Fight for your Rights!

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In this report:

In this report you will find:

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Basic information of Moldova.

What is being done to help disabled children in Moldova.

The UN convention and the most important elements in it.

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The Problem:

The Republic of Moldova is located in Eastern Europe, neighbor countries, Ukraine and Romania. Moldova is one of the poorest countries in Europe and densely populated. Moldova has a population of 3.5 million people, but is defined by a high migration rate; up to 1 million people work abroad to gain a better future and earn money to provide for their family. Moldova had been part of the Soviet Union until 1991. When Moldova became independent they inherited a child welfare system with institutional care as a measure for children in vulnerable situations. Moldova’s independence from the Soviet Union transformed the lives and futures of its children as it changed the national economy, outlook and aspirations. Even though the country has sustained economic growth since 2000, it is still the poorest country in Europe. Many families depend on subsistence agriculture, salaries are low and large numbers of young adults have migrated in search of better paying jobs.

The problem of children with disabilities has been hidden in Moldova for many years during the time when Moldova was part of the Soviet Union. Nowadays, in the situation of the general poverty, families with disabled children are often even poorer. They need to take care of their child/children all day long, which makes it impossible for them to work in agriculture. These disabled children are often put into institutions with hundreds of others, because their parents are ashamed of them. Their believe/religion sees having disabled children as a punishment. So children with disabilities are excluded from society because of their handicap.

Children with disabilities represent the most vulnerable and stigmatized cases of institutionalized children as they need special care, recuperation and therapy services. The problem is a lack of educational and social services for them and their families during their lives. Special education is not provided in schools in their communities and so there is an absence of mainstream schools accepting and supporting the child/ren with special educational needs. Another barrier is an absence of social workers to provide these disabled children with the right help they need.

The government provides insufficient support to this problem, because of the economic situation, which is poor and because they basically do not know how to cope with this predicament. Their solution was the institutionalization of children. The government encouraged parents which had children with physical or mental disabilities, to send them to the institutions. Some of them just for a few years and other children were left there to live out their rest of their lives. 1 out of 5 lost contact with their family. Unfortunately, the institutionalization is still seen in Moldova as a valid response to dealing with the difficulties faced by vulnerable children and by their families. Because of reduced quality of care, scarce number of care-givers, poor infrastructure, societal segregation and reduced educational opportunities, these residential institutions are far from being a beneficial solution for children.

Over the years, dramatic changes have taken place, like closing institutions and the right training of Moldovan social workers, but all this didn’t solve the problem of the too few educational and social services yet.
Basic Information Moldova:

The Republic of Moldova is a landlocked country in Eastern Europe, bordered by the Ukraine and Romania. It was formerly part of Romania and was incorporated into the Soviet Union at the close of World War II. Moldova is the second smallest of the former Soviet Republics and the most densely populated.

Statistical Information

- Population: 3.5 million, up to 1 million work abroad
- Capital: Chisinau (population 725,000)
- Unemployment: 10% overall; 70% in rural areas
- Poverty: 26% live below the poverty line
- Average monthly salary: £175
- 25% of the population living on less than $2 a Day.
- State pension per month: £30
- 250,000 children have one or both parents living abroad
- Disabled victims are trafficked for begging
- More than 8,800 children are in institutions (2015)
What is happening right now to help disabled kids:

Moldova has a long history of hiding disabled kids from the public. As we now know, Moldova’s disabled kids are institutionalized and abandoned.

What several organisations are now trying to do is, deinstitutionalization. Since horrible situations are now coming to the light of day. In the Orhei institution for disabled boys for instance. Here, a member of the staff, Nina Butnarv shot a film revealing the abuse of the boys. The children there get locked in the toilet for hours, beaten on their hands and feet and, fed food which is contaminated with insects. Footage showed broken feet, torn up genitals, bumps and bruises on heads and an unhygienic place for children to grow up in.

Deinstitutionalization is done by reintegrating children into families or alternative services. Disabled children also need the suitable education, which they often do not receive. That is why, organisations are fighting for reintegrating children into community schools and the reallocation of funds from the education system to social assistance systems.

