

QUESTIONNAIRE ON THE PRACTICAL OPERATION OF THE 1993 ADOPTION CONVENTION
Prel. Doc. 3 of February 2020 for the Special Commission meeting in 2021

Name of State:	Romania
Information for follow-up purposes	
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1. POST-ADOPTION MATTERS

1.1. Preservation of, and access to, information

Both States of origin and receiving States

1.1.1. Preservation of information and use of data

1.	Has your State centralised , in a public facility, information concerning the child's origins and the adoption of the child? <input type="checkbox"/> Yes. Please specify where the information is centralised: <input checked="" type="checkbox"/> No. Please specify where the information is stored: Information concerning the child's origins are centralized within the records of our institution.
2.	Has your State encountered situations where personal data obtained during the intercountry adoption process has been misused (see Art. 31 of the Convention)? <input type="checkbox"/> Yes. Please provide details of the types of situations your State encountered and the action(s) taken in response: <input checked="" type="checkbox"/> No.

1.1.2. Search for origins

3.	Is there a specialised programme or section in the Central Authority which deals with the search for the origins of an adoptee? <input checked="" type="checkbox"/> Yes. Please provide its name and explain the services provided: The Adoption Department deals with the search of origins. Our institution supports the adopted person in view of the exercise of his/her right to get to know his/her own origins and past and supplies to his/her natural parents and biological relatives information about the adopted person, according to Law nr.273/2004 on the adoption procedure. <input type="checkbox"/> No. Please specify how the search for the origins is handled:
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4. Has your State developed any good practices to ensure that **Recommendation No 21¹** of the 2015 Special Commission is implemented?

Yes. Please specify the good practices developed in that regard:

The adopted persons who do not have yet full legal capacity, yet who know the fact that they are adopted may request N.A.R.P.D.C.A the information about the place of birth, institutional track and personal history, on their behalf or through their legal representative. These pieces of information is supplied by our institution without revealing the identity of natural parents or biological relatives and it may be supplied only if the adoptee participates to at least one counseling session, which confirms that the adoptee is psychoemotionally balanced.

The counseling may be carried out by the General Directorate of Social Assistance and Child Protection territorially in charge with the adoptee's residence, by authorized private body, as well as by private social assistance and/or psychology practice, associated practices or private limited companies having signed agreements with N.A.R.P.D.C.A. The carrying out of the counseling activity is certified by drafting a counseling report which is communicated to the adoptee or, as the case may be, to the legal representative, in view of its submission, in original or copy to N.A.R.P.D.C.A.

In the case where the adoptee does not have the residence in Romania, the counseling activity may be carried out by foreign authorities/bodies habilitated for this purpose, in conformity with the legal provisions of the country in which the adoptee lives. The document drafted consequently to this activity is sent to N.A.R.P.D.C.A., in original or certified true copy, accompanied by its certified translation into Romanian language.

After acquiring full legal capacity, the adoptee may request the court in whose area the adoptee lives or, if she/he is not domiciled in Romania, the Court of Bucharest, to authorise his/her access to the information available with any public authority regarding his/her natural parents'/birth relatives' identity. Prior to court notification, the adoptee shall ask N.A.R.P.D.C.A to issue a document certifying the adoption and whether filiation was established to one of his/her natural parents before the adoption. The adoptee shall also attend at least one counselling meeting to assess whether she/he is psychologically and emotionally balanced.

The counselling activity may be carried out by the directorate in whose area the adoptee resides, by authorized private bodies, private practices, associated practices or professional associations active in the fields of social work and/or psychology, which have concluded agreements with N.A.R.P.D.C.A. If the adoptee does not live in Romania, the counselling activity may be carried out by competent foreign authorities/bodies, in accordance with the laws of the state where she/he resides. The counselling activity shall result in a counselling report to be communicated to the adoptee.

Also, when the adoptee asks to be authorised to the information available with any public authority regarding his/her natural parents/biological relatives' identity, N.A.R.P.D.C.A examines its own records to see if there is any request from the natural parents or biological relatives for getting information about him/her. In case there is such a request, as well as the consent to the processing of personal data of the natural parents, or as the case may be of the biological relatives, may only be sent if the adopted person attends at least one

¹ ["Conclusions and Recommendations adopted by the Fourth Meeting of the Special Commission on the practical operation of the 1993 Hague Intercountry Adoption Convention \(8-12 June 2015\)"](#), C&R No 21 (hereinafter, "C&R of the 2015 SC"):

"The SC recommended that the possibility of a child searching for his or her origins be **included** in the **counselling and preparation** of the prospective adoptive parents. When an adopted child or an adult adoptee undertakes such a search, **professional support** at all stages is recommended" [emphasis added].

