 education officer posts would have been required.

At the ***Habilitation and Rehabilitation Centre for Adults with Disabilities operated by the Intercalat Association in Bucharest***, 10 care and assistance staff posts were vacant (50% of posts were filled). The centre's management did not consider there to be a staff shortage in relation to the existing number of residents (17), but if the centre had been operating at full capacity (38), at least another 2 nursing aides or 2 care workers would have been needed to carry out its activities. The NPM team was informed of difficulties in retaining staff: 3 supervisors, 5 nursing aides and 4 nurses had left their jobs, as had 2 psychologists, the main reasons cited being the stress of working with people with mental disabilities ("they cannot cope psychologically") and the fear of being assaulted by residents. To avoid such situations, previous experience was required when recruiting

staff, and candidates were informed during the recruitment interview of what working at the centre involved; there was also a practical assessment consisting of two paid days of work with residents.

At the ***Bucharest Regional Procedures and Accommodation Centre for Asylum Seekers***, where 16 of the 77 posts were vacant, including in the following departments: Administrative and Judicial Asylum Procedures – 2 posts; Integration and Assistance – 1 post; Healthcare – 2 posts, the fiscal and budgetary measures adopted at national level meant that vacant non-managerial posts could only be filled by appointing graduates of the Ministry of Internal Affairs' educational institutions and by identifying Ministry of Internal Affairs staff who met the requirements for the posts concerned, with a view to transferring them.

In the psychiatric hospitals/wards visited, the number of vacant posts was high, particularly doctors' posts: for example, ***at "Sfânta Maria" Vedea Psychiatric Hospital***, 50% of doctors' posts were filled in Ward 1 and the Long-Term Care Unit, and 33% in Ward 2. Although recruitment competitions had repeatedly been held for the vacant doctors' posts approved by memorandum, only some had been filled, with one of the doctors subsequently resigning and another requesting the suspension of their individual employment contract until the end of 2025. Furthermore, the 10 resident doctors employed at the hospital do not wish to work there after completing their training and obtaining their specialist certificates, despite being eligible for a settling-in allowance equivalent to one basic monthly salary, preferring university centres in major cities or moving abroad.

As a consequence of staff shortages, at the ***Psychiatry Ward of the "Dr. Constantin Andreoiu" Ploiești County Emergency Hospital***, there had been situations in which staff were unable to intervene promptly in incidents of patient aggression resulting in damage to a patient room in the observation area, because staff had been deployed to the Emergency Admissions Room to assist with the assessment of several emergency cases brought in by ambulance and the police.

At the ***Bârnova External Ward in Iași, part of the Socola Institute of Psychiatry***, although the ward's staffing structure included a social worker post, it was vacant at the time of the visit; given the complexity of the ward's caseload (people from disadvantaged backgrounds, social cases – 36 patients, patients without resources and/or relatives or carers), the vacant social worker post needed to be filled as soon as possible.

Staff were overworked in all types of places of detention visited and were at risk of *burnout*.

Regarding continuing professional development for staff, it was found that no training courses had been organised on the rights of persons with disabilities, managing aggressive behaviour, de-escalation techniques or the use of restraint measures (the latter in psychiatric facilities).

Furthermore, the NPM once again emphasises the importance of staff (medical and non-medical) attending in-person first aid training, preferably annually (a recommendation made by the NPM in its visit reports), particularly those working in psychiatric hospitals/wards and residential facilities for persons with neuropsychiatric disabilities and older persons, given the heightened vulnerability of these groups. An important example in this regard is the increased risk of choking on food. At the ***Ideciu de Jos Residential Care Home for Older Persons*** and the ***Baia de Criș Medical and Social Care Unit***, there was no clear record of residents with swallowing difficulties or a procedure to follow in such cases, although several residents had these difficulties. However, the situation was remedied following the NPM's recommendations, with a register identifying residents with swallowing difficulties being drawn up and an internal procedure for serving food being established, including measures for portioning, blending and active supervision.

Another systemic shortcoming was the **lack of physical accessibility of premises for persons with mobility disabilities** (the absence of lifting platforms or lifts for moving wheelchairs

or mobile beds, the absence of handrails, the absence of appropriate signs colour-coded according to the mobility status of the persons accommodated in a room, and the absence of accessible sanitary facilities).

Some of the shortcomings identified by the NPM are presented below, according to the type of place of detention visited:

- centres for adults with disabilities: ● inadequate accommodation conditions: rooms were not personalised to create as homelike an environment as possible; there was no variety in the colour scheme; sanitary facilities were damaged and showed signs of mould; on the terrace adjoining a bedroom at the *Cloșca Sighetu Marmației Care and Assistance Centre for Adults with Disabilities*, a light switch was completely missing, with electrical wires protruding from the mounting box, posing a risk of electric shock; the kitchen furniture was old and deteriorated, with a worktop damaged by moisture, presenting a high risk of microbial contamination; ● the gate providing access to the courtyard was not secured, allowing anyone to enter the grounds, as the gate was not locked and there were no security staff; ● there was no video surveillance outdoors or in indoor communal areas; ● the signs indicating the degree of mobility/immobility of the persons accommodated in the respective rooms did not correspond to their actual mobility status; ● at the *Habilitation and Rehabilitation Centre for Adults with Disabilities operated by the Intercalat Association*, some contracts examined by the NPM team lacked the signature of the legal representative (the Director-General of the Sector 2 General Directorate for Social Assistance and Child Protection), the reason given by the centre's management being that the centre and the Directorate had drawn up contracts in parallel; the contracts had been sent to the Directorate for signature; ● there was no consultation register recording, in chronological order, the consultations, treatments and recommendations provided by the facility's doctors, in compliance with the specific requirements concerning the form and content of a register, namely page numbering, securing the pages with a cord, and recording the register in the facility's main incoming/outgoing correspondence register; ● visiting hours were very restricted: only on Mondays and Thursdays, between 10:00 and 12:00, at the *Păuliș Care and Assistance Centre for Adults with Disabilities*, and only between 10:00 and 12:00 on the first Monday of the month at the *Cloșca Sighetu Marmației Care and Assistance Centre for Adults with Disabilities*; ● residents' Individualised Plans were not reviewed every 6 months; assessment forms were not signed by residents and the case manager; some residents' assessment/reassessment forms were undated and had no registration number; ● residents' circumstances had not been assessed to establish their capacity to exercise their rights and, where appropriate, the measures needed to enable them to exercise those rights without restriction; ● the psychologist and social worker visited the *Cloșca Sighetu Marmației Care and Assistance Centre for Adults with Disabilities* "when necessary", with no clearly established work schedule; their respective activities took place in an office furnished with armchairs and a work table, with no notice on the door indicating the room's purpose/name, the names of the persons carrying out activities there or their working hours;

*This year as well, during visits and awareness-raising activities, the NPM received reports concerning inappropriate treatment in hospitals of beneficiaries who are adults with mental disabilities. Such treatment may indicate prejudice against this category of persons with multiple vulnerabilities (institutionalised persons, persons with mental disorders and patients), as well as discrimination against them in terms of access to appropriate medical care in hospital. It also indicates a lack of, or insufficient, training of medical and auxiliary staff in general hospitals regarding patients' rights, the rights of persons with mental disabilities, and the management of situations involving self-aggressive and hetero-aggressive behaviour.

