

# Autonomy of the Person with Disabilities in Romania

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**ABSTRACT:** The topic "Autonomy of the person with disabilities in Romania" aimed to investigate the level of autonomy of people with disabilities in Romania, as well as the factors influencing this autonomy. The study is important to identify the needs of these people and to help develop policies and programmes that support their autonomy and social inclusion. The results of the research showed that people with disabilities in Romania have low autonomy, influenced by factors such as limited access to care and support services, stigma and discrimination. Therefore, it is necessary for authorities and society in general to pay more attention and provide support to ensure that people with disabilities have access to the necessary resources and benefit from their rights to develop their autonomy.

**KEYWORDS:** disability, autonomy, person, physical impairment, mental impairment, discrimination, protection

## 1. Introduction

Autonomy and disability are two important concepts that are interlinked but at the same time different. Autonomy refers to a person's ability to make decisions and control their own life without being influenced or controlled by others. Autonomy is essential for an independent and fulfilling life. People with high autonomy are able to organize their lives according to their own needs, make decisions that protect their interests and act according to their own values and goals.

Disability refers to a physical or mental limitation that prevents a person from carrying out everyday activities or participating in social life in a normal way. Disability can be caused by a variety of conditions, including physical or mental illness, disease or trauma.

In the Romanian context, autonomy and disability are important and debated topics. Unfortunately, people with disabilities often face discrimination and limited access to the resources needed to ensure their autonomy. In addition, the social and health care system in Romania is often insufficient, making life difficult for people with disabilities and their families. However, there are initiatives that encourage autonomy and support people with disabilities. Several non-governmental organizations and patient associations are fighting for the rights of people with disabilities and promoting access to services and resources. In addition, there are government programmes that provide financial support and medical care for people with disabilities.

In conclusion, autonomy and disability are important and relevant topics in the Romanian context. It is important to promote autonomy and ensure access to resources for people with disabilities so that they can live an independent and fulfilling life (Rotaru 2016, 29-43).

## 2. Description of the gradual mechanisms of protection for people with disabilities

In Romania, there are graduated care mechanisms for people with disabilities, which are applied according to the degree of disability of the person. These mechanisms are:

- Evaluation and certification of the degree of disability - this evaluation is carried out by a medical specialist, the disability degree certificate establishes the degree of

disability and the type of disability, which allows the establishment of specific support measures for people with disabilities (cf. art. 74 Law no. 448/2006).

- Social assistance - this measure is available for people with mild and moderate disabilities who need support to ensure their independence. Social assistance includes services such as personal care, transport, care at home or in day centers.
- Social protection - this measure is available for people with severe disabilities who require permanent care and specialist support. Social protection includes care in specialized centres and specialized medical and therapeutic services.
- Social and professional integration - this measure is available for people with disabilities who can be integrated into society and who want to find a job. For these people, there are training and vocational integration programmes as well as sheltered employment (cf. art. 74 Law 448/2006).

In general, disability support mechanisms are designed to provide appropriate support according to the person's degree of disability to ensure that they have access to quality services and can fully exercise their rights.

## **2. Legal aspects of autonomy for people with disabilities in Romania**

In Romania, the autonomy of people with disabilities is protected by law through Law 448/2006 on the protection and promotion of the rights of people with disabilities. This law states that people with disabilities have the right to independent living and active participation in society (art.1 law 448/2006).

Also, under Law 448/2006, the Romanian state is obliged to provide support and assistance services for people with disabilities so that they can live independently and participate in social life. These services include, among others, home care services, occupational therapy, physiotherapy, but also accessibility of public buildings and spaces (art.6 Law 448/2006).

In addition, in 2018, Law No 59/2018 on ensuring accessibility of information and communication in the public sector for people with disabilities was adopted, which obliges public institutions to provide accessible information for people with disabilities. However, in practice, there are still issues regarding accessibility of public spaces, discrimination in the workplace and access to health services, the right to marriage and education. It is therefore important to continue efforts to ensure real autonomy and equal opportunities for people with disabilities in Romania.

In Romania, people with intellectual or psychosocial disabilities were not allowed to marry, divorce, be parents, adopt children and could not access a bank loan, there are still problems with the accessibility of public spaces, discrimination in the workplace and access to health and education services. It is therefore important to continue efforts to ensure real autonomy and equal opportunities for people with disabilities in Romania. Under the law, many of these people have been banned by the courts (Romanian Government 2021).

Despite the existence of a legal framework, people with disabilities in Romania still face a number of problems in terms of autonomy. These problems include lack of access to quality services, discrimination in professional and social life and recognition. In addition, there are not enough vocational training programmes for people with disabilities, nor adequate measures to encourage their employment.

