

LOCAL AUTHORITIES' INVOLVEMENT IN FULFILLING THE MINOR CHILDREN MAINTENANCE OBLIGATION, IN PROTECTING AND PROMOTING CHILDREN'S RIGHTS

Daniel BUDA

Daniel BUDA

Lecturer, Public Administration and Management Department,
Faculty of Political, Administrative and Communication Sciences,
Babeş-Bolyai University, Cluj-Napoca, Romania
Tel.: 0040-264-431.361
E-mail: daniel.buda@fspac.ro

Abstract

The present article aims to analyze the role of the local authorities in overseeing the fulfilment of the minor children maintenance obligation by their parents but also, in protecting and promoting children's rights. The research highlights the fact that the liability for growth and ensuring child development lies primarily with the parents, but also local government authorities have the duty to assist parents in achieving their obligations towards the child, developing and ensuring diversified, affordable and quality services which meet the child's needs. Last but not least, on the basis of some practical cases presented, we issue some recommendations regarding the way in which the community and the state could improve local authorities' work.

Keywords: minor children, maintenance obligation, child protection, parental authority, local authorities.

There can be no keener revelation of a society's soul than the way in which it treats its children (Nelson Mandela)

1. Introduction

In the context of the numerous concerns, both national and international, regarding children's rights and freedoms, we consider it necessary to conduct a thorough analysis of the role that local government authorities have in the field of this type of protection, considering the legislative provisions in this matter.

Through the National Strategy for children's rights protection and promotion 2014-2020, a primordial principle was established: the need of promoting society's focus on the development and welfare of the child, which should represent both a core value of any society and the human resource of the future. Thus, it was concluded that the society's current critical issues cannot be overcome without a collective effort systematically directed to the children's growth, education, and of course, to their welfare (Ministry of Labor, Family, Social Protection and Elderly, 2014).

This document follows the line of the Europe 2020 Strategy (European Commission, 2010), which promotes the image of 'A 21st century of a Europe where the children of today will have a better education, access to the services and to the resources they need'¹ to harmoniously grow up and lead Europe into the 22nd century.

In this context, the drafted legislation which guarantees the rights of every child (in particular the right to life, health and education, and the right to be fairly treated and to be heard) should be known by every responsible citizen wishing to contribute to the process of creating a better society which can offer protection and respect to the children – the future of this society.

Through this article, without claiming to cover all the aspects regarding the protection and safeguarding of children's rights, we intend to conduct an analysis of the legal provisions regarding the parental duties, emphasizing the obligation to support minor children and how this obligation is fulfilled, while focusing on the local authorities' involvement in solving extremely important issues in the field of child protection.

Beyond this purpose, we wish this work to be an effective tool for both students interested in this field, and for the public servants with responsibilities in this area. Moreover, we would like to make a call addressed to the citizens to be actively involved in the activities that can be undertaken for the welfare of children. In this way we could create a community partnership which assumes that the responsibility

1 The phrase is extracted from the Communication of the European Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – 'An EU Agenda for the Rights of the Child'.

towards children must not belong only to a single authority or institution, but also it should belong to a competitive system, composed of family, informal leaders, citizens of the community and also of the responsible institutions or organizations' representatives.

2. Legislative framework

Raising and educating children have been presented as a major concern at international level, assuming that investing in children's future means investing in your society's future.

In this context, all the national provisions in the field of child protection must be in accordance not only with the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children, adopted in The Hague on October 19, 1996, and ratified by Romania in 2007, but also with the Principles of European Family Law regarding Parental Responsibilities established by the Commission on European Family Law.

In the national law, the minor's maintenance obligation is governed by article 525 of the New Civil Code which establishes the minor child's right to request maintenance from his/her parents when it is necessary. The indicated text stipulates that the minor is in need when he/she cannot maintain himself/herself from his/her work, even if he/she would have his/her own belongings.

If the minor has his/her own revenues, the presumption of his/her state of need is not working anymore, the child is the one who has to prove the fact that his/her income from work is insufficient to maintain himself/herself (Baias *et al.*, 2011, pp. 440-441).

