

I would like to bring the following under your attention.

### **Interview with FdC**

On 27 February 2004 a French reporter sent me in confidence the transcript of an interview with FdC. The interviews served as background for a documentary on Romanian adoptions. Three statements were of immediate concern:

- The adoptive son of Emma Nicholson (EN) wanted to file a complaint about abuse against when he was 18 (some years ago)
- Verheugen (GV) was moved to Brussels because he was too racist (affaire de turc)
- The Delegation replaced all embassies, dictatorship of the CE. Richard Trigano (RT), expert delegated to the EU, the Romanian government is conditioned by these people of the EU.

I have given this transcript to GV as, knowing how FdC works, he will make these things come true – and this is an indication on who he is focussing his attention. FdC is a masterbrain with wide influence and contacts. Over the years many persons making positive remarks about Romanian child protection or touched adoption were fired, removed or touched by scandals.

FdC works a lot through the press (Le Monde, Liberation, Figaro – recent example to which Filori reacted, TV1, M6, Arte, RTL). The moments are always carefully selected (around political events).

I fear that GV will become the subject once decisions on the new Commission will be made. It is not unthinkable that a negative campaign will be organised in Germany. The two letters recently received from German families could be a start. Yesterday I informally received a complaint filed at the European Ombudsman's office and sent to the Prime Minister of Baden Württemberg. The complaint is against the Commission and the Parliament.

Since the interview the following happened to EN and RT.

### **EN**

On 5 March an article was published in the Telegraph about EN's previous foster son with as title "Sometimes I wished I was not saved", quoting him that he feels abandoned and lacks support of EN. EN is also quoted. The article had no reactions. EN heard about the coming article just before the EP Plenary.

On 13 March the article was published on the ProChild E-group and on the French adoption e-group. Several other things are happening right now around EN at the moment. The attack is massive (her former foster child, her work in Iraq). On 15 March EN was contacted by local TV, that they will make a programme about the boy.

The elections in for the European Parliament will be held in June.

### **Pre-Accession Adviser RT**

RT worked from 2001-2003 as PAA on child protection and social issues.

RT was contacted on 7 February by Mirel Bran from Le Monde (Romanian journalist who writes since many years for FdC). He was asked for an interview about the role of pre-accession advisors in general. It was agreed that the article would be shown before publication. However, on 11 February Le Monde quotes RT in an article about adoptions “D’une part, UE demande a juste titre a la Roumanie de stopper les adoptions internationales. D’autre part, des Etats européens exercent des pressions bilatérales au plus haut niveau pour forcer les roumains a céder leur enfants aux familles occidentales.”

On 19 February RT received a letter from the Head of Delegation saying he had no right to speak to the press. He was surprised about this, as he has been quoted before. It is believed that the French Embassy complained, following visit of FdC to Bucharest on 17 February.

On 16 March, during a phonecall, I alerted RT to possible defamation by FdC (in covered terms). I said that probably a different approach would be used, as he is not a well known public person. Right that moment, RT received a phonecall of the French Embassy, saying that there is an article in Le Monde of that day, and that another journalist would like to meet him.

The Le Monde article of 16 March could be used to end RT’s current PAA contract, as he was warned not to give interviews without prior agreement of the Delegation. However, the two articles were based on the same interview and RT was unaware of its publication and did not give his agreement.

FdC knows about RT since long. For example, in 1996 RT was working for the World Bank on the reform of the social assistance law. Once the draft legislation was ready, he was asked by Simone Veil’s Cabinet (French Minister of Social Affairs) to send it to FdC. FdC replied by fax that the draft law was a disaster. Nastase, head of the Senate at the time, binned the law after visit of FdC. Subsequently FdC wrote to Nastase to suggest what should be done instead: mainly de-institutionalisation and adoption, abandonment after 3 months instead of 6 months, and “accouchement sous x” (legal possibility to give birth anonymously and free children for adoption – as exists still in France). At the same time the Phare Programme was working on defining the reform, developing child protection alternatives and legislation. A year later, when the Constantinescu government came into place, the good results of the Phare programme were ignored, and instead of a reform of social assistance and child protection, the SERA/Tabacaru legislation was adopted.

