

# EUROPEAN PARLIAMENT

2004



2009

*Committee on Petitions*

3.07.2006

## NOTICE TO MEMBERS

**Petition No 514/2004 by Jean-Pierre Clement (French), on behalf of the Association of Adoptive Families of Children Born in Romania, with 1024 signatures, on international adoption in Romania.**

### 1. Summary of petition

The petitioner, who is chairman of an association of adoptive parents, objects to the campaign seeking to discourage the international adoption of Romanian children being conducted by some MPs with the support of the Commission (Commissioner Verheugen). In particular, he argues that the adoption practices followed by Romania and other signatory countries, primarily France, fully comply with The Hague Convention on the Rights of the Child and that the French Foreign Minister has constantly been monitoring the legality of the adoptions, as have the Romanian authorities, following the December 2000 moratorium.

### 2. Admissibility

Declared admissible on 24 November 2004. Information requested from the Commission under Rule 192(4).

### 3. Commission reply, received on 3 July 2006.

‘The Commission notes that the petition is in fact a circular issued by the A.F.A.E.N.E.R. (international adoption lobby group), already forwarded to the President of the European Parliament, who replied on 12 August 2004. The indications given in the letter of reply, a copy of which is attached, still hold true.

In addition, the following points should be made:

On 1 January 2005, a new adoption law drawn up with the aid of a group of European child protection experts entered into force in Romania. Under the new law, which is based on the United Nations Convention on the Rights of the Child, international adoption may only be envisaged if a child cannot be placed with a foster family, an adoptive family or a suitable

institution in his country of origin. International adoption is a last resort and restricted to the natural grandparents, this final point being a non-negotiable stipulation by the Romanian authorities.

The Commission's task is above all to ensure compliance with the Community acquis, the basic principles of which are embodied in the UN Convention on the Rights of the Child. The Hague Convention on Intercountry Adoption is a complementary measure insofar as it lays down the procedures to be followed in cases where international adoption is judged admissible.

Hence, the new Romanian legislation is in accordance with the relevant acquis and the Romanian authorities must ensure that the legislation in force is implemented.

Furthermore, the Commission wishes to stress that it is in no way participating in 'campaigns' opposing international adoptions and is seeking to ensure compliance with the relevant Community acquis.'

Enc.