In addition, paragraph 2 of article 525 states that, when parents could not provide maintenance without endangering their own existence, the court may approve the maintenance to be ensured throughout the capitalization of the minor's belongings, except the ones for basic necessities, for example clothing, personal goods, etc.

Moreover, the parent's obligation to provide maintenance both to their minor child and to their major child involved in further study is governed by article 499 of the New Civil Code², in the context of the general provisions regarding parental authority.

2 According to article 499 of the New Civil Code (Maintenance obligation) '(1) The father and the mother are required jointly to offer maintenance to their minor child, ensuring basic needs, education, teaching and professional training; (2) If the minor has an insufficient income, the parents are required to provide the necessary conditions for his growth, education and professional training; (3) The parents are obliged to maintain the child reached to majority if the child is in further education up to graduation, but without exceeding the age of 26 years old; (4) In case of disagreement, the extent of the maintenance obligation, the way and the execution modalities and each parent's contribution should be decided by the court, based on the psychosocial investigation report'.

It should be underlined the fact that these legal provisions governing the child's maintenance obligation are supplemented by the general rules regarding the obligation of maintenance, specified in art. 513-534 of the New Civil Code, and in several special provisions of Law no. 272/2004 regarding the protection and promotion of children's rights.

Moreover, it should be noted that the maintenance obligation rendered in favor of the minor child is complex and comprehensive (Florian, 2011, p. 338). If the legal obligation of maintenance of other people means only providing the necessities of life, in the case of the minor child, in order to properly fulfil their maintenance obligation, the parents must provide their minor child maintenance, but also they must ensure his/her education, teaching and professional training.

In this context, it appears that the maintenance obligation which must be fulfilled by the parents in favor of their minor child is closely linked to the parental authority and child protection.

Parental authority is the main form of minor's protection and, in accordance with article 483, paragraph 1, of the New Civil Code, this involves all the rights and duties concerning both the person and the belongings of the child. The parental authority belongs equally to both of the child's parents.

For example, without being exhaustive, parents have: the right and the duty to raise their own child, the right and the duty to care for his/her health and for the minor child's physical, mental and intellectual development, the right and the duty to educate their children according to their own beliefs, the right and the duty to care for the schooling and the professional training of the children according to their needs and characteristics, the right and the duty to offer to their children guidance and advice to properly exercise their own rights recognized for them by the law and, not least, the right and the duty of the parents to provide maintenance in favor of their minor child (Banciu and Banciu, 2012, p. 195).

All these rights and obligations, including the maintenance obligation, are governed by the *best interest of the child* principle, an enshrined principle in the provisions of the New Civil Code and of Law no. 272/2004.

As stated in paragraph 2 of article 2 of Law no. 272/2004, the child's best interest circumscribes the child's right to a normal physical and moral development and also to a balance in the socio-affective level and in the family life.

This principle governs not only the parents' actions in fulfilling the minor child's maintenance obligation and the other obligations laid on them, but also the work of public authorities overseeing the proper exercise of parental authority. In this regard, paragraph 4 of article 2 of Law no. 272/2004 establishes that the best interest of the child principle shall be taken first in all the actions and decisions concerning children, whether they are undertaken by the public authorities or, where it is relevant, by the other authorized private bodies or courts.

This position is in compliance with the EU practice. For example, in the terms of the attitude that courts should adopt, the European Court of Human Rights, in the

Ignaccolo–Zenide against Romania litigation, stated that the judge is obliged, when settling accessories divorce claims (such as those concerning the custody of the minor children), to take into account the interests of minors, the authorities having the duty to make reasonable efforts so that, when parents' interests are in conflict and the children are not mature enough to express themselves clearly regarding their own preferences, their best interests is to be promoted (European Court of Human Rights, 2000).

In the same case and also in the one entitled *Maire against Portugal* (European Court of Human Rights, 2003), the European Court decided that while executing parents-children linked measures, the best interests of the child must be taken into account. Furthermore, the contacts maintained between the child and his/her parents should not threaten the child' interests or prejudice his/her rights. Otherwise, national authorities would have the duty of ensuring a fair balance between all the parties' interests.