– homes for older persons: ● inadequate accommodation conditions: rooms were not personalised so as to create an environment as familiar as possible; privacy was not ensured in

sanitary facilities/showers (at the Home for Older Persons in Ideciu de Jos, in one of the shower rooms in Pavilion 2, the glazed surface of the window overlooking the courtyard was not fitted with any means of obscuring visibility, while the shower units had no curtains, causing discomfort to beneficiaries due to the lack of privacy while bathing in that room); there were bedrooms in which the standard of 6 sq. m/person was not ensured; insufficient or no storage space was available for beneficiaries' personal belongings; the number of bathrooms and toilets was insufficient in relation to the number of beneficiaries; there was old furniture; there were areas where water seepage was present in ceilings and walls and renovation was required; mattresses were unsuitable for beneficiaries' rest; there was no varied menu and menus were not drawn up separately according to comorbidities; ● beneficiaries with reduced mobility accommodated on upper floors had no physical possibility of going outside into the courtyard, their options in this respect being limited to the outdoor terraces of the pavilions; ● service provision contracts and admission applications were identified that had not been signed by the beneficiaries and had been signed only by relatives; ● privacy screens were not used to ensure the privacy of beneficiaries with pressure sores while their dressings were being changed; ● no functional recovery and rehabilitation activities/services were identified, nor was there qualified staff for this purpose; ● psychological counselling was not provided to beneficiaries, particularly during the period of adjustment to the centre, and the psychological counselling office was not methodologically equipped with licensed working tools; ● the Individualised Assistance and Care Plan was not signed by all members of the multidisciplinary team who had participated in the assessment/reassessment and proposed measures or activities aimed at improving the beneficiary's situation; in addition, the files also contained other types of documents that had not been signed by the beneficiary or by his or her legal representative – Assessment/Reassessment Forms; ● there was no properly equipped medical rehabilitation room in the centre, although medical rehabilitation and physiotherapy services should be provided using equipment specific to the beneficiaries' conditions, as recommended by the specialist physician; ● beneficiaries were not involved in socialisation and recreational activities.

– residential units for minors: ● inadequate accommodation conditions: some bedrooms were small and cramped, with beds placed next to each other; the following were also identified: an insufficient number of sanitary facilities, shared by girls and boys; courtyards lacking specific arrangements and equipment for a wider range of outdoor activities (benches, tables, an adjustable basketball hoop for children, gazebos for relaxation and rest); on the grounds where the *Calafat-I Family-Type Home* was located, there was a pit approximately 1.5 metres deep, near which children, including young children, were playing; ● although the *Calafat-I Family-Type Home* was officially located in the locality, it was in fact situated in an open field, isolated from the community, near a petrol station, in the village of Basarabi, approximately 6 km from the municipality of Calafat, with no properly arranged access road and no lighting, no sign indicating the centre and no nearby public transport stop; ● at the *Brânduşa and Narcisa Family-Type Homes*, Sibiu, the perimeter fence had openings in the area of the nearby stream through which it was possible to pass from one side to the other, while in the area bordering the "Dr. Gheorghe Preda" Clinical Psychiatry Hospital, it was made of rectangular metal posts and welded wire mesh and did not ensure even a minimum level of privacy, patients from that facility approaching the children from the two homes on various occasions; ● the procedures drawn up within the centre were not available in hard copy at the centre itself, being kept in paper form at the headquarters of the social services provider; ● the NPM team was unable to examine situations concerning possible serious incidents because no Register of Serious Incidents was maintained at the centre; ● the children were not taken for dental and ophthalmological examinations annually and once every 3 years, respectively, as required by the minimum quality standards; ● at the *Calafat-I Family-Type*

Home, children were sometimes taken to the family doctor, hospital or outpatient clinics with delay and, according to the children's accounts, they sometimes went alone, unaccompanied and on foot, over a relatively long distance; there were situations where, after a child had been taken for emergency medical care, staff did not return to collect the child for various reasons, and the child had to manage on his or her own (the child asked a friend for help in returning to the centre); ● the children's food preferences were not taken into account, the menu and meal schedule were not displayed and, most of the time, were established without consulting the beneficiaries; they were not involved in household activities, did not participate in food preparation and were only very rarely involved in serving meals; ● there were disagreements between beneficiaries and staff, violations of children's rights, and communication with the children was poor; the Register of Serious Incidents maintained at *Family-Type Home No. I within the Valea Mare Family-Type Complex* showed that there were certain longstanding disagreements and conflicts between several beneficiaries (with frequent incident reports), employees and management, while the atmosphere among employees was tense, as also observed by the visiting team – aspects that may affect the quality of interactions and collaborative relationships with both staff and beneficiaries; ● the specific duties of the social worker were performed by an educator; ● psychological activities were not recorded in a Register of Professional Activities.

* One issue identified by the NPM this year, both during visits and in the course of awareness-raising activities carried out in family-type homes, was the **difficulty, in some cases amounting to an inability, of staff to supervise certain beneficiaries, namely minors with severe behavioural disorders and episodes of hetero-aggressive behaviour (minors who committed acts of a criminal nature), some of whom required permanent psychiatric medical care**. For example, representatives of *the Social Centre for Children Separated from Their Parents in Drobeta-Turnu Severin* and of the *Ariniș and Periș Family-Type Homes* reported difficulties in supervising and managing the antisocial behaviour of minors with severe behavioural disorders accommodated in the centre's apartments, some of whom had committed criminal offences (one beneficiary, placed under judicial supervision, was wearing an electronic monitoring bracelet) or had re-entered the system after being discharged from a re-education centre. Threats against staff were reported (death threats; threats involving a knife; unlawful confinement), as well as physical assaults, some of which resulted in injuries to members of staff, mainly women. The situation was known to the DGASPCs and to the police authorities, which were frequently notified. The permanent state of stress in these residential units led some employees to refuse to work in units accommodating minors with severe behavioural disorders or to take early retirement.

