



Delegation of the European Commission in
Romania

press release

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EU supports Romania's legislation on adoptions

Following recent statements urging Romania to amend its child protection and adoption laws, the European Commission would like to reiterate that, as mentioned in its Monitoring Report on Romania published in October, 2005, the new legislation on children's rights and adoption, which entered into force in January, 2005, is fully in line with the UN Convention on the Rights of the Child and the European Convention on Human Rights and completes the reform of child protection. Similar to the practice in EU Member States, inter-country adoption is no longer foreseen as a child protection measure. The European Commission sees no need for change to the legislation.

According to the Romanian Office for Adoptions, there are 1355 Romanian families registered to adopt one of the 393 children available for adoption. Thus there is little scope, if any, for international adoptions.

The European Commission understands the disappointment of those foreign families hoping to adopt a child from Romania. However, it will not encourage legal steps that could lead to a situation in breach of international human rights conventions as well as the Romanian legislation.

The European Commission will continue to support the Government of Romania in developing its administrative capacity to implement the new legislation.

Background

The European Union has been monitoring Romania during its pre-accession phase, with respect to the implementation of the "Copenhagen political criteria" which include the UN Convention on the Rights of the Child (UNCRC), as well as the European Human Rights Convention (EHRC) to which Romania is bound.

The new legal provisions governing child protection and adoption in Romania are based on the provisions and the spirit of these Conventions, in particular Articles 5, 7, 8, 20, 21 and 35 of the UNCRC and Art. 8 of the EHRC. The UNCRC deliberately left inter-country adoption as a choice and not an obligation for signatory states, because of cases of abuse of inter-country adoptions practices. Such abuses occurred in Romania as well. As a result of international criticism by both the European Union and the USA, the Government of Romania decided in October 2001 to place a moratorium on inter-country adoptions until new legislation could come into force.

Since the mid 1990s, Romania has undertaken a profound reform in child protection, by developing services for child care; as a result, children at risk of abandonment are now being taken care of in the country.

The EU has supported and continues to support this reform process. Out of the total of over €100 million financial assistance provided to Romania since 1990, €47 million were used to support the reform of the child protection system.

Progress in this field has been recently noted in both the Country Monitoring Report of the European Commission released on 25 October 2005 and the draft Report of the European Parliament discussed on 23 November 2005, as well as in the report of the EU-Romania Joint Parliamentary Committee of 22-23 November 2005.

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