Alongside the best interest of the child, both parents, public authorities and any other entities involved in issues related to fulfilling all the duties that constitute parental authority must take into account the following principles, governed by article 6 of Law no. 272/2004:

1. equal opportunities and non-discrimination;
2. raising the awareness of the parents on the exercise of their rights and on the fulfilment of parental duties;
3. primordial responsibilities of the parents to observe and guarantee the rights of the child;
4. the decentralization of the child protection services, the multi-sectorial intervention and the partnership between the public institutions and the authorized private institutions;
5. providing individualized and personalized care for each child;
6. hearing the opinion of the child and giving it due weight, in accordance with the age and maturity of the child;
7. providing stability and continuity in caring, raising and educating the child, taking into account the child's ethnic, religious, cultural and linguistic background, in the case of undertaking a protection measure;
8. celerity in making all decisions concerning the child;
9. providing protection against child abuse and neglect; and
10. interpreting each legal act concerning the rights of the child in correlation with the entire collection of regulations in this field.

Together with these principles, it should be noted that, as provided in article 5 of Law no. 272/2004, the responsibility for ensuring growth and child development lies primarily with the parents, but, the local public authorities have the duty to oversee parents in achieving their obligations towards the child, in developing and providing diversified services for this purpose, in accordance with the needs of the child. The state, through its institutions and through its public authorities, is the one that ensures child's protection and guarantees the exercise of all his rights.

Due to the points made above, for example, article 31, paragraph 2, of Law no. 272/2004 requires that local authorities and other competent public or private institutions take all the necessary measures to ensure the proper exercise of the children's right to free association in formal and informal structures, and to ensure their freedom of peaceful assembly.

Another prime example of the important role that local public authorities have in over-seeing the exercise of parental authority is the one considering the health and the welfare of the child.

In this regard, article 43, paragraph 3, of Law no. 272/2004 stipulates that the specialized institutions of the central public administration, local public authorities and any other public or private healthcare institutions must undertake, in accordance with the law, all the necessary measures to diminish infant mortality, to ensure and develop primary and community healthcare services, to develop actions and programs for health protection and disease prevention, to ensure family planning services, medical support and education to parents, etc.

Moreover, local authorities have the obligation to inform both parents and children about their legal rights regarding their health and also about the legal ways of granting the social assistance and social insurance rights.

Not least, in accordance with article 49 of Law no. 272/2004, the specialized bodies of the central public administration and the local governmental authorities have the duty to ensure that children suffering from a specific disability have the same rights as all the other children.

Furthermore, these authorities should ensure that the rights of children with disabilities, such as the right to special care adjusted to their needs, the right to education, rehabilitation, compensation and integration, are respected.

In this context, specialized institutions of central and local public administration should be the initiators of several programs which should serve in preventing difficulties that children with disabilities may encounter. The objective of these programs is to accomplish the needs of the children with disabilities and of their families, to promote self-reliance and to facilitate active participation in the community's life.

At the same time, the role of the local authorities is not limited only to ensure the children's health and welfare, but they are also responsible for their safety. Pursuant to article 33 of Law no. 272/2004, child's personality and individuality must be respected. In addition to these, the child may not be subject to any corporal punishment or to other humiliating or degrading treatments or to any disciplinary measures that are not specifically outlined in accordance with the child's human dignity. Thus, no matter the circumstances, no physical punishments or any other ones related to the child's physical, mental or emotional condition is permitted (Brodoaşcă, Drăghici and Puie, 2012, p. 507).

Therefore, although parents' right to apply to their child some specified disciplinary measures is recognized, a set of limitations related to the dignity of the child is established. Thus, it is accepted the idea of a parent rebuking his/her child or pun-

ishing him/her under the idea of the limitation of various recreational activities, but physical and psychological violence are certainly prohibited (Brodoaşcă, Drăghici and Puie, 2012, p. 507).

Local authorities have the role to ensure that these legal-limits imposed on the parents' right to apply to their child some disciplinary measures are respected. More specifically, local authorities, namely the public social security service (P.S.S.S)³ is required to take all the necessary measures to prevent abusive parental behaviors and family violence.