	<p>counseling session confirming that the adoptee is psycho-emotionally balanced.</p> <p>In the case of the adopted person without full legal capacity who has information on the natural parents or biological relatives' identity, N.A.R.P.D.C.A. initiates the steps to contact them only if it is confirmed he/she attended at least one counseling session, carried out according to the requirements.</p> <p>Adopted persons, natural parents or biological relatives may benefit, upon their request, of counseling, as well as other activities aiming to prepare and organize the actual meeting between them or to facilitate their putting in contact. The counselling activity may be carried out by the directorate in whose area the adoptee resides, by authorised private bodies, private practices, associated practices or professional associations active in the fields of social work and/or psychology, which have concluded agreements with our institution.</p> <p>N.A.R.P.D.C.A recommends all the adopted persons who already have information on their biological parents'/relatives' identity to consider the possibility to request counseling from specialized services, prior to proceeding to the search for their origins.</p> <p><input type="checkbox"/> No. Please specify any reasons:</p>
5.	<p>If your State allows for the use of DNA testing to search for origins, please specify:</p> <p>(a) which body is in charge of the DNA testing (e.g., government, private companies, NGOs); -</p> <p>(b) where the data is stored, and whether it is stored by a public or private entity; -</p> <p>(c) the average cost of a DNA test in your State and whether any subsidy is available; -</p> <p>(d) details of any challenges and / or good practices your State may have developed with respect to the issues identified in this question and DNA testing in general. -</p>
6.	<p>What is your State's practice when the background information of an adoption is incomplete or non-existent? How does your State support adoptees in such situations?</p> <p>By collaborating with other Romanian authorities, we ask the competent institution/s that might be in possession of such information to supply further information and documents necessary so that the adoptee could find information on his/her adoption background.</p>
7.	<p>What is the procedure in your State when illicit practices are discovered during a search for origins? Please provide details of any challenges and / or good practices.</p> <p>N/A</p>
8.	<p>If statistics are available in your State regarding the number of adoptees who are searching / have searched for their origins, please specify:</p> <p>(a) how many of these searches were successful (e.g., the adoptee found his birth family); 80%</p> <p>(b) how many were not successful and what were the reasons. 20% - birth family could not be found, birth parent/s deceased, birth parent/s did not agree to disclose their personal data to the adoptee/ to be put into contact with the adoptee</p>
9.	<p>Has your State encountered any challenges with regard to access to information due to the confidentiality of the identity of the birth parents?</p> <p><input type="checkbox"/> Yes. Please specify the challenges and how your State addressed them:</p>

	<p>-</p> <p><input checked="" type="checkbox"/> No.</p>
10.	<p>Does your State make a distinction between the disclosure of identifying versus non-identifying information?</p> <p><input checked="" type="checkbox"/> Yes. Please explain your response:</p> <p>The current identifying information of the adopters/adoptees/biological parents or relatives are confidential and can only be disclosed if they consent in this respect.</p> <p>The Romanian authorities ensure the respect of confidentiality regarding the persons affected.</p> <p>The identity of the adoptee and biological parents prior to the adoption may be disclosed as provided by law.</p> <p><input type="checkbox"/> No. Please explain your response:</p> <p>-</p>
11.	<p>What is the procedure in your State for processing requests from the birth family to receive information concerning the adoption of their child? Does your State have a specific programme / database to handle such requests?</p> <p>The pieces of information that may be supplied by our institution to the natural parents or biological relatives of adopted persons, without needing the express consent of the adoptee or, as the case may be, of the adopting person or family, are those stipulated by art.80 par. (1) of the law (adoption confirmation, approval year, if the adoption was domestic or intercountry, and if the adoptee is alive).</p> <p>The application of the adopted persons' natural parents or biological relatives who want to get information about the adopted person must include the identification data and contact of the applicant, the name and surname of the person of the adopted person previously the adoption and at least one more identification data of him/her, that may be possibly the adoptee's date or place of birth, name and surname of the biological parents.</p> <p>The application is accompanied by the consent to the processing of personal data and the copy of the following documents:</p> <ol style="list-style-type: none"> a) the document certifying the applicant's identity; b) marriage certificate (if this is the case); c) the documents proving the existent kinship ties prior to the adoption between the applicant and the adoptee. <p>In the case of biological relatives who do not have full legal capacity, the application is formulated by their legal representatives.</p> <p>The pieces of information about the confirmation of the adoption, the year of its approval, the adoption domestic or international character are being supplied by our institution consequently to the examination of its own records or after having received the requested documents from any public or private legal entity.</p> <p>Whether the biological parents or relatives want to be informed if the adopted person is being listed in the records of authorities as alive or deceased, our institution carries out the necessary steps to get this information from the public authorities in Romania or, in the case where the adoption was international, it shall contact the central authority in the receiving country or the private body having performed the adoption, asking for assistance in getting this information.</p> <p>Also, whether the natural parents or biological relatives of the adopted persons are asking for pieces of information for whose revealing it is necessary the express consent of the adoptee, including those about their putting in contact, our institution carries out steps to get the documents in which it may be found the contact data of the adopting person or family and</p>

namely of the adoptee. These steps are carried out by examining its own records or by requesting the information and necessary documents from other public or private legal entities. In the case where information is requested about a person internationally adopted, the getting and sending of these pieces of information are accomplished observing the legal requirements of the Receiving country of the adoptee.

Our institution informs about the existence of the application in this respect and of the contact data of the adoptee or, as the case may be, of the adopting person or family, the social services from the latest known residence of the adoptee or, whether the adoption was international, the central authority in the Receiving country or the foreign private body having performed the adoption.

The social services proceed, preserving confidentiality, to contracting and informing the adoptee or, if he/she does not have full legal capacity, the adopting person or family about the content of the application formulated by the natural parents or biological relatives. In the activity of notification, it is indicated that they may refuse both information being given and them being put in contact with the applicant, having the possibility to change their mind anytime about this refusal.

The adoptee or, as the case may be, the adopting person or family shall decide about the information that may be supplied to the natural parents or biological relatives and, if appropriate, about being put in contact with them. The written consents about the contact and the processing of personal data are sent to our institution .

Whether the adoptee or as the case may be, the adopting person or family cannot be found, and also whether they refuse to give any kind of information, our institution informs the applicant about this matter without revealing their personal data.