In 2010 UNICEF stressed the importance of children their opinion in the deinstitutionalization to special needs schools. Organisations are now trying to include children their opinion and value their voice. If children cannot go back to their families they have to go to alternative care. This is why organisations are training social workers to provide these children with the best possible care. Also organisations are making sure that the family's function as the primary and best caregiver for children is either maintained or promoted.

While trying to maintain a family's function as primary caregiver organisations focus on strengthening systems and capacities of duty bearers to protect disabled children. While trying to change children their lives for the better organisations often come to face a brick wall; the government. Political instability, lack of political will, sever conditions and poverty and the attitude public attitude towards disabled kids does not make reforming easy to do. The organisations are funded with money from foreigners, often volunteers from Holland, Germany, or the UK set up a programme or organisations with money from people back home. The government does not help fund these critical and often vital parties in the lives of disabled kids. Which is why it takes a long time to get things done. All that is being done right now, is dealing with the aftermath of years and years of hiding disabled kids and trying to change the general public's opinion.

Interview Mariëlle and Joanne

We interviewed Corinne Anbeek, she is a woman who took in four children into her home in Moldova. Ms. Anbeek used to go to the same church as Kira does, this is how we got in touch with her. She referred us to two other women who set up a project for handicapped children and knew more about the question we asked Ms. Anbeek. These women, Joanne v/d Bergh and Mariëlle Turlecet-de Jong, were able to help us tremendously.

We asked them about what people thought about handicapped children in Moldova; If people in Moldova are aware of their rights and the facilities on handicapped children; How in the part of Moldova in which they lived; people thought about handicapped children; If people talk about handicaps and how much you notice handicapped children in the daily life.

Mariëlle wrote us that the past five years things have positively changed. She worked in Orhei and said that in the past doctors in the hospital there would tell parents with a handicapped new-born to not raise their child by themselves and to put him/her in an institution. She wrote that in Moldova there are about five institutions where handicapped and psychiatric patients live together. In some institutions people have to fight for their rights and hardly get any education or recreation. She also wrote us, that there still is a taboo and that people think god is punishing them when they get a handicapped child. Parents are suppose tot
figure out all the financial aid on their own. She wrote that in 2002 you would hardly see any handicapped on the street. That has changed over the years. In 2014 she noticed that when she took her children out for groceries or to the park, people would stare but did accept it.

Joanne wrote us that the punishment from god idea had a lot to do with 98% of the Moldovan population being Russian Orthodox. She wrote that the staff is often uneducated and see the children as unworthy. She also wrote that when people do not put their child in an institution, their neighbors ridicule them for not institutionalizing their child. She wrote that regarding the horrifying situation at institutions, social media is the platform on which these situations get spread through the public. Since the Moldovan government is corrupt parents often depend on organisations from foreigners.
The UN Convention:

Around the world, over one billion people with disabilities face physical, social and economic barriers that exclude them from participating fully and effectively as equal members of society. They are disproportionately represented among the world’s poorest, and absence equal access to basic resources, such as education, employment, healthcare and social and legal support systems. With a view to secure the rights of all people with different types of disabilities, in 2007, the Convention on the Rights of Persons with Disabilities was adopted.

In the Republic of Moldova, there are 180,000 persons with disabilities out of a total population of 3.5 million. The Republic of Moldova ratified the UN Convention on the Rights of Persons with Disabilities in 2010. The UN agencies in Moldova support Moldova in fulfilling the requirements of the Convention through strengthening the rights of persons with disabilities in areas such as adult and child deinstitutionalization, guardianship reform, inclusive education, and access to justice. Major achievements to date include the adoption of a Law on the Social Inclusion of Persons with Disabilities, as well as a national programme of inclusive education targeting at educating all children together in general schools eliminating discrimination on grounds of disability. The Republican Centre for Psycho-pedagogical Assistance Service and its local structures were created in all districts of the country in 2013 with the mission of multifunctional evaluation of children and providing recommendations for inclusion in mainstream education system with the necessary support services. At the same time, a new anti-discrimination law structure and equality body has engaged to challenge discrimination against children with disabilities, including in the field of education. In September 2014, the Government formally established an oversight mechanism to monitor the human rights in psychiatric institutions. As a result of common efforts for inclusion, the number of children with special educational needs in mainstream schools doubled in the last years, while their number in special and auxiliary schools continued to decrease.