However, considering the role that local authorities have, described above, and the principle of parental responsibility regarding the exercise of parental rights and fulfilment of their parental obligations and the primordial parental responsibility on respecting and guaranteeing the rights of the child, these authorities must also offer systematic services and benefits provided by the law under a service plan. The service plan must be focused on giving the appropriate information to the parents, on advising them, on therapy and mediation before the child's separation from parents or on any other limitations on the exercise of parental rights.

According to article 40 of Law no. 272/2004, the service plan will be prepared and implemented by the public social security service, organized in municipalities and cities, as well as by those persons who are responsible for social services within the communal local councils, after ascertaining the situation of the child and his/her family. The mayor's approval is also needed.

3 It should be underlined the fact that according to article 118 from Law no. 272/2004, the public social security services are organized at the levels of cities and towns, and at the level of Bucharest sectors, these are organized as general department for social security and child protection. According to article 118, these institutions have the following responsibilities in the field of child protection: monitor and analyze the situation of the children located in their administrative-territorial range, as well as the enforcement of the rights of these children, by providing the centralization and synthesis of the relevant data and information; conduct the activity aimed at the prevention of the child's separation from his or her family; identify and evaluate the situations which call for services and/or financial assistance for the prevention of the child's separation from his or her family; draft the documentation which is necessary for providing services and /or financial assistance and grant these services and/or assistance, in accordance with the law; offer counselling and information for families who provide maintenance for children, on their rights and duties, on the rights of the child and on the services available at the local level; provide and monitor the enforcement of the prevention and eradication measures against alcohol and drug abuse, family violence, as well as delinquent behavior; pay regular visits to the domiciles of families and children who benefit from services and financial assistance; forward proposals to the mayor, in case it is necessary to undertake a special protection measure, in accordance with the law; monitor the evolution of the child's development, and the way in which the parents are exercising their rights and fulfilling their duties towards the child who has benefited from a special child protection measure, and was re-integrated in his or her family; cooperate with the general department for social security and child protection in the field of child protection, and provide it all requested information and data in this filed.

The service plan is designed to prevent abuse, the infringement of the child's rights and freedoms, the neglect, exploitation and all the forms of violence against the child or the child's separation from his/her family. However, the plan of services could have as a result the submission of a request to the General Department of Social Security and Child Protection (G.D.S.S.C.P)⁴ for the establishment of a special protection measure in favor of the child. The request is submitted only if, despite all the services offered on the basis of the plan, it is found out that keeping the child with his/her parents is not possible.

3. Methodological issues

To emphasize the involvement of local authorities in solving several extremely important issues in the field of child protection, we analyzed the activity of the Service entitled Child and Family Protection, and Community Development of Cluj-Napoca (C.F.P.C.D.S Cluj-Napoca).

In carrying out this work, we studied a number of cases solved by the representatives of C.F.P.C.D.S Cluj-Napoca and some internal documents. More precisely, C.F.P.C.D.S made available to us a series of documents including: The Rules of Organization and Operation of Child and Family Protection and Community Development Service Cluj-Napoca, the Activity Report for the year 2014 and several Excerpts from different advertising campaigns organized by the representatives of this service, documents that gave us a clear picture of the duties that local authorities have concerning protection and guaranteeing children's rights.

Last but not least, the collected data was analyzed in terms of the applicable legal provisions, presented in a previous section.

4. Analysis and interpretation of the data collected

4.1. Case studies

A first case⁵ (which was the subject of our study) concerned a child aged nine at the time the complaint/notification sent to C.F.P.C.D.S Cluj-Napoca was received. The representatives of this service created a service plan designed to prevent the risk of dropout, the right to education being violated.

The notification was sent by the school where the child was enrolled on the basis of the recorded absences. The notification states that the mother of the child refused to bring him to school, having some preconceived ideas regarding the education process. It was also noted that the child's family is disorganized, after divorce, the

4 According to article 116, paragraph 2, from Law no. 272/2004, the general department for social security and child protection is a public institution with legal personality which is founded in the subordination of county council or the local councils of the Bucharest sectors, and which takes over, the responsibilities of the public social security services having the responsibilities stipulated by Law no. 272/2004 and other regulations.

