



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE, FREEDOM AND SECURITY

Director General

Brussels, **16 AVR. 2010**
JLS/E2/PDL/ek/D(2010)4590

NOTE FOR THE ATTENTION OF

MS CATHERINE DAY, SECRETARY GENERAL
MR LUIS ROMERO REQUENA, DIRECTOR GENERAL, LEGAL SERVICE
MR ROBERT VERRUE, DIRECTOR GENERAL, DG EMPL
MR JOAO VALE DE ALMEIDA, DIRECTOR GENERAL, DG RELEX
MR MICHAEL LEIGH, DIRECTOR GENERAL, DG ELARG
MR STEFANO MANSERVISI, DIRECTOR GENERAL, DG DEV
MR KOOS RICHELLE, DIRECTOR GENERAL, DG AIDCO
MR PETER ZANGL, DIRECTOR GENERAL, DG ECHO

Subject: Inter-service meeting on EU policy on international adoption issues

Please find an invitation to participate to an Inter-service meeting on EU policy on international adoption.

As you may know, for some time, the Commission has been frequently asked to take a position relating to different issues involving international adoptions. DG JLS receives a considerable number of such requests in the form of petitions to the European Parliament, parliamentary questions and letters from citizens and NGOs.

In order to have a clear overview of the current situation in the European Union, DG JLS has carried out a comparative study, published in December 2009 on the website of the European Judicial Network in civil and commercial matters, relating to adoption procedures among EU Member States, the practical difficulties encountered in this area by European citizens, the possibilities of solving these problems and of protecting childrens' rights, including the possible establishment of an European procedure as regards adoption among EU Member States.

It is worth mentioning that the European Parliament, Directorate-General for Internal Policies, has carried out a similar study, completed in March 2009, entitled: "*International Adoption in the European Union*", available on the Internet at: <http://www.europarl.europa.eu/studies>.

As a follow-up to the study, a joint conference organized with the Council of Europe, entitled "*Challenges in Adoption Procedures in Europe: ensuring the best interests of the child*", was held in Strasbourg on 30 November and 1 December 2009.

The Conference brought together representatives from the Member States of the Council of Europe and of the European Union as well as distinguished experts on adoption at European and global level.

The programme of the Conference and most of the presentations given by the speakers can be found on the Council of Europe website at the following address:
http://www.coe.int/t/DGHL/STANDARDSETTING/FAMILY/Adoption_conference_en.asp

The Commission, represented by DG JLS as usual, has been invited to the third meeting of the Special Commission to review the practical operation of the Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Inter-country Adoption, to take place on 17-25 June 2010 in the Hague.

It would therefore be advisable to hold an Inter-service meeting in order to take stock of the activities related to adoption issues carried out by other Directorates-General within the Commission and agree a common line to take.

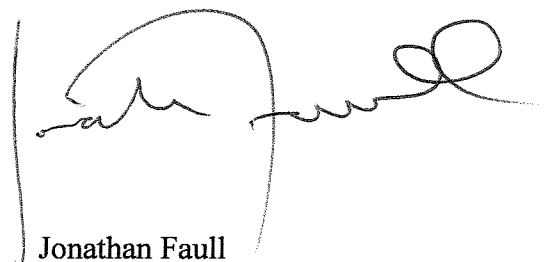
A detailed agenda will follow, but some of the themes to be addressed could be already mentioned:

- EU position on international adoption in general;
- the role of the EU, as a full Member of the Hague Conference on Private International Law, in the correct implementation of the Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Inter-country Adoption;
- EU position towards the current situation in Romania, whose law on adoption has been criticized by the UN Committee on the Rights of the Child which has asked Romania to withdraw the existing moratorium as a barrier to the full implementation of Art. 21 of the UN Convention on the Rights of the Child;
- the lack of recognition of adoption decisions between Member States as an obstacle to the free movement of citizens;
- the need to develop an EU adoption policy and the opportunity of a regulatory intervention of the European Union in this field.

If you have other areas of interest, please let me know.

The meeting will take place on 20 May 2010, Rue du Luxembourg 46, in DG JLS premises, Salle Fortescue, from 10h00 to 13h00.

I would be grateful to receive your comments on the suggested agenda and the names of your representatives at this meeting. For any practical information on this issue, please contact Ms Patrizia De Luca, Unit JLS/E2 (e-mail address: Patrizia.DE-LUCA@ec.europa.eu).



Jonathan Faull