The Convention on the Rights of Persons with Disabilities and its Optional Protocol was adopted on 13 December 2006 at the United Nations Headquarters in New York, and was opened for signature on 30 March 2007. There were 82 signatories to the Convention, 44 signatories to the Optional Protocol, and 1 ratification of the Convention.

This is the highest number of signatories in history to a UN Convention on its opening day. It is the first comprehensive human rights treaty of the 21st century and is the first human rights convention to be open for signature by regional integration organisations. The Convention entered into force on 3 May 2008.

The Convention is intended as a human rights instrument with an explicit, social development dimension. It adopts a broad categorization of persons with disabilities and reaffirms that all persons with all types of disabilities must enjoy all human rights and fundamental freedoms.

It clarifies and qualifies how all categories of rights apply to persons with disabilities and identifies areas where adaptations have to be made for persons with disabilities to effectively exercise their rights. The convention also identifies areas where their rights have been violated, and where protection of rights must be reinforced.
The Convention was negotiated during eight sessions of an Ad Hoc Committee of the General Assembly from 2002 to 2006, making it the fastest negotiated human rights treaty.

Recalling, emphasizing, recognizing, reaffirming, and considering are key words used in The Convention.

Most important focus of The Convention:

- Right to education
- Legal placidity
- Independent living
- Reaffirming fundamental freedom without discrimination also for children
- Recognizing disabilities meaning its barriers, hinders
- Recognizing discrimination of disabled people is a violation
- Recognizing diversity of disabled people
- Recognizing women are a greater risk to be violated in every way
- considering disabled people can be actively involved decision making about policies concerning them
- Highlighting most disabled people live in poverty
- Recognizing the importance of accessibility of physical, social, cultural environment
Most important elements of the UN Convention:

Article 3
General principles

The principles of the present Convention shall be:

(a) Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;

(b) Non-discrimination; Full and effective participation and inclusion in society;

(c) Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;

(d) Equality of opportunity; Accessibility;

(e) Equality between men and women;

(f) Respect for the right of children with disabilities to preserve their identities.

Article 4
General obligations to ensure and promote full realization of all human rights and freedoms without discrimination

(a) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities;

(b) To take into account the protection and promotion of the human rights of persons with disabilities in all policies and programmes;

(c) To take all appropriate measures to eliminate discrimination on the basis of disability by any person, organisation or private enterprise;

(d) To undertake or promote research and development of universally designed goods, services, technology, which should require the least cost to meet the specific needs of a person with disabilities;

(e) To provide accessible information to persons with disabilities about mobility aids, devices and assistive technologies, including new technologies, as well as other forms of assistance, support services and facilities;
(f) To promote the training of professionals and staff working with persons with disabilities in the rights recognized in the present Convention so as to better provide the assistance and services guaranteed by those rights.

2. With regard to economic, social and cultural rights, each State Party undertakes to take measures to the maximum of its available resources and, where needed, within the framework of international cooperation.

3. States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organisations.

Most important ones for our project

Article 7
Children with disabilities

1. States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.

2. In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration.

3. States Parties shall ensure that children with disabilities have the right to express their views freely on all matters affecting them and to be provided with disability and age-appropriate assistance to realize that right.

Article 8
Awareness-raising

(a) To raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities;

(b) To combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life;

2. Measures to this end include:

(a) Initiating and maintaining effective public awareness campaigns designed:

(ii) To promote positive perceptions and greater social awareness towards persons with disabilities; To promote recognition of the skills, merits and abilities of persons with disabilities, and of their contributions to the workplace and the labour market; Promoting awareness-training programmes regarding persons with disabilities and the rights of persons with disabilities.

(b) Fostering at all levels of the education system, including in all children from an early age, an attitude of respect for the rights of persons with disabilities;
Encouraging all organs of the media to portray persons with disabilities in a manner consistent with the purpose of the present Convention;

**Article 9**

**Accessibility**

1. To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas.

   (a) Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces; Information, communications and other services, including electronic services and emergency services.

2. States Parties shall also take appropriate measures:

   (a) To provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public;

   (b) To promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information;

   (c) To promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;

**Article 24**

**Education**

1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to:

   (a) The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;

   (b) The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;

   (c) Enabling persons with disabilities to participate effectively in a free society.