5 File no. X/2015 – C.F.P.C.D.S. Cluj-Napoca.

mother's attitude being extremely possessive and having a negative influence over the child's development.

Following the notification, in accordance with the legal provisions, the representatives of C.F.P.C.D.S developed a service plan designed to prevent the risk of dropping out.

This plan contains information regarding the identity of the child, his parents' names, his address, the responsible persons for the case and the services which will be provided in accordance to the child's best interests.

Also, the services provided by the C.F.P.C.D.S (aimed to prevent the child's separation from his parents) and by other institutions such as the high-school that ensured the child education, by the family-doctor who had to make sure that the child's right to health was respected, were analyzed.

Among the provided services, during this referral were included: child's counseling regarding the role of education and school in his future evolution, his family's involvement in the educational process, parents' advising regarding the emotional needs of the child, relationship mediation with school and so on.

Basically, the social assistant's intervention resulted in counselling activities, which finally led to respecting the child's right to education and to his social integration. Last but not least, the relationship between the mother and the child was improved.

Another case⁶, solved only with the help of home visits made by the representatives of C.F.P.C.D.S Cluj-Napoca, concerned the situation of a 2 year old child, whose parents were working abroad, the child being left in his maternal grandmother's care.

The purpose of these home visits was to establish precisely which are the living and raising conditions of the child. In the meantime, special attention was given to the relationship between the child and the maternal grandmother, this aspect being crucial for the normal and harmonious development of the boy. It was also established that the child's right to education was respected – he was sent to kindergarten.

The case was subsequently monitored, eventually leading to the conclusion that the child's environment and growth, given by his maternal grandmother, are favorable to a normal development of the child, not any other measures being necessary to establish the child's protection as regulated by Law no. 272/2004. To sum up, the child developed a secure attachment-relationship to his grandmother, not feeling the absence of the parents.

It was also found out that, although living abroad, the child's parents fulfilled their maintenance obligation by monthly sending money to the grandmother.

In another case⁷, the home visits made by the representatives of C.F.P.C.D.S Cluj-Napoca alongside a number of other activities resulted in overcoming of a crisis

⁶ File no. XX/2015 - C.F.P.C.D.S Cluj-Napoca.

⁷ File no. XXX/2015– C.F.P.C.D.S Cluj-Napoca.

generated by conflicts between the children's parents. Following numerous quarrels between spouses, the family felt apart and their two children were separated.

Moreover, the father had a negative influence over the child who lived with him after separation, the girl being manipulated against her mother. This was the reason why she refused to return to her mother and to her sister.

In this context, the representatives of C.F.P.C.D.S were required to provide couple counselling activities, conflict mediation between spouses, family psychosocial assessment, aiming to overcome the crisis and to keep children in the bosom of the family, taking into consideration the best interests of children.

In order to solve this case, home visits were made during which the social assistants discussed with the spouses, with the children and with the extended family members. Also, several meetings at the C.F.P.C.D.S headquarter were organized, in order to advise the two parents on the consequences that inter-family conflict has on children and to try mediating the relationship between parents. It was repeatedly stressed the need for a positive family environment to be created, for an interactive parental approach and a collaboration between parents regarding education and child care. Moreover, it was emphasized the fact that negative discussions about divorce and about the other parent in the presence of children should be avoided.

However, to solve this case in accordance with the provisions of Law no. 272/2004, social surveys were drawn on the two children by the representatives of the Directorate of Social Assistance.

Following the activities carried out by the representatives of C.F.P.C.D.S Cluj-Napoca and the judicial steps made by the children's mother, the children were entrusted to the mother. Nevertheless, the father received the right to have personal relations with his daughters. The C.F.P.C.D.S's representatives ensured a continuous monitoring of this case, paying special attention to the youngest girl, offering her psychological counselling to overcome the trauma.