The application of the natural parents or biological relatives is kept in the own records of our institution.

1.1.3. Guidelines and good practices

12.	<p>Has your State developed any guidelines (e.g., procedures, manuals) and / or good practices regarding preservation of information and search for origins?</p> <p><input checked="" type="checkbox"/> Yes. Please provide a link or attach a copy with your response:</p> <p style="padding-left: 20px;">The Gouvernement Decision no.448/2017 on the approval of methodology regarding the contact of natural parents or biological relatives, the access of the adoptee to information about his/her own origins and past, as well as the access of natural parents or biological relatives of the adopted persons to information about the adopted person.</p> <p><input type="checkbox"/> No.</p>
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1.2. Post-adoption services²

Both States of origin and receiving States

13.	<p>Has your State developed any good practices to ensure that Recommendation No 18³ of the 2015 Special Commission is implemented?</p>
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² Post-adoption services may be provided to adoptees, birth families and adoptive families.

³ C&R No 18 of the 2015 SC:

“The SC recognised that post-adoption services are essential and should take into account the **lifelong nature** of adoption. States are encouraged to develop **specialised post-adoption services**, in addition to the general services already in place” [emphasis added].

	<p><input checked="" type="checkbox"/> Yes. Please specify the good practices developed in that regard:</p> <p>Romania is mostly a State of origin. Nevertheless, according to the law, post-adoption services are provided in case of either domestic or intercountry adoption. The follow up on the child's progress and his/her relationship with the adoptive parent(s) is carried on for at least two years after the adoption order. Post-adoption monitoring may exceed two years if required by the laws of the child's country of origin. Also post-adoption services can be provided even further more, if necessary.</p> <p>Post-adoption activities shall be run according to a plan and shall aim at providing specialised support and assistance to the adoptee and adopters which meet the needs identified during post-adoption monitoring or pointed out by the adoptee or by the adopter/adoptive family during and after post-adoption monitoring.</p> <p><input type="checkbox"/> No. Please specify any reasons:</p> <p>-</p>
14.	<p>If your State provides specialised post-adoption services, please specify:</p> <p>(a) the type of services provided and to whom they are provided (<i>e.g.</i>, child and adult adoptees, birth families, adoptive families);</p> <p>Post-adoption activities may include: Information and counselling for children and parents; Parenting courses; Support groups for children and parents; Support to adopters as to how to inform the child that he/ she is adopted; Counselling the adoptee before revealing the identity of his/ her natural parents/birth relatives; Counselling and preparing the adoptee/ natural parents/ birthrelatives before actual contact.</p> <p>(b) who provides the services (<i>e.g.</i>, social welfare administration, school, health personnel);</p> <p>The post-adoption services are mostly provided by the local authorities (the general directorates for social assistance and child protection, for short the Directorates), which are a public entities. Also, post-adoption services can be provided by private entities, private practices, associated practices or professional associations active in the fields of social work and/or psychology which have concluded agreements with NARPDCA (as Central Authority of Romania).</p> <p>(c) whether the professionals involved in the post-adoption services are the same as those involved in the preparation of the prospective adoptive parents (PAPs);</p> <p>Usually they are the same professionals. Sometimes the professionals can be specialised for post-adoption services only, but such situation occurs seldomly. However, both situations are allowed by the Romanian legal provisions.</p> <p>(d) how, if there are different services, these various services are coordinated;</p> <p>The coordination of various services is made by the local authorities (by the Directorates) whether if the services are provided within the Directorates or by other entities.</p> <p>(e) how the post-adoption services are financed (<i>e.g.</i>, the government funds its own services, the government funds Adoption Accredited Bodies (AAB) services, adoptees and their families pay for the services themselves, other);</p> <p>The post-adoption services provided by the local authorities (the Directorates) are financed with government funds and the adoptees and their families do not pay. The other entities (private entities, private practices, associated practices or professional associations active in the fields of social work and/or psychology) have their own private funds and in their case the adoptees and their families has to pay in return of the services.</p> <p>(f) the length of time this support is available.</p> <p>The post-adoption services are available for at least two years after the adoption approval. Post-adoption monitoring may exceed two years if required by the laws of the child's</p>

	country of origin. Also post-adoption services can be provided even further, if necessary.
15.	<p>Please provide details of any good practices in your State which ensure that adoptees, adoptive families and birth families are adequately informed about, and can easily access, post-adoption services.</p> <p>The adoptees and the adoptive families are adequately informed about accessing the post-adoption services during the first home visit for post-adoption monitoring. Also the PAPs are informed about the post-adoption services availability during their preparation for informed parenting.</p>
16.	<p>In setting up post-adoption services in your State, were the voices of adoptees considered?</p> <p><input checked="" type="checkbox"/> Yes. Please specify in what way their voices were considered:</p> <p>During the post-adoption monitoring period, attending the post-adoption activities is mandatory for the adopter/the adoptive family, if the reports drafted during this period record a reasoned proposal to that effect. Such a proposal may be formulated in the situations where it is appreciated that there is a risk of compromising the relationship between the parents and the adopted child/children or that it could lead, in time, to the breakdown of the adoption.</p> <p><input type="checkbox"/> No.</p>
17.	<p>Has research been carried out in your State in the past five years assessing post-adoption services?</p> <p><input type="checkbox"/> Yes. Please provide a link or attach a copy with your response:</p> <p>-</p> <p><input checked="" type="checkbox"/> No.</p>