Romania has made significant progress in protecting the rights and promoting the autonomy of people with disabilities, but further efforts are still needed to ensure their equal participation in all areas of life.

### 3. Autonomy of the disabled person in family relationships

The autonomy of people with disabilities in family relationships is an important issue as it can influence the quality of life of people with disabilities and their ability to develop and fulfil their potential.

Firstly, it is important to understand that people with disabilities have the same need for autonomy as other members of society. Autonomy implies the ability to make decisions and manage their own lives. In the case of people with disabilities, this may be hampered by certain physical or cognitive limitations, but these limitations should not be imposed as inaccessible barriers to them making decisions and taking control of their lives.

To support the autonomy of people with disabilities in family relationships, it is important that they are involved in decisions that affect their lives and are given resources and support to develop self-management skills. This can include access to health care services and therapy, as well as support to develop social and communication skills.

It is also important that families recognize and respect the needs and wishes of people with disabilities and encourage them to pursue their own interests and develop their own talents and abilities. In this way, people with disabilities can become more independent and more able to take responsibility and lead their lives in a positive and productive way.

The autonomy of people with disabilities in family relationships can be supported and supported in some aspects of their lives such as:

- Encouraging autonomy in daily activities: families can encourage autonomy by encouraging children to carry out daily tasks and make small decisions, such as choosing clothes or dinner menus. This can be more difficult in the case of severe disabilities, but encouragement in this way can be very important for developing independence and self-confidence.
- Developing communication skills: communication is essential for autonomy. The family can help develop communication skills by encouraging the person with a disability to express their opinions and negotiate with other family members.
- Providing access to information and resources: access to information and resources can be essential for autonomy. The family can help identify available resources, such as health care, therapy or training programmes.
- Respecting autonomy in terms of personal choices: it is important that the disabled person has control over their own life trajectory. The family should respect the decisions and choices of the person with a disability and support them in achieving their personal goals.
- Ensuring financial independence: people with disabilities can be financially restricted and this can negatively affect their autonomy. The family can help ensure financial independence by identifying available financial resources or encouraging the development of money management skills.

The autonomy of people with disabilities in family relationships can be improved through education, awareness and support. It is important that society recognizes the importance of this issue and pays attention to the needs and wishes of people with disabilities in order to develop them as independent and valued individuals.

In conclusion, the autonomy of people with disabilities in family relationships can be improved by recognizing their needs and wishes, supporting the development of self-management skills and providing access to information and resources. The family can be a crucial factor in the development of autonomy and independence for people with disabilities and can play an important role in promoting a fulfilling and fulfilling life for people with disabilities (Rotaru 2011,5).

#### **4. Autonomy of the disabled person within the educational system**

Autonomy is an essential aspect of the personal and professional development of all people, including those with disabilities. As far as the education system is concerned, autonomy refers to the ability of the disabled person to control and manage their own learning and development, to set their own goals and to find their own resources to achieve them. Here are some ways in which the education system can support the independence of people with disabilities:

- Adapting the learning environment: the learning environment must be adapted to the needs and abilities of each learner. People with disabilities may need certain modifications in the learning environment, such as physical accessibility, assistive technology or adapted learning materials, in order to learn and develop independently.
- Developing communication skills: the education system can help develop the communication skills of people with disabilities by providing programmes and tools to enable them to express their opinions and communicate with other students and teachers.
- Supporting the development of self-management skills: students with disabilities can be supported in developing self-management skills through the provision of relevant information and resources, as well as emotional support and guidance.
- Recognizing the individuality of each learner: the education system should recognize that each learner is unique and provide individual opportunities for learners with disabilities to develop their unique skills and talents.
- Promoting independence and responsibility: The education system can help promote independence and responsibility in students with disabilities by encouraging them to make decisions and take responsibility for their own actions.
- Providing access to relevant services and resources: In order to develop independence, students with disabilities should have access to relevant services and resources, such as counselling, therapy or training programmes, that enable them to develop their skills and find their own path in life.

The education system should support the autonomy of people with disabilities by providing an appropriate and adapted environment, developing communication and self-management skills, recognizing the individuality of each learner, promoting independence and responsibility, and providing access to relevant services and resources. In this way, they can develop their unique skills and talents and find their place in society.

It is also important that the education system encourages a positive approach to disability and promotes a culture of inclusion. In this way, students with disabilities can be seen as an integral part of the school community and can benefit from the support and respect of peers and teachers.

Finally, autonomy is an essential aspect of the personal and professional development of all people, including those with disabilities, and should be promoted in all areas of life, including the education system.

#### **5. Autonomy of the disabled person in the employment system**

Autonomy is an essential aspect of the personal and professional development of all people, including those with disabilities. In terms of the employment system, autonomy refers to the ability of a person with a disability to control and manage their own career, to set their own goals and to find their own resources to achieve them.