Also, during the visit carried out at Family-Type Home No. 1 within the Valea Mare Family-Type Complex, it was found that a total of 40 incidents had occurred in 2024 (most frequently hetero-aggressive acts against beneficiaries or staff – care workers/nurses, etc.). Over time, several particularly serious incidents involving beneficiaries had occurred in the centre: physical and verbal aggression towards other residents of the centre (both girls and boys), towards staff of the complex and the school, deviant, exhibitionistic and aggressive sexual behaviour towards both staff and other beneficiaries, repeated absconding from the centre, destruction of property, refusal to take part in any type of activity, arson, alcohol consumption, etc. These incidents resulted in the issuance of forensic medical certificates, suspension from school classes, repeated admissions to psychiatric hospitals, criminal complaints and, at the time of the visit, several criminal investigation files were pending.

At centre level, several solutions had been attempted in order to manage the situation (educational and psychological counselling, permanent supervision, information on a healthy lifestyle, involvement in educational, information and preventive activities carried out together

with the Police, etc.), but these had only minimal effect due to the lack of cooperation from the minors.

In view of these aspects, as well as the need to identify appropriate solutions for the proper care and supervision of minors with behavioural disorders, who may also require permanent medical (psychiatric) care, the *NPM requested the opinion of the National Authority for the Protection of Children's Rights and Adoption (ANPDCA) regarding the factual situation in the Apartments/Family-Type Homes accommodating minors with severe behavioural disorders, as well as any analyses carried out and solutions identified in this regard*.

According to the response received, "the obligation to assess and propose a special protection measure for a child lies with the DGASPC of the county/sector in which the child is domiciled. Furthermore, according to the provisions of Article 125 of Law No. 272/2004 on the Protection and Promotion of Children's Rights, republished, as subsequently amended and supplemented, the county council and, respectively, the local council of the sector of the Municipality of Bucharest are required to organise, independently or in association, family-type and residential services, according to the needs identified within their administrative-territorial unit."

Thus, where a need for social services for children with behavioural disorders has been identified at county/sector level, the DGASPC is required to organise, independently or in association with other DGASPCs, residential services capable of meeting those needs; at the same time, in fulfilling its legal obligation to ensure the continuous professional training of staff, it may require employees who work directly with children with behavioural disorders to participate in specialised continuing training programmes and courses. These programmes are intended to develop professional skills in the management of challenging behaviour, understanding the psychological mechanisms underlying such behaviour, and applying modern intervention, communication and counselling techniques. The purpose of this training is to support staff in managing problematic situations effectively and empathetically, thereby contributing to the creation of a stable, safe educational and social environment conducive to the harmonious development of children.

In order to support the DGASPCs in developing social services for children with behavioural disorders, the project call “Development of Specialised Services for Children with Behavioural Disorders” was launched under the Social Inclusion and Dignity Programme (open until 30 June 2025), through which the following are financed:

- the construction/modernisation/rehabilitation of specialised day centres at the level of each county and the Municipality of Bucharest, in which specialised social services (assessment and interventions) adapted to the needs of children with behavioural disorders, as well as family support, will be provided;

- the development/establishment of a specialised service at the level of each county/sector of the Municipality of Bucharest and the provision of services including multidisciplinary assessment and multidisciplinary interventions focused on therapeutic communities, including the transport of children.”

– ***psychiatric hospitals***: ● inadequate accommodation conditions: the provisions of the Standard on the Functional Structure of Hospital Departments and Services (approved by Order of the Minister of Health No. 914 of 26 July 2006, as amended and supplemented by Order of the Minister of Health No. 1096 of 30 September 2016) were not complied with: the usable area in ordinary wards is 7 m²/bed, beds are arranged parallel to the window frontage and are accessible on both long sides, the distance between the bed and the parallel wall where the washbasin is located is at least 1.30 m, each bed is provided with a bedside table with a cupboard, and each ward has a table with chairs; the rooms were not personalised; patients’ right to privacy was not

respected in the showers, as there were no curtains or doors; at the *Bârnova External Department of the Socola Institute of Psychiatry*, the pavilion was externally in an advanced state of deterioration, with water infiltration in the masonry, missing or mould-covered sections of the façade, and a roof and gutters that were broken, cracked or deformed; the building of the department had neither a passenger lift nor a lift for transporting patients immobilised on stretchers, which caused operational difficulties in the department; at the *Ștei Psychiatric Hospital and Hospital for Safety Measures*, some beds were placed against the wall without a protective headboard, which would have reduced the discomfort caused by patients' direct contact, while sleeping, with the wall of the room to which they had been assigned; ● at the *"Sf. Stelian" Centre for the Assessment and Treatment of Drug Dependence in Young People*, Bucharest, video surveillance cameras were installed in all wards, which the NPM considers to constitute an interference with patients' right to private life that can only be justified in exceptional circumstances for the protection of the life, physical integrity or health of the persons concerned, in which case its use must be assessed on a case-by-case basis and applied only where strictly necessary; however, at the *Psychiatry Department of the "Dr. Constantin Andreoiu" County Emergency Hospital, Ploiești*, and at the *Bârnova External Department of the Socola Institute of Psychiatry*, there was no video surveillance system either outside or inside, in common areas; ● patients were required to wear the mandatory hospital clothing (pyjamas) or wore identical items of clothing, the main reason being to facilitate their identification if they left the facility without permission, although, according to CPT standards: < the practice of always dressing patients in pyjamas/nightgowns is not conducive to strengthening their sense of personal identity and self-esteem; individualisation of clothing forms part of the therapeutic process >; ● *Ștei Psychiatric Hospital and Hospital for Safety Measures* did not keep records of patients classified by degree and type of disability; given the severe psychiatric pathology associated with the somatic conditions of the hospital's patients, the NPM considers that, both with regard to the hospital's existing patients and upon the admission of new patients, the social assistance staff should verify whether they are registered with the DGASPC in their county of origin as persons holding a certificate of classification by degree and type of disability and, in the case of those who hold such a certificate, if its validity expires during the period in which they are patients of the hospital, take the legal steps necessary for the reassessment of the patient and, where appropriate, for obtaining a new certificate; thus, following discharge, the patient concerned has an additional advantage in terms of social and family integration/reintegration, since, in addition to being insured, the patient benefits both from the financial allowance for persons with disabilities and from social support services for his/her integration/reintegration into society. ● in the *Ștei Psychiatric Hospital and Hospital for Safety Measures*, lists of patients with swallowing disorders (25 persons at hospital level), specifying Puréed diet, were displayed in all food service areas of the hospital departments, but the Operational Procedure on Patient Nutrition did not contain specific provisions in this regard, such as: identification, assessment and classification of these patients into groups according to swallowing function (good, moderate, poor swallowing function), association (matching) of the different groups of liquids with solid foods and their preparation so as to facilitate swallowing, the method of administering food, namely by teat, spoon or tube, etc.; ● the restraint measure was applied in the ward, at the patient's bedside, alongside the other patients, contrary to the legal provisions; vital signs were monitored every 30 minutes, although the legal provisions stipulate an interval of 15 minutes, and they were not recorded in the FOCG; there were uncertainties regarding the staff who should apply restraint, with employees who did not have such duties in their Job Description also being involved. ● there was no Register for notifications/complaints, nor were there special boxes for the submission/collection of suggestions and complaints; ● there were no panic buttons for staff protection or other specific means of protection (for example, pagers); ● the