Receiving States only

18.	<p>Please specify any challenges your State encounters in ensuring that adequate support is in place for adoptees and the adoptive family following an intercountry adoption, including where parents have adopted a child with special needs. Please also share any good practices your State has developed to overcome such challenges.⁴</p> <p>This information is (sau "can be provided"?) at the level of specialized local authorities, not being centralized at the level of our institution.</p>
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1.3. Post-adoption reports

Receiving States only

19.	<p>Does the preparation of PAPs in your State include the provision of information on post-adoption report requirements of the State where the PAPs (would like to) adopt?</p> <p><input type="checkbox"/> Yes. Please explain your response:</p> <p>N/A</p> <p><input type="checkbox"/> No. Please specify when and how PAPs are otherwise informed:</p> <p>N/A</p>
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⁴ If applicable, you may wish to refer to your State's response to Question 17 of "[Prel. Doc. No 2 of October 2014 - Questionnaire No 2 on the practical operation of the 1993 Hague Intercountry Adoption Convention](#)" (hereinafter "[2014 Questionnaire](#)").

Both States of origin and receiving States

20.	<p>Has your State encountered situations where the adopted child refused or objected to the obligation to comply with the post-adoption report requirements?</p> <p><input type="checkbox"/> Yes. Please specify the types of situations and what action your State has taken to address this type of situation:</p> <p><input checked="" type="checkbox"/> No.</p>
21.	<p>What has been your State's recent experience regarding post-adoption reports? Please provide details of any challenges and / or good practices in this regard.</p> <p>N/A</p>

1.4. Adoption breakdownsBoth States of origin and receiving States

22.	<p>If your State has had any experience regarding intercountry adoptions which have broken down, please specify:⁵</p> <p>(a) what have been the main causes of the breakdowns;⁶</p> <p>Our institution was informed about one case of adoption that has broke down in the receiving state. Shortly after the child was transfered to the receiving state and started to live within the adoptive family, he developped tantrums and other behavioral disorders. The adoptive parents asked for specialized help but, despite the support provided by the professionals, eventually the child was separated from parents and was taken in care of a children`s aid society. A care plan was applied for several months and at the end it was tried the reunion of the family. As soon as the child returned home, the crises started over again. Finally by a Court order the child was placed in a substitution family and the judge decided that a new adoptive family is needed for the child.</p> <p>(b) how your State has addressed these situations and whether your State has any good practices to share in this regard;⁷</p> <p>Our institution was informed about the breakdown of the adoption, but the decisions regarding the protection measures taken on the child were of the exclusive competence (sau "were the exclusive responsibility") of the competent authorities from the receiving state.</p> <p>(c) what support is available for the adoptee and the adoptive family to prevent and / or respond to the breakdown of intercountry adoptions;</p> <p>The support to prevent the breakdown of intercountry adoptions consists in: information and counselling for children and parents; parenting courses; support groups for children and parents; support to adopters as to how to inform the child that he/ she is adopted.</p> <p>(d) whether your State has developed any good practices to ensure that Recommendation No 19⁸ of the 2015 Special Commission is implemented:</p>
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⁵ If the Central Authority in your State is not informed about this information because it relates to a child protection measure which is a different department / institution than the Central Authority, we would be grateful if you could request this information from the relevant authorities in your State.

⁶ If applicable, you may wish to refer to your State's response to Question 18(a) of the [2014 Questionnaire](#).

⁷ If applicable, you may wish to refer to your State's response to Question 18(b) of the [2014 Questionnaire](#).

⁸ C&R No 19 of the 2015 SC:

Yes. Please specify any good practices developed in this regard:

The good practices for preventing the breakdown of adoptions are: the initial matching procedure based on the strong, clear matching criteria; the assessment of the way the adopter/adoptive family habitually residing abroad meets the specific needs of the child; the preparation of the child for meeting the adopters, in accordance with his/her age and maturity; the support and the supervision of the professionals during the practical matching meetings between the child and the adopter/adoptive family; the post-adoption services.

No. Please specify any reasons:

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(e) whether your State has experienced breakdown cases in which it was determined that it was in the child's best interests to **return** to the State of origin, and if so, what the situations were and how they were handled;

N/A

(f) **how many** cases of breakdown in intercountry adoptions have been reported in your State between 2015 and the present date;

One case has been reported to our Authority.

(g) how many of these cases included a **new placement** (e.g., foster care, new adoption) for the child;

One case has been reported to our Authority.

(h) how many cases of breakdowns were intercountry adoptions done (a) under the **1993 Adoption Convention** ; and (b) outside of the Convention (i.e., prior to the entry into force of the Convention in your State or with non-State Party);

Under the 1993 Adoption Convention, one case has been reported to our Authority.

(i) in line with **Recommendation No 20⁹** of the 2015 Special Commission, whether your State has applied the **1996 Child Protection Convention** to enhance cooperation between States of origin and receiving States in cases of breakdown, and if so, please explain.

N/A

Receiving States only

23.

Is your State's **Central Authority** informed and involved / consulted when an intercountry adoption breaks down?

Yes. Please explain your response:

N/A

No. Please specify whether the staff of the child protection services include workers specialised in adoption:

"The SC recognised that appropriate evaluations, preparation, reports, matching and post-adoption support, in relation to both the child and prospective adoptive parents, will reduce the risk of the breakdown of intercountry adoptions."

