

To the kind attention of:
Ombudsman in Moldova
Parliament of the Republic of Moldova
General Prosecutor of Republic of Moldova
Ministry of Labour, Social Protection and Family
Ministry of Health
United Nations Human Rights office of the High Commissioner
UNICEF
European Commission
UE Delegation to Chisinau
World Bank
USAID
USA Embassy
Great Britain Embassy
Sweden Embassy
Switzerland Embassy

September 3, 2015

Hereby, the NGO Alliance active in the field of social protection and family (APSCF), the NGO Alliance active in the field of Disable Persons and CRJ – Juridical Recourses Centre, concerned about the abuses children and adults placed in the Orhei orphanage for children with severe mental disabilities (males) are living in, are addressing an appeal to the Central Public Authorities, especially to the Ministry of Labour, Social Protection and Family, to the Moldovan Parliament, to the Ombudsman office in Moldova, to the General Prosecutor and to the international organizations' representatives in Moldova that are promoting the full respect of the human rights, to take attitude and act in order to produce concrete and radical changes in the deficient management of this institution in order to protect children that are placed there with severe mental disabilities (boys).

We would also like to highlight that during the last years, a lot of written and video materials have been disseminated by the periodic press and by the social media, registering many cases of flagrant disrespect of the human rights in this institution. Please see, below, a list of links that have been acceded today, 03 September, to verify if still available:

- http://www.publika.md/copiii-de-la-casa-internat-din-orhei-bolnavi-si-ingrijiti-insuficient-afla-cauza_392211.html
- <http://www.ogлиндamd.info/starea-de-lucruri-de-la-casa-internat-pentru-copii-cu-deficiente-mintale-baieti-din-orhei/>
- <http://unimedia.info/stiri/buliga-promite-sa-faca-ordine-la-scoala-internat-din-orhei-45434.html>
- <https://www.youtube.com/watch?v=L0bhvPeD2jA>
- <http://jurnaltv.md/ro/news/2015/6/2/casa-intrebarilor-deschise-10126771/>
- <http://www.prime.md/rom/news/social/item16174/>
- http://www.publika.md/cazul-scolii-internat-din-orhei--unde-copiii-nu-sunt-tratati-adevat--a-ajuns-in-vizorul-guvernului_744731.html
- <https://www.youtube.com/watch?v=pXDJotmNohs>
- http://www.publika.md/internatul-din-orhei-va-fi-supus-unor-evaluari_744251.html
- <https://www.youtube.com/watch?v=SHx1LNItUo> .

As a result of the European Committee for the Torture Prevention (CPT) visit in 2011 (<http://www.cpt.coe.int/documents/mda/2012-03-inf-eng.pdf>), some lacks have been mentioned in the final report, but no torture case, inhuman or degrading treatment has been ascertained. Thus, we can conclude that the attitude of the institution's personnel and the documentation of the inadequate behaviour cases became worse.

As the Republic of Moldova has ratified the UN Convention on the rights of the disable persons (2010) as well as the UN Convention on Child Rights and the Government has assumed the responsibility to

totally protect the rights of these children and young people, including the right to live in a community and to have high quality services, by now, there is no external monitoring mechanism of the orphanage's activity nor a clearly established complaining mechanism for its beneficiaries.

Even if, 1) with the support of the international organizations, at least 130 children and adults have been deinstitutionalized and successfully integrated in community based services, though there is a legal framework that has been approved and is functional for the creation of social services to contribute to the deinstitutionalization and community integration of the persons with disabilities (personal assistant services, supported living services, mobile team services, communitarian homes services etc.), till now, no moratorium has been established for the entrance of children with disabilities in Orhei orphanage. The MLSPF keeps sending (directing) children with disabilities from all the districts, to this institution.

The Regulations of this institution is quite old and is based on the principles of the medical assistance for the beneficiaries; there is no case management mechanism for the children/teenagers of the orphanage; the personnel's Job Descriptions don't contain specific requirements and responsibilities for the position; there is no legal and normative framework to regulate the hiring and the demission process of the institution's manager etc. By the way, the actual director of the institution must have been retired many years ago but is still working on a service-contract bases.

The latest flagrant abuse case in a institution, largely disseminated through the socialization networks <http://today.md/ro/news/social/36/VIDEO-EXCLUSIV---Atrocit%C4%83%C8%9Bile-din-orfelinatul-groazei.htm> , underlines, first of all, the necessity to

- 1) immediately institute a special protection regime for the children and adults of Orhei Orphanage and totally change the management of the institution by changing it consequently,
- 2) institute a moratorium for the children's admission to this institution and
- 3) adopt a reorganization plan for this institution (as to mention, a plan has been elaborated with the support of different NGOs but it has not been approved as bases for implementation).

Dear representative of the Ombudsman office in Moldova,

Dear Sirs and Mrs. Deputies, members of the Government, Mr. General Prosecutor, Children and teenagers placed in Orhei orphanage are also citizens of the Republic of Moldova and not always have or will have the full capacity to arrive to Your ears and eyes (eventually, only in the election period), but, this doesn't mean that they must have fear, must be abused or punished by lack of food or care, because with Your hands, when you are voting for Laws, are signing for Decrees or Decisions for the institutionalization of children in this institution, You "are deciding their life"! If you have assumed this right, then, please, do assume also the responsibility to treat them with dignity and care, not in an inhuman and degrading way !

Your Excellences, Mrs. Ambassadors,

The Republic of Moldova, for some time long, is officially declaring to have European aspirations, but, this kind of standards as those of Orhei institution (and not only) are long way far from those foreseen by the Universal Declaration of the Human Rights. We are waiting from you to get involved in this monstrous case of violence and abuse against children and adults of the Orhei orphanage and to impose clear engagements to the authorities as to guarantee the social and communitarian inclusion of the disable persons.

With highest respect,

- NGO Alliance active in the field of social protection and family (APSCF) (a national network which includes 89 NGOs) office@aliantacf.md
- NGO Alliance active in the field of Disable Persons (AOPD represents the interests of 17 NGOs) aopdmoldova@gmail.com
- LRCM – Legal Resources Centre from Moldova - ion.guzun@crjm.org