2. In realizing this right, States Parties shall ensure that:

   (a) Reasonable accommodation of the individual’s requirements is provided;
Group homes:

**Family Type Institution - The Small Group Home** in Chisinau exists since the year 2000 and was the first alternative model for childcare in the Republic of Moldova. Until 2000, the only policy for childcare was institutionalization of the children in big boarding facilities, where the children were most often neglected. The tragic behind this is that more than 80% of the children do have parents. They gave them away out of social or economic reasons. The center provides a temporary family type facility for 20 children, who are assessed and placed here from institutions. The youngest age group is 3-12 years. One group is designed for children with disabilities. The SGH (Small Group Home) provides a family type environment where these children are helped to get ready for family life with either parents or foster cares. They are encouraged to participate in the day to day routine of the household, as well as in other activities.

**The aim of group homes is...**
Children are being taken out of institutions. They live for a certain period in a family type institution, where they are re-socialized. The placement lasts until the children’s reintegration with their biological families. If a child has no parents, foster families are looked for.

**Staff at group homes**
In a lot of group homes uneducated staff is a big problem. These uneducated staff members do not know how to provide the needs of disabled children. Due to the lack of knowledge on how to treat disabled children, staff at group homes are focusing on learning tools on how to affectively care for disabled children. Since the staff is trying to educate themselves, teaching children about their rights is a state that comes much later. The focus must now lay on gaining enough tools to care for disabled children and in the next upcoming years, we can slowly start looking on how to teach disabled children about their rights.

<table>
<thead>
<tr>
<th>Year</th>
<th>Population &lt;18 years</th>
<th>Population &lt;18 in residential institutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>1,458,454</td>
<td>17,000</td>
</tr>
<tr>
<td>2002</td>
<td>1,009,046</td>
<td>13,486</td>
</tr>
<tr>
<td>2007</td>
<td>918,892</td>
<td>11,096</td>
</tr>
<tr>
<td>2011</td>
<td>745,606</td>
<td>5,813</td>
</tr>
<tr>
<td>2012</td>
<td>784,000</td>
<td>4,515</td>
</tr>
</tbody>
</table>
An example organisation:

Kom en Zie dagcentrum – Come and see daycare facility – Vino si Vezi

This is a daycare facility for children and youngsters with a handicap or a special need regarding education. The facility is located in Orhei. Come and see offers an alternative daycare and gives these children a change to develop and stimulates integrating into society.

![Graph showing financial data]

This organisation is an example of how organisations in Moldova operate and how their financials are. This is to show that organisations have difficulty raising enough money to keep their organisation afloat.
Success Stories:

Marina is a young woman who is 15 years old. She lives with her parents in a nice apartment and grew up with an older sister. Marina has the IQ of a toddler and trouble walking and talking. For her speech, her parents have turned to several speech therapists, yet none held out long enough to help Marina. Marina comes from a loving family and her family has a stable financial situation. Even though Marina had a loving family she was socially isolated. If she would go outside, everybody would stare at her. Understandably she would not go outside as often as she liked to, thus the isolation. Marina was considered in the project Kom en Zie (Come and see) where she was taught basic daily skills and helped with her speech. Only after a few weeks her parents said: 'We are so happy about this project, finally there are more people who love our daughter.' Marina has now been in the Kom en Zie project for about five years and her parents are ever grateful. They organize her birthday parties at the daycare each year.

Even though this has been a big success, the biggest success is that the daycare center is open and functioning well. It has changed the lives of many children.

Marina.
**Casa Natanael: The guardianship system.**

~ A home for kids without a home.

Because Moldova wants to belong to the European Union, they need to satisfy a number of conditions. One of these conditions is to close all the orphanages in Moldova. The idea is that the children receive more help at home. Not a bad idea, but there is no support to take care of them, because there is a lack of money in Moldova. So what happens is, children are sent back home and end up placed in bad conditions due to poverty and the problems of their parents. These children lived in those orphanages for a reason. Their home situation might not have been changed so much throughout the years. Another problem is that those children need special education. When living with their parents, local schools aren’t equipped to educate these children. So this makes it harder to send those children back ‘home’.