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C&R No 20 of the 2015 SC:

"The SC encouraged States to consider ratification of, or accession to, the *Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children* (hereinafter, "the 1996 Hague Convention") in view of its relevance in enhancing cooperation to protect children in many different situations, including following the breakdown of intercountry adoptions."

	N/A
24.	<p>Do your State's authorities consult with the Central Authority of the child's State of origin:</p> <p>(a) if an adoption breaks down?</p> <p><input type="checkbox"/> Yes. Please describe the type of cooperation: N/A</p> <p><input type="checkbox"/> No.</p> <p>(b) before determining a new placement for the child?</p> <p><input type="checkbox"/> Yes. Please describe the type of cooperation: N/A</p> <p><input type="checkbox"/> No.</p>

States of origin only

25.	<p>Is your State's Central Authority (or other competent authority) informed or involved / consulted by the competent authorities of the child's receiving State:</p> <p>(a) if an adoption breaks down?</p> <p><input checked="" type="checkbox"/> Yes. Please describe the type of cooperation: Our institution was informed about the breakdown of the adoption, but the decisions regarding the protection measures taken on the child were of the exclusive competence (sau "were the exclusive responsibility") of the competent authorities from the receiving state.</p> <p><input type="checkbox"/> No.</p> <p>(b) before determining a new placement for the child?</p> <p><input type="checkbox"/> Yes. Please describe the type of cooperation: -</p> <p><input checked="" type="checkbox"/> No.</p>
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1.5. Other post-adoption matters

States of origin only

26.	<p>Are adoptees, who did not retain the nationality of their State of origin, permitted to regain it at a later stage?</p> <p><input checked="" type="checkbox"/> Yes. Please specify the conditions to regain nationality: The adoptees can regain the Romanian nationality by applying for it as any other foreigner citizen.</p> <p><input type="checkbox"/> No. Please explain your response: -</p>
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Both States of origin and receiving States

27.	<p>Has your State encountered situations where adoptees have sought to regain the nationality of their State of origin?</p> <p><input type="checkbox"/> Yes. Please specify the situations and how they were handled:</p>
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	- <input checked="" type="checkbox"/> No.
28.	Please give the reasons, if any, why your State would or would not support the development of a Guide to Good Practice on post-adoption. ANDPDCA sustine dezvoltarea si implementarea oricaror instrumente utile in eficientizarea procedurilor de adoptie, inclusiv cu privire la perioada postadoptie.

2. PREVENTING AND ADDRESSING ILLICIT PRACTICES

Both States of origin and receiving States

29.	<p>Have illicit practices in intercountry adoption been discovered since 2015 in your State?</p> <p><input type="checkbox"/> Yes. Please specify:</p> <p>(a) the type of illicit practices which were discovered; Please insert text here</p> <p>(b) when the illicit practices were discovered (<i>i.e.</i>, during or after the adoption procedure); Please insert text here</p> <p>(c) whether the illicit practices were done under or outside the scope of the 1993 Adoption Convention; Please insert text here</p> <p>(d) how your State handled these situations; Please insert text here</p> <p><input checked="" type="checkbox"/> No.</p>
30.	<p>Please specify any good practices of your State to prevent and address illicit practices.</p> <p>Good practices that prevent illicit practices: The child has to be eligible for adoption prior to the intercountry adoption application of the adopter/adoptive family; The adoptable children and the adopters/adoptive families has to be registered in the National Registry for Adoptions prior to the matching; There is no contact between the birth parents and the adoptive parents during the adoption proceedings and, after the adoption approval, not until the adoptee search for her/his origin becomes possible, according to the legal provisions; The National Authority for the Rights of Persons with Disabilities Children and Adoptions (NARPDCA, the Central Authority of Romania) takes all measures, in compliance with the provisions prescribed by The Hague Convention, to prevent illegitimate profits, either financial ones or of any other nature, which could be earned during the adoption process and to discourage any practice contrary to the objectives of The Hague Convention and of this law .</p> <p>If such situations (of illicit practices) occur, the criminal investigation bodies are noticed and it is asked for the collaboration with the central authority from the receiving State. At the end of the investigation it may be brought legal action to the Romanian Court in order to declare the adoption null under the law.</p>
31.	<p>Is it possible in your State to annul an intercountry adoption?</p> <p><input checked="" type="checkbox"/> Yes. Please specify:</p> <p>(a) the authority which has jurisdiction to do so; Such cases fall under the competence of the Court.</p> <p>(b) who can request the annulment (<i>e.g.</i>, adoptee, adoptive parents, birth parents); Any person that has given her/his consent during the adoption proceeding; any person</p>

	<p>interested.</p> <p>(c) the grounds upon which this may be done; An error occurred when the consent has been given; The person that has consented was forced by violence; The adoption is not in the child's best interest; The adoption proceeding did not meet all the legal provisions/violated the legal provisions.</p> <p>(d) whether there is an age limit for the annulment of an adoption; There is no such age limit.</p> <p>(e) the procedure involved; It is regulated by the Civil Procedure.</p> <p>(f) the number of intercountry adoptions which are on average annulled per year. We recorded about 4 cases of intercountry adoptions annulled in the last 16 years. No case of annulled adoption occurred starting with 2015 to present.</p> <p><input type="checkbox"/> No.</p>
32.	<p>Is it possible in your State to revoke an intercountry adoption?</p> <p><input checked="" type="checkbox"/> Yes. Please specify:</p> <p>(a) the authority which has the jurisdiction to do so; Such cases fall under the competence of the Court.</p> <p>(b) who can request the revocation (e.g., adoptee, adoptive parents, birth parents); The adoptee or the adopter/the adoptive family.</p> <p>(c) the grounds upon which this is done; Criminal acts, murder attempts.</p> <p>(d) whether there is an age limit for the revocation of the adoption; Adopția poate fi desfăcută la cererea adoptatorului numai după ce adoptatul a dobândit capacitate deplină de exercițiu, în condițiile legii, chiar dacă faptele au fost săvârșite anterior acestei date. The adoption can be revoked at the request of the adopter only after the adoptee has acquired full legal capacity within the meaning of the law even if the deeds were committed before this date.</p> <p>(e) the procedure involved; It is regulated by the Civil Procedure.</p> <p>(f) the number of intercountry adoptions which are on average revoked per year. None until now.</p> <p><input type="checkbox"/> No.</p>