psychological counselling offices were not appropriately equipped from a methodological perspective with licensed working tools, there were no adequate conditions for psychological sessions to be conducted under optimal conditions (they were also held in the corridors of the department), and psychologists had not participated in scientific events (courses, workshops) organised in their specific field of activity; ● in the case of patients accommodated in observation rooms, their personal telephones were retained; ● the General Clinical Observation Sheets (FOCG) of some patients recently admitted to the *Psychiatry Department of the "Dr. Constantin Andreoiu" County Emergency Hospital Ploieşti*, accommodated in the observation sector, did not all contain a signed consent form, including 2 days after admission, although the hospital only carries out voluntary admissions; ● during the psychiatric consultation, in addition to the medical staff on duty (physician, nurse, care worker), ambulance personnel and the police officer were also present (the latter frequently having the body camera switched on), which constitutes a violation of the right to confidentiality of medical care, as well as unacceptable pressure on the patient – a person with mental disorders; during emergency consultations, contradictory discussions frequently took place (each party – patient/relative/police officer – presenting his/her "version" of the factual situation), essentially distorting the role of the medical staff and the conduct of the medical act; ● there was no genuine involvement of patients in occupational therapy activities or individual or group recreational activities; there was no staff to coordinate these activities and no spaces specifically designated for activities carried out by patients.

*The absence of a list of psychiatric hospitals authorised to carry out involuntary admissions created difficulties for the medical staff of the *Psychiatry Department of the "Dr. Constantin Andreoiu" County Emergency Hospital Ploieşti*, a department where involuntary admissions are not carried out; physicians were required to admit patients without their consent (which was obtained subsequently, during hospitalisation), at the request of police officers, who frequently refused to redirect patients presenting as emergencies to Voila Psychiatric Hospital, the nearest hospital where involuntary admissions are carried out, or because that hospital refused to admit patients due to a lack of available beds.

The NPM points out that this situation constitutes an unlawful deprivation of liberty, as patients are deprived of the legal safeguards provided by the involuntary admission procedure; furthermore, physicians are exposed to the risk of legal action being brought against them.

Another problematic situation brought to the attention of the NPM team during the visit concerned discharge at the patient's request, contrary to medical advice, in the case of a patient displaying hetero-aggressive behaviour and posing a risk to himself/herself or to those around him/her. Given that involuntary admissions were not carried out in the department, in such cases, patients or their relatives signed the consent form for discharge at request and the patient was discharged. The management of the department considered it appropriate for the department to have the possibility of carrying out involuntary admissions, taking into account not only the difficulties encountered with Voila Psychiatric Hospital when transferring patients, but also the need to avoid moving the patient to another facility, which may be located far from the patient's family.

The NPM team points out that, in situations where involuntary admission is necessary, under the current legislation, in order to avoid the unlawful deprivation of the patient's liberty by maintaining hospitalisation against his/her will, the discharge into the community of a patient who poses a risk to himself/herself or to those around him/her, and also in order to ensure the legal protection of the treating physicians, patients must be transferred to a psychiatric facility where involuntary admissions are carried out.

In this context, the NPM team once again recalls the obligation of the Ministry of Health to designate and approve, by order, the list of psychiatric hospitals authorised to carry out

involuntary admissions (in accordance with the provisions of Article 16(1) of the Rules for the Implementation of Law No. 487/2002, republished), provisions which have not yet been implemented. This list needs to exist and to be brought to the attention of all psychiatric facilities (representatives of the psychiatry department reported the lack of this information), as well as ambulance services and police units.

- penitentiaries: inadequate accommodation conditions: the rooms did not have sufficient cupboards for storing personal belongings and items, which were stored in bags under the beds, while the existing storage compartments were too small; worn mattresses and beds; defective window-closing systems; the presence of insects in some rooms in *Craiova Penitentiary* and *Bacău Penitentiary*; dirt and condensation in the rooms; damaged bedding and mattresses; there were water infiltrations, dirt, rust and mould in the bathroom, the smell was unpleasant, the rooms had no furniture, and detainees were forced to eat in bed; ● there was no accommodation room for persons with disabilities, with sanitary facilities appropriately equipped for their needs; ● at *Craiova Penitentiary*, between January 2024 - February 2025, up to the date of the NPM visit, penitentiary staff drew up 572 incident reports concerning detainees in custody, of which 223 incident reports (39% of the incident reports) were dismissed by the disciplinary committee whereas, according to Rule 38 of the United Nations Standard Minimum Rules for the Treatment of Prisoners „the Nelson Mandela Rules", *prison administrations are encouraged to use, to the extent possible, conflict prevention, mediation or any other alternative dispute resolution mechanisms to prevent disciplinary offences or to resolve conflicts*; ● sanctions restricting the right to receive visits for a period of no more than 3 months were applied (for example, 105 sanctions between January 2024 – February 2025, in *Craiova Penitentiary*), although, according to Rule No. 43 of the Nelson Mandela Rules, disciplinary sanctions or restrictive measures shall not include the prohibition of family contact; the application of the disciplinary sanction consisting in the suspension of visiting rights affects detainees' relationships with their families and the post-release psychosocial reintegration of persons deprived of liberty; ● some medical records did not have the medical consent form attached; ● in the register of traumatic injuries, there was no physician's signature or the name of the examining staff, and medical recommendations were not recorded, in accordance with the United Nations Office directive on the documentation of torture and other cruel, inhuman or degrading treatment;