Here are some ways in which the employment system can support the autonomy of people with disabilities:

- Adapting the workplace: The workplace must be adapted to the needs and abilities of each employee. People with disabilities may need certain modifications in the workplace, such as physical accessibility, assistive technology or adaptation of work tasks to enable them to work independently.
- Developing communication skills: The work system can help develop the communication skills of people with disabilities by providing programmes and tools to enable them to express their opinions and communicate with colleagues and supervisors. (National Strategy for the Rights of Persons with Disabilities 2021–2027).
- Supporting the development of self-management skills: Employees with disabilities can be supported in developing self-management skills by providing relevant information and resources, as well as emotional support and guidance.
- Recognizing the individuality of each employee: The employment system should recognize that each employee is unique and provide employees with disabilities with individual opportunities to develop their unique skills and talents.
- Promoting independence and responsibility: The work system can help promote independence and responsibility for employees with disabilities by encouraging them to make decisions and take responsibility for their own actions.
- Providing access to relevant services and resources: In order to develop autonomy in the workplace, employees with disabilities should have access to relevant services and resources, such as training, counselling or coaching programmes, to enable them to develop their skills and find their own career path.
- Promoting inclusion: It is important that workplaces promote a culture of inclusion and encourage the employment of people with disabilities (National Strategy for the Rights of Persons with Disabilities 2021–2027).

## **6. Conclusions and recommendations for improving the protection of the autonomy of people with disabilities in Romania**

Autonomy is an essential aspect of the development and inclusion of people with disabilities, and protecting this autonomy is an important responsibility of society. In Romania, there are already a number of laws and policies aimed at protecting the autonomy of people with disabilities in different areas, such as education, the workplace or independent living. However, there are still many aspects that need to be improved to ensure more effective protection of the autonomy of people with disabilities. Recommendations for improving the protection of the autonomy of people with disabilities in Romania include:

- Develop training and education programmes for professionals from different fields working with people with disabilities to improve their skills to support the autonomy of people with disabilities.
- Increase access for people with disabilities to services and resources that enable them to develop their skills and achieve their personal and professional goals.
- Improve physical accessibility and assistive technology in different areas to support participation and independence of people with disabilities.
- Promote a culture of inclusion and diversity in different areas, such as education or the workplace, to support the autonomy and participation of people with disabilities.
- Develop policies and programmes to provide financial support for people with disabilities who want to establish independent living, to enable them to manage their own finances and organize their own lives.
- Increase the participation of people with disabilities in decision-making and consulting them on policies and programmes that affect them.
- Strengthen the legal protection system for people with disabilities and ensure effective enforcement of existing laws and policies.

- Promote public awareness campaigns on the rights and needs of people with disabilities to reduce discrimination and stigmatization and to increase awareness and empathy towards people with disabilities.
- Develop partnerships between disability organizations, public authorities and the private sector to promote the inclusion and empowerment of people with disabilities in different areas.

Finally, protecting the autonomy of people with disabilities is not only a moral and legal responsibility, but also an investment in a fairer, more inclusive and progressive society. By improving access to services, resources and opportunities, supporting skills development and promoting a culture of inclusion, we can ensure better protection of the autonomy of people with disabilities and their better participation in the social and economic life of the country.

## References

- Law No 448 of 6 December 2006 on the protection and promotion of the rights of persons with disabilities. Published in the Official Gazette, Part I no. 1 of January 3, 2008
- Law No 59/2018 on ensuring accessibility of persons with disabilities to public sector information and communication.
- National Strategy for the Rights of Persons with Disabilities 2021–2027. Available at [http://mmuncii.ro/j33/images/Documente/MMPS/Transparenta\\_decizionala/31032021\\_anexa\\_1\\_SND.pdf](http://mmuncii.ro/j33/images/Documente/MMPS/Transparenta_decizionala/31032021_anexa_1_SND.pdf).
- Romanian Government. 2021. *The national strategy regarding the rights of persons with disabilities 2021-2027*. Available at <https://gov.ro/ro/guvernul/sedinte-guvern/reforma-in-domeniul-legislatiei-privind-persoanele-cu-dizabilitati-din-romania>.
- Rotaru, Ioan-Gheorghe. 2011. "Familia – loc hărăzit de Dumnezeu pentru formarea caracterului" ("Family - God-given place for character formation"). *Argeșul Ortodox* 514: 5.
- Rotaru, Ioan-Gheorghe. 2016. "Plea for Human Dignity." *Scientia Moralitas*. Human Dignity - A Contemporary Perspectives. *Scientia Moralitas Journal* 1: 29-43.