3. INTRAFAMILY ADOPTIONS

In this Questionnaire, an "intrafamily adoption" is one in which the adoptive parent(s) are either **relatives** of the child (e.g., an aunt, a grandparent, a cousin) or a **stepparent** of the child. These adoptions are respectively

referred to as “relative adoptions” and “stepparent adoptions.” The Convention applies to all intrafamily adoptions.¹⁰

3.1. General questions for intrafamily adoptions (i.e., relative and stepparent adoptions)

Both States of origin and receiving States

33.	<p>In your State, which authority is in charge of intrafamily adoptions?</p> <p><input checked="" type="checkbox"/> The Central Authority.</p> <p><input type="checkbox"/> Another competent authority. Please specify which authority and the reasons for designating a different authority:</p> <p>-</p>
34.	<p>Has your State developed any good practices to ensure that Recommendation No 32¹¹ of the 2015 Special Commission is implemented?</p> <p><input checked="" type="checkbox"/> Yes. Please specify the good practices developed in that regard:</p> <p>Romania applies the procedures of the 1993 Convention to intrafamily intercountry adoptions. The child has to be eligible for adoption prior to the intercountry adoption application of the relative/stepparent. The matching process is adapted: the 30-day period for practical matching is needed only if there has not been a direct contact of the relative/stepparent with the child for at least 15 days, in the last year preceding the registration of the adoption application. (The existence of a direct personal relationship between the child and the adopter may be demonstrated by any mode of proof.)</p> <p><input type="checkbox"/> No. Please specify any reasons:</p> <p>-</p>
35.	<p>Are there specific guidelines or procedures for intrafamily adoptions in your State?</p> <p><input type="checkbox"/> Yes. Please provide a link or attach a copy with your response:</p> <p>-</p> <p><input checked="" type="checkbox"/> No.</p>
36.	<p>Has your State encountered any particular difficulties with adoptability decisions in the context of intrafamily adoptions?</p> <p><input type="checkbox"/> Yes. Please specify the situations and how they were handled:¹²</p> <p>-</p>

¹⁰ See Permanent Bureau of the Hague Conference on Private International Law, [Guide to Good Practice No 1: The Implementation and Operation of the 1993 Hague Intercountry Adoption Convention](#), Bristol, Family Law (Jordan Publishing Limited), 2008 (hereinafter, “[Guide to Good Practice No 1](#)”), sections 8.6.4 and 8.6.5.

¹¹ C&R No 32 of the 2015 SC:

“In relation to in-family adoption, the SC:

- a. recalled that in-family adoptions **fall within the scope** of the Convention;
- b. recalled the need to respect the **safeguards** of the Convention, in particular to **counsel** and **prepare** the prospective adoptive parents;
- c. recognised that the **matching** process might be **adapted** to the specific features of in-family adoptions;
- d. recommended that the **motivations** of all parties should be **examined** to determine whether the child is genuinely **in need of adoption**;
- e. recognised that it is necessary to undertake an **individualised assessment of each child’s situation** and it should **not** be **automatically assumed** that either an in-country or in-family placement is in a child’s best interests” [emphasis added].

¹² If applicable, you may wish to refer to your State's response to Question 3(b) of the [2014 Questionnaire](#).

	<input checked="" type="checkbox"/> No.
37.	<p>In your State, does the termination of the pre-existing legal relationship affect only the child and his or her mother and father, or does it also affect the other members of the family (see Art. 26(1)(c) of the Convention)?</p> <p><input type="checkbox"/> It only affects the child and his or her mother and father.</p> <p><input checked="" type="checkbox"/> It affects the child and his or her mother and father, but also the other members of the family.</p> <p><input type="checkbox"/> Other. Please explain your response: -</p>
38.	<p>Has your State encountered cases of breakdown in intrafamily intercountry adoptions?</p> <p><input type="checkbox"/> Yes. Please provide information on (a) the number of breakdowns; (b) the causes of the breakdowns; and (c) the ways your State addresses(ed) them: -</p> <p><input checked="" type="checkbox"/> No.</p>
39.	<p>In the context of intrafamily intercountry adoptions, does your State cooperate with States with which it normally does not cooperate?</p> <p><input type="checkbox"/> Yes. Please specify any challenges your State encounters and share any good practices your State may have developed in this regard: -</p> <p><input checked="" type="checkbox"/> No.</p>

States of origin only

40.	<p>In your State, is the subsidiarity principle applied in the same manner to intrafamily intercountry adoptions?</p> <p><input checked="" type="checkbox"/> Yes.</p> <p><input type="checkbox"/> No. Please describe any different procedures used and explain the reasons for these different procedures:¹³ -</p>
41.	<p>Is intrafamily adoption used frequently to protect children within the extended family and / or are there other child protection measures (<i>e.g.</i>, kinship care, foster care) that your State applies to protect children within the extended family?</p> <p><input type="checkbox"/> Intrafamily adoption is used frequently. Please explain your response: -</p> <p><input checked="" type="checkbox"/> Other child protection measures are applied. Please specify:</p> <p>(a) which other child protection measures are applied to protect children within the extended family: The child can remain within the extended family, with (sau "applying") the placement as special protection measure.</p> <p>(b) if your State is a Party to the 1996 Child Protection Convention, whether your State</p>

¹³ If applicable, you may wish to refer to your State's response to Question 33(i) of the [2014 Questionnaire](#).