- ***detention and pre-trial detention centres:*** ● access to natural light was very limited, almost non-existent, and ventilation was clearly insufficient, most centres being located in the basements of buildings; ● inadequate accommodation conditions: sanitary facilities and detention rooms were inadequately cleaned; insufficient furniture; privacy was not ensured in the showers, and there were no screens to ensure privacy; old and very worn bedding (mattresses with missing foam, very rough blankets more than 30 years old at the *Detention and Pre-Trial Detention Centre within the Ialomița County Police Inspectorate*, where there were also beds that were not properly secured - some persons used a plastic bottle filled with water as a means of securing them, placing it between the wall and the bed); at *Detention and Pre-Trial Detention Centre No. 5 Bucharest*, the number of beds was insufficient due to overcrowding and insufficient space in the detention rooms, so some arrested persons slept on mattresses on the floor; ● lack of access routes for persons with mobility disabilities (lack of routes/means/devices to facilitate access for persons belonging to this vulnerable category either to the upper floor, in the case of the *Detention and Pre-Trial Detention Centre within the Covasna County Police Inspectorate*, which operated on the 2nd floor of the building, or to the basement, in the case of most of the centres visited); ● lack of at least one accommodation room and one sanitary facility appropriately arranged and equipped for persons with disabilities ● at the *Detention and Pre-Trial Detention Centre within the Covasna County Police Inspectorate* there was no space for exercising the right to online communications, although

more than half of the persons detained in the centre were domiciled in other administrative-territorial units; ● after the end of the medical staff's working hours, treatment for chronic diseases was administered by employees of the centre who were not qualified to administer such treatment; ● not all minors held in custody had received psychological assistance, in accordance with the provisions of Article 117(2) of Law No. 254/2013 on the execution of sentences and measures involving deprivation of liberty ordered by judicial bodies during criminal proceedings, *during the execution of pre-trial detention, the minor shall be provided with psychological assistance, under the conditions established by the regulation referred to in Article 107(2), in order to reduce the negative effects of deprivation of liberty on his or her physical, psychological or moral development*;

- migrant centres: ● inadequate accommodation conditions: defective lighting systems in the sanitary facilities; water infiltration in the ceiling; pest control measures, although carried out monthly in the presence of a police officer, were ineffective; ● there were no more detailed brochures, translated into different languages, containing additional information, including the benefits granted to foreign nationals, given that, from the discussions held with them, it emerged that they did not have sufficient information about these benefits; ● informed consent was not translated into the foreign nationals' mother tongue or into a language known to them; at the same time, neither the record of refusal of psychological services nor the declaration concerning the rescheduling of the psychological assessment or assistance was translated into the foreign nationals' mother tongue or into a language known to them; ● the psychological counselling office was not equipped with licensed working tools; ● there were no educational/recreational activities established according to the needs of the foreign nationals and their category (children, adolescents or persons with certain mental or physical disabilities), nor was there a space designated for such activities, appropriately equipped and furnished.

►Within the visit reports drawn up by the NPM in 2025, 467 recommendations were made to the monitored units and their hierarchically superior authorities. **The vast majority of the recommendations were implemented.**

In the case of the recommendations that remained unimplemented, the reasons given were mainly: lack of the necessary funds, the legal framework suspending the filling of vacant positions in public institutions through competitive examinations or examinations, or the conclusion of legal commitments for the expenditure category "inventory items".

In the case of recommendations that were in the process of being implemented, implementation deadlines were specified, for example:

With regard to the recommendation concerning the analysis of the possibility of establishing, within the Emergency Department of the "Dr. Constantin Andreoiu" County Emergency Hospital Ploiești, a small psychiatric unit operating on a permanent basis, so as to allow psychiatric emergencies to be assessed at any time by a multidisciplinary team that would also include a psychiatrist, as well as the recommendation concerning the drawing up of a procedure for psychiatric emergencies regarding the role of all actors involved: Police Stations, Ambulance Services within Prahova County, the Psychiatry Department of the "Dr. Constantin Andreoiu" County Emergency Hospital Ploiești and Voila Psychiatric Hospital (where involuntary admissions are carried out), the Prahova County Council stated that it had analysed the need to draw up a procedure for psychiatric emergencies/to conclude an interinstitutional cooperation protocol, as well as the reorganisation of the activity by establishing, within the Emergency Department of the "Dr. Constantin Andreoiu" County Emergency Hospital Ploiești, a small psychiatric unit/team operating on a permanent basis, and proposed the period October 2025 - March 2026 as the implementation timetable.

The NPM will monitor the implementation of the recommendations.

Examples of successfully implemented recommendations

• The NPM identified the lack of legal representation for young persons institutionalised in centres for minors, in whose cases the social services provider invoked the fact that they had reached the age of majority, although their biopsychosocial status revealed marked vulnerability in all three components (biological, psychological and social), mental and somatic conditions/disorders, as well as the absence of family ties or other support persons; for example, at the ***Gabriela Family-Type Home, Săcele***, a 22-year-old beneficiary had no designated legal representative, although her biopsychosocial status revealed marked vulnerability both mentally (moderate intellectual disability, personality and behavioural disorders), somatically (bilateral blindness) and socially (she was not visited by any relative). She was classified as having a severe associated disability (mental and visual) and held a permanent certificate of classification by degree of disability.