There is a big chance that there will be more children without a home in the near future, because of the lack of services, education and support from their family at home.

The new condition of closing orphanages has led to the possibility of guardianship of 2 children for Casa Natanael. Casa Natanael is a place where 2 adults from the Netherlands, living in Moldova take in children from orphanages, to give them a better life and a safe future. The children will live permanently in the house amongst other children, while others will stay here temporarily. Last year, it had been 5 years ago since the project started and in that time 25 children have already stayed there already permanently or temporarily. ‘We enjoy the work at Casa Natanael. That we now have children living here permanently changed our lives for the better. We are grateful that we can help these children and that we can offer them a bright future. Our youngest child is a lot of us extra work, but the joy that she brings is priceless! This morning one of our children could go home again. She’s been here for 2 weeks. We enjoyed her stay, what a sweet girl. I’m happy for her that she can spend the holidays at home. We will miss her!’
Our advice:
The idea of deinstitutionalization is that the children receive more help at home. Not a bad idea, but there is no support to take care of them, because of the lack of money in Moldova.
So what happens is, either children are sent back home and end up in very bad conditions due to financial problems of their parents. Disabled children lived in orphanages for a reason. Their home situation might not have been changed so much throughout the years. Or children are sent to group homes where there is uneducated staff and these children still do not receive the needed care.

A difficulty is that disabled children need special education. When living with their parents, local schools are not prepared to educate these children. This makes it harder to send disabled children back ‘home’.
So there is a big chance that there will be more children without care and without a home in the future, because of the lack of services, education and support from their family at home.

Teaching disabled children about their rights is a difficult task to fulfill. This because the deinstitutionalization in Moldova has not finished. Group homes are still adjusting and figuring out the needs of disabled children. Group homes are also in the end stages of finding financial resources to fund their homes.

Because teaching disabled children about their rights was too difficult, we investigated how to establish the safety of disabled children. We wanted to know what the care was they received and its quality.
This because of the poor economic state of the country. We quickly realized that was a good call.
The organisations were not focusing on using the UN convention at all. Their key focus layed on the disabled children.

First you have to make sure disabled children are taken care of, but not in institutions. Either by foster care, group homes, or if possible with their own family. The key is to give these vulnerable children a safe home.
One where they do not have to worry about the care which they receive.

In our opinion, group homes are a great opportunity to offer disabled children a temporary home when leaving institutions. This, so they get used to family life, by learning basic skills in the household, but also to take on responsibilities, take care of their ‘brothers and sisters’, etc. The purpose is to later on reunite these children with their biological families, or to be placed with foster carers.

Our further advice is to change the general attitude. As mentioned before, people in Moldova think disabilities are a punishment from god. They need to know that a disability is a fault in the DNA system. Simply something that went wrong while the fertilized egg was becoming a real fetus, a coincidence, not a punishment.

Beside this, supporting parents psychologically until they are able to take back their child/children.
Which is significant, because parents left their children at the institutions with a reason; they cannot take care of their children because of poverty, because of this, lots of parents work abroad to earn enough money to provide for their family and have to leave their children at the institutions. Also there is a big lack of knowledge on how to properly take care of their children.

Because parents often do not know how to take care of their children, they should know that there are daycare systems. They have to know that they can take their children there and do not have to give the exhausting care 24 hours a day.

When the economic situation in Moldova has changed, thus the government has enough financial resources. And more children are taken care of in either group homes, by foster care, or by their own family. Next to this, when staff is educated on how to care for disabled children. Then you can slowly start teaching disabled children about their rights.
Acknowledgments:

At the beginning of this long process of writing a report, we got a lot of help from insiders. Two brave and courageous women who spend their lives helping disabled children in Moldova. We want to thank Joanne van de Bergh and Marielle Turculet. We also want to thank Corinne Anbeek for referring us to them and for generously providing us with information about her group home. We would also like to take a moment to thank our teacher Mr. Kalhorn. Last but certainly not least we would like to thank Henk van Veldhoven and Parascovia Munteanu for setting up this assignment. You gave us a whole new perspective of disabled children and how they need to be looked after. This journey has made us aware of a horrific situation. We hope that with this report we can help just a little bit to resolve the issues in Moldova and give the disabled children all the opportunities which they deserve.
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