	<p>applies that Convention to give effect to these other child protection measures in other Contracting States:</p> <p>We did not have such cases. However, Romania did the ratification of Hague Convention of 19 October 1996 (by our domestic Law no.361/2007) and applies its provisions when necessary.</p>
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3.2. Stepparent adoptions

Both States of origin and receiving States

42.	<p>Does your State apply the 1993 Adoption Convention to stepparent intercountry adoptions?</p> <p><input checked="" type="checkbox"/> Yes.</p> <p><input type="checkbox"/> No. Please specify any reasons:</p> <p style="text-align: center;">-</p>
43.	<p>What is the profile of children who are adopted intercountry by a stepparent, either in your State or in the State with which your State cooperates?</p> <p>There are no such cases until now, so a children profile can not be described.</p> <p>The Romanian law regulates the adoption between spouses (the stepparent adoption), but in this particular case the procedure for declaring the adoptability of the child has not to be started.</p>
44.	<p>(a) Please specify any challenges your State encounters with stepparent intercountry adoptions:</p> <p style="text-align: center;">N/A</p> <p>(b) Please specify any good practices of your State for stepparent intercountry adoptions, including those for overcoming any challenges:</p> <p style="text-align: center;">N/A</p>

3.3. Intrafamily adoptions and circumvention of immigration laws

Both States of origin and receiving States

45.	<p>Has your State encountered situations where intrafamily adoptions were sought / used to circumvent immigration laws?</p> <p><input type="checkbox"/> Yes. Please specify what the situations were and how your State addressed these situations:</p> <p style="text-align: center;">-</p> <p><input checked="" type="checkbox"/> No.</p>
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4. DETERMINING THE CHILD'S HABITUAL RESIDENCE WHEN THE MOTHER MOVES TO ANOTHER STATE SHORTLY BEFORE GIVING BIRTH

Scenario: A pregnant woman, habitually resident in one State (State A), travels to another State (State B) where she gives birth to her child and relinquishes her newborn child for adoption in that other State (i.e., State B).

Both States of origin and receiving States

46.	<p>If your State has been involved in situation(s) similar to the above-described scenario:</p> <p>(a) was your State the State of habitual residence of the mother (State A), the State of birth of the child (State B), or another State?</p> <p style="text-align: center;">-</p>
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	<p>(b) how was the child's habitual residence determined? Which factors were considered?</p> <p>-</p> <p>(c) if adoption was considered the best option for the child, did your State determine it as being a domestic adoption or an intercountry adoption?</p> <p>-</p> <p>(d) what challenges did your State face in dealing with such situation(s)?</p> <p>-</p> <p>(e) if your State was the State where the child was born, was contact sought with the State of habitual residence of the mother? Was there any cooperation between the concerned States?</p> <p>-</p>
47.	<p>If there is a risk that the situation described above involves a case of human trafficking, would this be considered by your State when determining the child's habitual residence?</p> <p><input type="checkbox"/> Yes. Please explain your response:</p> <p>-</p> <p><input type="checkbox"/> No. Please explain your response:</p> <p>-</p>
48.	<p>Which actions would your State take to address the case where both your State and the other State:</p> <p>(a) would determine the child's habitual residence to be in their State?</p> <p>-</p> <p>(b) would determine the child's habitual residence not to be in their State?</p> <p>-</p>

5. SIMPLE AND OPEN ADOPTIONS

Both States of origin and receiving States

5.1. Simple adoptions

A simple adoption is one in which the parent-child relationship which existed before the adoption is not terminated but a new legal parent-child relationship between the child and his or her adoptive parents is established, and these adoptive parents have parental responsibility for the child.¹⁴

49.	<p>Has your State changed its legislation, rules or practices in recent years regarding simple intercountry adoption?</p> <p><input type="checkbox"/> Yes. Please specify the changes made and the reasons for these changes:</p> <p>-</p> <p><input checked="" type="checkbox"/> No.</p>
50.	<p>What is the profile of children for whom a simple intercountry adoption is made, either in your State or in the State(s) with which your State cooperates?</p>

¹⁴ See [Guide to Good Practice No 1](#), Glossary.