Following the NPM recommendation, new steps were initiated for the young woman's medical reassessment, in order to complete the file with a view to submitting a new application for placement under legal protection to the Brașov District Court;

• following the NPM recommendations, at the ***Păuliș Care and Assistance Centre for Adults with Disabilities***, the beneficiaries' Personalised Plans were checked and revised, all documents relating to the assessment of beneficiaries were checked, and those that did not contain the signatures of the beneficiary and the case manager were signed, while at the ***Clușca Care and Assistance Centre for Adults with Disabilities, Sighetu Marmației***, in order to assess the situation of the beneficiaries with a view to determining their capacity to exercise rights and the appropriate measures, written steps were taken to inform the social services provider and request specialised support in the beneficiary assessment process;

• in the case of a beneficiary at the ***Gabriela Family-Type Home, Săcele*** who had a special pureed diet due to swallowing disorders, consisting only of cream of vegetable soup and mashed potatoes with pureed meat (this pureed food being the only food on the menu on the day of the visit for all three meals), following the NPM visit, the necessary steps were initiated to draw up balanced and, at the same time, diversified menu options for beneficiaries with swallowing disorders within this social service;

• During the NPM visit to the ***Psychiatry Department of the "Dr. Constantin Andreoiu" County Emergency Hospital Ploiești***, situations involving assaults by members of staff against patients were mentioned, which had not been recorded and had not been referred to the Disciplinary Committee, discussions having been held with both the employee concerned and the patient in order to resolve them. The NPM emphasised the importance of management conveying to staff the message of «zero tolerance for any verbal or physical aggression against patients», as well as the fact that any act of aggression against a patient must be recorded and appropriate measures must be taken. Following the NPM recommendations, the hospital management stated that all staff of the Psychiatry Department would be instructed accordingly;

• During the visit to the ***Constanța - Poarta Albă Penitentiary***, the NPM team appreciated the concern shown and the steps taken by the management of the penitentiary to implement the recommendations made during the previous visit in 2024 and to improve the accommodation conditions and treatment of persons deprived of liberty - during 2025, the penitentiary formally accepted two investment projects, putting into use 380 new accommodation places for persons deprived of liberty, which significantly reduced the overcrowding rate - from 164% in October 2024 (Poarta Albă Centre and Valu Traian External Section) to 127% in October 2025 for the Valu Traian External Section and 100% for Poarta Albă Centre. The new accommodation places complied with European standards in terms of surface area, volume and ventilation, were in a very good state of cleanliness and were equipped with appropriate furniture and bedding.

• Maintaining contact between persons deprived of liberty and their families, friends and support network is one of the main objectives of NPM visits. During 2025, the visiting teams identified restrictions on visiting schedules or difficulties/impossibility in maintaining contact with the outside world through online means. Following the NPM recommendations, a number of measures were implemented to ensure respect for the right of persons deprived of liberty to maintain contact with their families, for example:

- the visiting schedule was revised and displayed in its new format so that relatives and/or other support persons could visit the beneficiaries daily, at the ***Păuliș Care and Assistance Centre for Adults with Disabilities*** (previously, visits were allowed only on Mondays and Thursdays, between 10:00 and 12:00);

- at the ***Cloșca Care and Assistance Centre for Adults with Disabilities, Sighetu Marmației***, the visiting schedule for beneficiaries was changed from the first Monday of each month, between 10:00 and 12:00, to 3 days per week, as follows: Monday 12:00-14:00, Saturday 10:00-12:00 and Sunday 14:00-16:00;

- at the ***Detention and Pre-Trial Arrest Centre within the Covasna County Police Inspectorate***, where, in the two areas in which visits took place using a separation device, the persons involved had to speak loudly in order to hear each other, and where there was no space for exercising the right to online communications (given that more than half of the persons detained in the centre were domiciled in other administrative-territorial units, namely Brașov County - 3 persons, Prahova County - 7 persons and the Municipality of Bucharest - one person), following the NPM recommendations, the following measures were taken: in order to ensure normal communication between visitors and persons deprived of liberty, telephone systems with an audio intercom function were installed in the two booths designated for visits using a separation device; in order to ensure the rights of persons deprived of liberty, a system for exercising the right to online communications was set up and made operational, in order to maintain regular contact between persons held in custody and their support network;

- at the ***Detention and Pre-Trial Arrest Centre within the Gorj County Police Inspectorate***, following the NPM recommendation, it was decided to arrange a space in the Club room where persons deprived of liberty could engage in online communications, and a laptop was allocated to the centre for this purpose;

- at the ***Psychiatry Department of the "Dr. Constantin Andreoiu" County Emergency Hospital Ploiești***, given that patients' possibilities for contact with relatives/other persons were very limited, and in the case of patients in the observation area were practically non-existent (the hospital was still applying a visiting schedule established in August 2024, in the context of the increased number of COVID-19 cases at that time - the duration of visits was limited to a maximum of 10 minutes/visit, patients were visited in the ward, while relatives were not allowed access to the observation area and patients accommodated there were also prohibited from having a mobile phone), following the NPM recommendations, the hospital management stated that measures would be taken to ensure a daily visiting schedule for patients, in order to provide a care and treatment environment as close as possible to a family environment, as well as to allow patients to use their personal phones during hospitalisation;

• at ***Bistrița Penitentiary***, where detainees are classified under the semi-open and closed prison regimes, following the NPM recommendation concerning the identification of new employment opportunities offered by economic operators under service provision arrangements for detainees, steps were taken to assign as many detainees as possible to the external work site, to expand the infrastructure within the unit with a view to concluding service provision contracts, and to identify as many detainees as possible under the open regime who could be selected for assignment to external work sites without supervision; steps were also initiated with a local

company with which the unit will conclude a service provision contract, whereby persons deprived of liberty will carry out work activities for that company inside the penitentiary;

• at the ***Baia de Criș Medical and Social Assistance Unit***, following the NPM recommendations, the psychologist's activity was improved, a list of the necessary psychotherapy and clinical assessment materials was drawn up and was to be supplemented with a set of licensed working tools required in order to provide professional services of an appropriate quality, while the unit's social worker was to participate in continuing education and training programmes, in accordance with the provisions of the normative acts governing the practice of the social work profession; likewise, at the ***Cloșca Care and Assistance Centre for Adults with Disabilities in Sighetu Marmației***, the social services provider was requested to provide support to enable the psychologist and the social worker to participate in continuing education and training programmes, with a view to developing skills intended to define and maintain a professional specialisation pathway;

• Following the NPM recommendations, the accommodation conditions in the units visited were improved, for example:

- in the case of the ***Arad Centre for the Accommodation of Foreign Nationals Taken into Public Custody***, support was requested from the Timișoara Regional Centre for Procedures and Accommodation of Asylum Seekers, which provides the centre's logistical support, in order to carry out repair, repainting and sanitation works in the areas affected by water infiltration and to remedy the defects existing in other areas of the centre;