As resulted from the cases described above in fulfilling their obligations, the representatives of the public social security services have at the same time the right and the duty to visit children in their homes and to oversee the way in which they are raised, educated, taught and professionally trained.

During these visits, they can give necessary and useful guidance to the parents in fulfilling the obligations of minor's child maintenance, of ensuring education, teaching and professional training, and, not least, of raising the minor child in an appropriate non-violent family environment.

It should be underlined that the role of public social security services becomes more difficult as, in practice, the number of cases in which minor children remain in someone else's care because both parents are working abroad has substantially grown. In these conditions, the public servants of the specialized structures of child's protection institutions must be highly trained to face all the challenges posed by separated families.

Last but not the least, if after some home visits it is noted that the child's rights and freedoms are not respected and that the child's physical, mental, spiritual, moral or

social development is endangered, in accordance with article 41, paragraph 2, of Law no. 272/2004, the public social security services are obliged to notify the G.D.S.S.C.P. in order to take the necessary measures, provided by law, measures which are in accordance with the best interests of the child.

Sometimes, the home visits and activities carried on by the representatives of family and child protection services can be followed by the notification of the competent courts regarding the partial or complete parental rights' termination for one or both parents.

According to article 508 of the New Civil Code, the partial or complete parental rights termination could be decided by the court of law at the request of the child's protection public authorities, if it is proved through the psychosocial investigation report drafted by G.D.S.S.C.P., and by other relevant evidences that the parent, whose termination of rights is required, endangers the child's life, health or development through maltreatment, alcohol or drugs, through abusive behavior, serious negligence in fulfilling his/her parental obligations or through severe infringement of the best interest of the child.

It should be noted that in accordance with article 510 of the New Civil Code, the parent who has been deprived of the exercise of his/her parental rights will not be exempted from the maintenance obligation.

It is important to emphasize again the fact that local authorities will always act in the best interests of the child, but they will also make all the necessary efforts in order to ensure family reunification. This is why, in practice, parental rights termination cases are quite rare.

According to article 42 of Law no. 272/2004, even if the parents of a child are deprived of parental rights, the G.D.S.S.C.P. will take all the necessary measures to offer specialized assistance to increase their capacity to take care of their children in order to regain the exercise of these rights.

Moreover, free legal assistance will be provided to those parents who request the re-exercise of parental rights.

Some disagreements between parents regarding the exercise of parental authority and the fulfilment of the tasks laid down in some cases may arise. In this situation, in accordance with article 486 of the New Civil Code, the court will decide the best interest of the child, after the parents' hearing and after analyzing the conclusions of the psychosocial investigation report.

This provision emphasizes once again the essential role that public authorities have, through their representatives, in overseeing the exercise of parental authority by the parents. Moreover, it is their duty to draft the psychosocial investigations which are going to be submitted to the courts.

More precisely, the guardianship authority is obliged to prepare social investigations requested by the courts, for example, in the case of the child's parents divorce, to establish the child's residence and a visiting program.

4.2 Document analysis

Taking into consideration the second part of our study regarding the Rules of Organization and Operation of the Child and Family Protection and Community Development Service from Cluj-Napoca, the Activity Report for the year 2014 and the Extracts from advertising campaigns, it was found out that the purpose of C.F.P.C.D.S Cluj-Napoca is to identify the social needs of the community, of the family and of the person, to develop and implement community strategies in the field of social assistance, to prevent social exclusion, to prevent children's rights infringement, to prevent abusive behaviors in the family – all these, by providing primarily social services at the individual, family and community level through accessing the appropriate funding sources.

C.F.P.C.D.S Cluj-Napoca competences, and generally, the competences of all child protection services organized in towns and cities, are expressly covered by article 118 of Law no. 272/2004. Among these, we emphasize the duty of monitoring and analyzing the children's situation from their administrative-territorial unit and over-seeing the way that children's rights are respected, ensuring centralization and systematic organization of the relevant data and information; the duty of preventing child's separation from his/her family, including drafting of the service plan and following up to fulfil it; counselling and informing the families who have children about their rights, their obligations and the available local services.