### **Pressure**

The Delegation Task Manager was told, one week ago, by the Secretary of State to be extremely careful. When she asked if she meant professional or personal, there was no reply. But watching the Secretary of State’s face it looked like she knew more, but did not want to say so.

The house next to my house has been empty for over two years because of its high rent. Since November 2003 a couple moved in. I thought that they did not look like people who could afford such a house. They have a new car with red number plates (NATO?). We never officially met.

However, recently I noticed that the car is always there and it looks like the man does not work. I also noticed that they are not looking for contact, but more like walking the other way.

I somehow had the impression that they were of British nationality, but this morning I saw in their car a pendant in the shape of a football shirt: Inter Milan (controlled by Berlusconi).  
[http://www.ussoccerplayers.com/latest\\_soccer\\_news/international\\_news/continents/europe/410673.html](http://www.ussoccerplayers.com/latest_soccer_news/international_news/continents/europe/410673.html)

I have no further proof, but have learned over the years to follow my instincts. And I was proven right most times. I have a strong feeling that my “neighbours” are there for a reason.

### **Final remark**

I cannot keep all this for myself any longer and feel that the new hierarchy has to know how big this all is. Under the previous hierarchy I was silenced.

I think that transparency and openness is the best defence. The Commission should speak out and see what can be done with Member States and Europol, as this will not go away by itself.

I believe that FdC does not want accession. It is all about prevention accession, and maintaining intercountry adoption and possibly other louche businesses.

## **Outstanding decisions to be taken**

- Continuation of the Children First Programme and eventual recuperation of funds. The Commissioner announced in his letter of 23 January that he would take this decision based on the information to be provided on the exceptional adoptions. The information was only provided for the 105 “Italian” cases, it was insufficient and no personal guarantee was given that the children’s well being is guaranteed. It becomes more and more clear that exceptions, even though officially prohibited, are still being prepared. In the meantime the Romanian government is in process of adopting legislation that has not been seen by the Independent Group. Considering the above, I suggest a decision is taken to suspend the contracting of Phare 2002 Children First Programme, until the situation in Romania is more clear. In the meantime, further request for clarification of the situation in general, and the exceptions in particular, should be asked officially.
- Decision needs to be taken on the Independent Group. Their advise has not been followed by Romania. On the other hand, they are not so independent, as the Member States are requesting children for intercountry adoptions. For example Belgium has announced they want better organised adoptions (which means more children), therefore the Belgium expert went as far as he could, but felt not safe to say that Romania should not have intercountry adoptions at all.  
If the Independent Group will continue to exist, it should be better organised. By leaving all contacts to TAIEX, the group will be too independent (risking lack of knowledge on Romania specific issues).
- The Twinning Light on assisting Romania in drafting an action plan to develop administrative capacity received only two bids: Italy (Prodi’s region) and France (Ministry of Social Affairs). It is contradictory to have those who lobbied to have the moratorium lifted, now advise on the same subject. The evaluation of the offers is foreseen for Monday 22 March 2004.

To keep both Independent Group and Twinning Light risks creating more confusion, as they will both have approximately the same task.

## **Other issues of relevance :**

- MEP Hermange (read FdC) organises in the framework of the Group on Family and Child Protection a working meeting concerning Romania’s child protection on 21 April, concerning MEP Nicholson’s report. The Commission has not been informed, but RT received an invitation, by coincidence we think. Several French NGOs will be invited.
- Several organisations are changing position lately:
  - Unicef all of the sudden changed its position on intercountry adoption, however no official announcement was done. We have informally checked if the UN Committee on the Rights of the Child agrees with this new position. They did not, but also they were not aware.

- International Social Services in Geneva which presents themselves as promoting ethics in adoption, have now stated that Romania breaches the Hague Convention by having a moratorium. The ISS branches are also doing intercountry adoptions (for example in Germany).
- Save the Children Romania has always played a doubtful role and a partner of SERA. They have come with an official statement now, criticising the Commission's position on children taken in the Regular Report. They point to omissions such as slavery, child labour and other scandals that were in the press just before and after the RR came out. While it was initially only sent to me, it was now published in the newsletter of Save the Children International (US based).
- The US Human Rights Report recently published, while copying the RR part on children as far as the progress is concerned, is in line with the Save the Children position. Reference to all scandals. Nothing on intercountry adoptions.