- at the ***Detention and Pre-Trial Arrest Centre within the Covasna County Police Inspectorate***, the detention room designated for persons with disabilities was equipped with the devices and facilities provided for by law, so as to ensure its appropriate use by the persons for whom the room is intended;

- at ***Craiova Penitentiary***, within section E2, an additional cupboard for storing personal belongings and items was installed in each room where this was necessary; rooms for persons with disabilities, with sanitary facilities adapted to their needs, were arranged within section E2 infirmary and section E6A, while a room for this purpose was also in the process of being arranged within section E4;

- at the ***Residential Centre within the "Alexandru Marghiloman" Complex of Services for Older Persons, Buzău***, where there were bedrooms in which the required 6 sq. m/person were not allocated, in accordance with the mandatory minimum standards, and the number of bathrooms and toilets was insufficient in relation to the number of beneficiaries, following a report submitted by the management of the complex, the Mayor of Buzău approved a reduction in the accommodation capacity of the centre in order to ensure that each beneficiary had a personal accommodation space suited to his or her own needs, and approved repair, whitewashing and painting works in the kitchen areas; steps were also taken to install handrails in the corridors and in areas frequently used by the beneficiaries.

►During 2025, **the NPM collaborated with the other areas of activity and Territorial Offices of the People's Advocate Institution**, by carrying out joint investigations and drafting responses to various entities, for example: with the *Timișoara Territorial Office* in carrying out an investigation at the Paediatric Psychiatry Clinical Department of the "Louis Țurcanu" Emergency Clinical Hospital for Children, Timișoara; with the *Bacău Territorial Office* in carrying out investigations at Focșani Penitentiary and Bacău County Hospital – Psychiatry Department; with the *Legal Affairs, External Relations and Communication Office*, regarding the FRA request concerning monitoring activities carried out in migrant centres in 2023 and 2024, as well as regarding the working meeting organised at the Ministry of Internal Affairs on the occasion of Romania's Schengen evaluation visit; with the *Department for the Army, Justice, Police and*

Penitentiaries for an own-initiative investigation concerning the search carried out by the National Administration of Penitentiaries at Bucharest-Jilava Penitentiary.

In the context of the adoption, by the Council of Europe, of the Pact on Migration and Asylum (the Pact) and considering that, through the National Implementation Plan for the Pact, the People's Advocate Institution was designated to establish the Independent Monitoring Mechanism for Fundamental Rights during screening and border asylum procedures, members of the NPM, together with members of the other departments/territorial offices, participated in a series of technical-level meetings and discussions alongside national and international institutions/organisations: the International Centre for Migration Policy Development; the Ministry of Internal Affairs; the General Inspectorate for Immigration; the General Inspectorate of the Border Police; non-governmental organisations (CNRR, JRS Romania and Terre des Hommes, etc.); the European Union Agency for Asylum; the European Council on Refugees and Exiles. Also in the context of the adoption of the Pact, members of the NPM participated, together with members of the *Ombudsman for Children*, in webinars on the procedural rights of migrant and refugee children in judicial proceedings, organised by the International Commission of Jurists.

Awareness-raising activities concerning the NPM's mandate, participation in national and international conferences and symposia, staff training, working groups

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

►**In order to increase awareness of the prevention of torture and ill-treatment, as well as of the mandate and activity of the NPM, its members also carried out extensive awareness-raising/information activities in 2025**, addressed both to persons deprived of liberty and to staff in places of detention and authorities responsible for units subject to NPM monitoring, as well as to collaborating non-governmental organisations and external collaborators, for example: ● ***General Directorates of Social Assistance and Child Protection*** - DGASPC (Vâlcea, Mehedinți, Galați, Giurgiu); ● ***centres for adults with disabilities*** (Gârbova Habilitation and Rehabilitation Centre for Adults with Disabilities, Sfântul Pantelimon Tălmaciu Habilitation and Rehabilitation Centre for Adults with Disabilities, Maximum Protected Housing for Adults with Disabilities No. 10 Cricău, Corabia Care and Assistance Centre/Corabia Adult Services Complex, Suseni Care and Assistance Centre, Gura Văii Care and Assistance Centre, Marilena and Valentina Fieni Maximum Protected Housing for Adults with Disabilities); ● ***homes for older persons*** (Sebeș Centre for Older Persons, Răchitoasa Care and Assistance Centre for Older Persons, Casa Lili Bragadiru Home for Older Persons, Dr. Teofil Mija Săcele Home for Older Persons, Căsuța Seniorilor Bucharest Home for Older Persons, Elite Haven Domnești Home for Older Persons, Empathy Voluntari Home for Older Persons, Bucharest Home for Older Persons, Casa Ilinca Săcele Home for Older Persons, "Paradisul Seniorilor" Bucharest Home for Older Persons); ● ***penitentiaries*** (Deva, Mioveni, Arad, Bacău, Vaslui, Găești, Mărgineni, Târgșor, Bucharest-Rahova, Bucharest-Jilava); ● ***centres for minors*** (Deva Emergency Reception Centre, Prichindelul Sibiu Community Services Complex, Rebeca Teiuș Family-Type Home, Deva Emergency Reception Centre, Veronica Turda Maternal Centre, Câmpulung Community Services Complex for Children with Disabilities, Stejarul and Iris Brebu Family-Type Homes, Laurul and Măceșul Brebu Minimum Protected Housing, "Theodor Costescu" Vânjuleț Family-Type Home, Apartments within the Social Centre for Children Separated from Their Parents in Drobeta-Turnu Severin, Family-Type Apartments for the Residential Protection of Children in Rovinari, Apartments within the Apartment Complex – Family-Type Housing in Râmnicu Vâlcea, "Casa Agar" Bucharest Maternal Centre, Ariniș and Periș Family-Type Homes, Sulina Family-Type

Home, "Piatra Lunii", "Piatra Soarelui", "Ochi de Șoim" and "Ochi de Tigru" Family-Type Homes in Buzău, Family-Type Home No. 1 Întorsura Buzăului, Family-Type Homes No. 2 and No. 3 Târgu Secuiesc); ● ***psychiatric hospitals*** (Poiana Mare Psychiatric Hospital); ● ***detention and pre-trial arrest centres*** (Craiova, Bacău, Călărași, No. 1 Bucharest, Tulcea); ● ***regional centres for procedures and accommodation of asylum seekers*** (Timișoara, Giurgiu); ● ***non-governmental organisations*** (Organisation for the Defence of Human Rights – Craiova Regional Branch, together with which the symposium "*The Legal, Economic and Administrative Systems, Fundamental Components of a Society Based on Respect for Human Rights*" - 5th Edition was organised); ● ***external collaborators of the NPM*** (physicians, social workers and psychologists); ● ***educational institutions*** (Faculty of Law, Titu Maiorescu University of Bucharest, Faculty of Legal, Economic and Administrative Sciences, Spiru Haret University of Craiova).