C.F.P.C.D.S Cluj-Napoca activity is a complex one, requiring specialists' commitment, given the high number of recorded complaints. In addition to these, we could observe that there is a quite limited number of people dealing with these cases. Thus, in 2014 there were registered a number of 486 complaints, but only 6 employees could provide extended services to a number of 354 children.

Among these, 25 cases were registered for drug abuse, 58 cases for negligence, 25 cases for abuse, 11 cases for risk of child abandonment in maternity units, 59 cases without birth certificates, 85 cases for the assessing the risk of school dropout, 8 cases with housing problems, 8 requests for establishing a protection measure – placement in extended family, 6 monitoring the child's reintegration in the bosom of the family, 9 cases of domestic violence, 14 cases of suicide attempts, 9 cases of post monitoring services provided in day centers and maternal centers, 3 cases of abandonment prevention followed by requests addressed to maternal centers and day centers, 4 cases of minor mothers, 15 cases of monitoring parent-child relationships after divorce, 4 cases of child trafficking and 2 cases of delinquency.

In solving these cases, the representatives of C.F.P.C.D.S Cluj-Napoca made a total of 690 home visits and ensured a constant supervision in order to protect children's rights in these situations.

Moreover, a total of 93 cases were reported to foundations, associations and institutions which provide specialized services for children with ADHD, for those who consume alcohol, ethno botanical substances or children at risk of dropping out of school and also to daily care centers.

It should be noted that C.F.P.C.D.S Cluj-Napoca has to keep a constant connection with public or private institutions that can provide advice and information and can initiate the required steps to resolve the registered cases.

In this regard, in order to solve domestic violence cases, C.F.P.C.D.S Cluj-Napoca has become in 2014 member of an inter-institutional working group on domestic violence, and has initiated partnerships with private service providers in the field of child protection and domestic violence.

These collaborations resulted in organizing different campaigns and projects designed not only to prevent the occurrence of cases such as domestic violence, school dropout, human trafficking, but also to help the solving of recorded complaints when prevention had no impact. We give as example the following projects and campaigns: 16 Days against domestic violence Campaign, the Project 'Together for a safe start', the development of the after school program –a project whose aim was to reduce school dropout and increase the quality, the education and the school performance, etc.

At the same time, there have been drafted projects, that will be submitted for funding under the 2014-2020 Regional Operational program (the project entitled SAVE – Solution Against Violence in Europe, which aims to prevent child abuse situations, the project entitled Successful passport for children and youth with visual impairments – with the objective of reducing inequalities and social exclusion of children and young people with impaired visual problems, etc.)

5. Conclusions

By analyzing all the relevant issues presented above, we could draw some conclusions. First of all, we consider that the work of C.F.P.C.D.S Cluj-Napoca, and in general, the work of the child's protection structures at the level of the counties and of the sectors of Bucharest (as it results from the 2014-2020 National Strategy for children's rights protection and promotion) is often hampered by the lack of adequate resources that ensure uniform application of children's rights protection and promotion laws, by the lack of human resources and the lack of necessary administrative capacity (for ensuring the complete implementation of the existing legislation) and by the passivity of local communities and other institutions involved in protecting minors (schools, family doctors, priests, etc.).

Many times, representatives of C.F.P.C.D.S Cluj-Napoca emphasized the need for every citizen to actively get involved in protecting and guaranteeing the child's rights and freedoms, this being the only way they can reach the enforcement of the existing laws.

Therefore, beyond the local authorities' work and implication, the entire society should make an effort to promote and respect children's rights and civil liberties, to raise awareness of the local communities regarding the prevention of children-parent separations and to support families in raising, carrying and educating their children; to protect the vulnerable groups who require special protection; to promote the family values, understanding and mutual assistance; to prevent and combat violence in

relations between its members; to support needy family members, being in danger because of the domestic violence acts.

Finally, we believe that, for a better management, it should be taken into consideration the need to create a county-level single structure to coordinate the entire activity of protecting and promoting the child's rights and freedoms. This aspect would enable officials' mobility within the institution (according to the real needs that arise at some time) which would lead to greater efficiency.

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