Furthermore, the NPM collaborated with the Romanian National Council for Refugees (CNRR), by analysing the CNNR reports on the monitoring of escorted return operations, participating in joint meetings and exchanging correspondence concerning the activity of the Working Group within the People's Advocate Institution on monitoring respect for the rights of migrants from Ukraine.

►The NPM carried out **professional training activities for the staff of units falling within its monitoring competence**, for example: Oșlobeni Social Services Complex; Giurgiu Regional Centre for Procedures and Accommodation of Asylum Seekers; Bucharest-Jilava Penitentiary; Bucharest-Rahova Penitentiary; Family-Type Homes in Târgu Secuiesc, Buzău, Întorsura Buzăului; "Casa Agar" Maternal Centre Bucharest; DGASPC Giurgiu; Apartments within the Social Centre for Children Separated from Their Parents Drobeta-Turnu Severin; Apartments within the Apartment Complex – Family-Type Housing Râmnicu Vâlcea etc., on topics such as: the concepts of torture and ill-treatment; the importance of activities for the prevention of torture and ill-treatment in places of detention and the presentation of the duties and activities of the NPM, aspects identified during NPM visits, the NPM Activity Report for 2024 etc.

►During 2025, NPM members participated **(in person or online)** in a series of **webinars, meetings, conferences, symposia, organised at national and international level** and, in accordance with the *Guidelines on National Preventive Mechanisms*, developed by the SPT, regularly undertook **professional training activities for their own staff**, on topics such as: Education in Penitentiaries, Psychological and Social Assistance for Older Persons in Residential Centres, the Pact on Migration and Asylum, Fundamental Safeguards Provided to Persons Deprived of Liberty in Detention and Pre-Trial Arrest Centres, Psychological Assistance in Penitentiaries, Presentation of the Special Report on the Phenomenon of Domestic Violence in Romania, Risk Factors That May Lead to Ill-Treatment in NPM Monitoring Activities, The Medical and Social System in Romania for the Diagnosis, Treatment and Care of Persons with Mental Disorders, Provision of Medical Care in Detention and Pre-Trial Arrest Centres, Ensuring the Right to Health for Persons Detained in Penitentiaries, Deaths in Prison, A Guide for Detention Monitors, Provision of Medical Care in Regional Centres for Procedures and Accommodation of Asylum Seekers, SPT and NPM, Analysis of the Points Conferred by the Mandate and Missed Opportunities, Guide for Local Mechanisms for the Prevention of Torture during Public Demonstrations, the Report Preparing for Reform: Romania's Asylum System before the EU Pact, Forensic Psychiatry and Psychology.

Furthermore, NPM members attended courses organised by the Council of Europe, on the HELP.elearnig platform (for example: Abolition of the Death Penalty, Children's Rights in the Digital Environment, Temporary Protection in the European Union, Prohibition of Discrimination, Asylum and Human Rights, Managing Foreign Prisoners) and courses organised by the APSAP

Training Centre (for example, Data Protection, Human Resources, European Funds, Ethics, Integrity, Digital Skills), as well as courses for obtaining professional credits, by the NPM specialist physicians, psychologist and social worker.

Collaboration with the SPT, APT, NPMs and other international partners

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

During 2025, an online meeting and correspondence took place with Mr Martin Zinkler, SPT member, Country Rapporteur for Romania, during which several topics were discussed: the NPM Report for 2024, the NPM activity in 2025, NPM staff, the new World Health Organization (WHO) guidance on mental health policy and strategic action plans (2025), with a strong emphasis on human rights-based legislative reform and service development, the current situation of the SPT etc..

NPM members participated in events organised by the SPT for national preventive mechanisms worldwide, such as: the conference entitled *"General Comment on Article 4 of the Optional Protocol (places of deprivation of liberty) at the beginning of this year"* (31 January 2025) and webinars on places of deprivation of liberty and statistics on life in penitentiaries.

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

On the occasion of the ad hoc visit to Romania, carried out between 28 April – 9 May 2025, the CPT delegation held a meeting with the NPM (followed by correspondence), on 28 April 2025, which focused on aspects related to the activity and staff of the NPM, NPM findings during visits carried out in penitentiaries and detention and pre-trial arrest centres.

►Association for the Prevention of Torture (APT)

During 2025, the NPM participated in events organised by the APT for NPMs, such as the event organised together with the National Committee for the Prevention of Torture (CNPT) of Argentina, for the launch of the Guide for Local Mechanisms for the Prevention of Torture during Public Demonstrations, developed by the CNPT.

►European Union Agency for Fundamental Rights (FRA)

The NPM participated in the online meeting on cooperation between the FRA and national human rights institutions and, at the request of the FRA, provided information on the monitoring activities carried out in migrant centres in 2023 and 2024, information required and requested from several national institutions (NPM and/or Ombudsman-type institutions), in order to obtain a complete picture that will facilitate understanding of the border monitoring activities already existing in Europe.

Furthermore, the NPM communicated information to the national expert within the European FRANET Network (the Agency's multidisciplinary research network) regarding the visits carried out by the NPM to migrant centres in 2025 and the authorities' responses concerning extraterritorial arrangements for the leasing of facilities between States where persons may be deprived of liberty; the information was requested for the preparation of the reports: „Research analysis and reporting on respect for fundamental rights relating to asylum, border procedure and migration" and „Issues concerning respect for fundamental rights regarding displacement following the invasion of Ukraine and the situation at the EU borders with Ukraine, Russia and Belarus".

►National Preventive Mechanisms - SEE NPM Network

The Romanian NPM is part of the South-East Europe Network of National Preventive Mechanisms, in which capacity, this year as well, it maintained correspondence with members of the network, as well as with other international NPMs, and participated in joint events, such as: the Annual Conference of the European NPM Forum entitled *"Council of Europe support for the*

EU network of prison monitoring bodies", organised by the Council of Europe (5-6 June 2025); workshop entitled „Effective NPMs: Strengthening skills, teamwork and strategy", organised by the Council of Europe (19 November 2025).