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51.	<p>If your State permits both full and simple adoption, are simple adoptions encouraged / promoted?</p> <p><input type="checkbox"/> Yes. Please explain your response:</p> <p>-</p> <p><input checked="" type="checkbox"/> No. Please explain your response:</p> <p>The Romanian law regulates the full adoption only.</p>
52.	<p>Has your State faced any problems regarding seeking the birth mother / family's consent to convert a simple adoption into a full adoption in the State of origin (Art. 27 of the Convention)?</p> <p><input type="checkbox"/> Yes. Please specify the situations which have arisen and how your State has dealt with these situations:</p> <p>-</p> <p><input checked="" type="checkbox"/> No.</p>
53.	<p>(a) Please specify any challenges your State encounters with simple adoptions:</p> <p>N/A</p> <p>(b) Please specify any good practices of your State for simple adoptions, including those for overcoming any challenges:</p> <p>N/A</p>

5.2. Open adoptions / openness in adoption

54.	<p>Does the terms "open adoption", "openness in adoption" or similar concepts exist in your State?¹⁵</p> <p><input type="checkbox"/> Yes. Please specify: (a) how it is defined; (b) whether it is provided by law, regulation or only in practice; and (c) whether it is promoted in your State:</p> <p>-</p> <p><input checked="" type="checkbox"/> No. Please explain what is understood in your State by the terms "open adoption", "openness in adoption" or similar concepts:</p> <p>Open adoption is a form of adoption in which the biological and adoptive families have access to varying degrees of each other's personal information and have an option of contact. Our legislation does not regulate open adoptions..</p>
55.	<p>Has your State changed its legislation, rules or practices in recent years regarding open or openness in intercountry adoption?</p> <p><input type="checkbox"/> Yes. Please specify the changes made and the reasons for these changes:</p> <p>-</p> <p><input checked="" type="checkbox"/> No.</p>
56.	<p>Has your State developed any good practices to ensure that Recommendation No 31¹⁶ of the 2015 Special Commission is implemented?</p>

¹⁵ If applicable, you may wish to refer to your State's response to Questions 19 and 20 of the [2014 Questionnaire](#).

	<input type="checkbox"/> Yes. Please specify the good practices developed in that regard: - <input checked="" type="checkbox"/> No. Please specify any reasons: Our legislation does not regulate open adoptions.
57.	(a) What is the profile of children for whom an open intercountry adoption is made, either in your State or in the State(s) with which your State cooperates? N/A (b) Does your State have a specific approach depending on the profile of these children? <input type="checkbox"/> Yes. Please specify these different approaches: Please insert text here <input checked="" type="checkbox"/> No.
58.	Does your State provide professional support or services to birth families (in the case of States of origin) or adoptive families (in the case of receiving States) and adoptees in open adoptions (e.g., support for contact agreements, supervising contact after adoption)? <input type="checkbox"/> Yes. Please specify the support / services provided and any challenges and / or good practices in this regard: N/A <input type="checkbox"/> No. Please explain your response: N/A
59.	Has your State encountered situations where adoptees, adoptive parents and / or birth parents wanted to change the frequency or the method of contact between them after the adoption? <input type="checkbox"/> Yes. Please specify what action was taken in response: N/A <input type="checkbox"/> No.
60.	(a) Please specify any other challenges your State encounters regarding open adoptions: N/A (b) Please specify any good practices of your State with regard to open adoptions, including those for overcoming any challenges: N/A

6. NON-CONSENSUAL ADOPTIONS

In this Questionnaire, non-consensual adoption refers to the adoption of children whose birth parents have been deprived of parental responsibility by a competent authority but nonetheless disagree with the adoption. It does not intend to cover adoption where consent of the birth parents is required but not sought (such adoptions would fall under the category of illegal adoption), or where consent of the birth parents cannot be sought (e.g., they are deceased or unknown).

States of origin only

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C&R No 31 of the 2015 SC:

“The SC noted that, where not prohibited by domestic legislation, and after professional matching, **contact between the adoptee and biological family** in intercountry adoption may be **beneficial** in some cases. In order to maximise the benefits and minimise the risks of such contact, professional support should be offered to prepare the parties, as well as to assist them during and after contact. The adopted child’s best interests should guide the nature of this contact, considering his or her wishes” [emphasis added].

61.	<p>What are the circumstances in your State in which a parent can lose his or her parental responsibility?</p> <p>The guardianship court, at the request of public administration authorities with responsibilities in the field of child protection, may rule on the exercise of parental rights if the parent endangers the life, health or development of the child through ill-treatment, alcohol or drugs, abusive behavior, through serious negligence in fulfilling parental obligations or through serious harm to the best interests of the child.</p>
62.	<p>Does your State permit the adoption of children whose birth parents have been deprived of parental responsibility?</p> <p><input checked="" type="checkbox"/> Yes. Please specify:</p> <p>(a) whether the consent of the birth parents who have lost their parental responsibility is <u>still</u> required?</p> <p><input checked="" type="checkbox"/> Yes. Please explain your response:</p> <p>The parent or parents who have fallen from the exercise of parental rights or to whom the penalty of prohibition of parental rights has been applied retain the right to consent to the adoption of the child. In these cases, the consent of the person exercising parental authority is also mandatory.</p> <p><input type="checkbox"/> No. Please explain your response:</p> <p>-</p> <p>(b) how your State ensure that the principle of subsidiarity is respected. Please also specify whether measures to support the birth family's reunification and alternative care options (<i>e.g.</i>, long-term foster care, kinship care) are considered prior to making the decision of non-consensual adoption.</p> <p>The Romanian law stipulates the obligatory steps for the reintegration of the child in the biological family or the integration in the extended family, following that, only in case of failure of these steps for the child, the opening of the adoption procedure will be taken into account.</p> <p>A child may become eligible for the intercountry adoption only after a period of 1 year from the date of the final court decision that approves the application for the opening of the internal adoption procedure, if during this period an adoptive parent or family with the residence in Romania or a relative of up to the IV degree of the child, who would like to adopt the child, was not found.</p> <p>(c) what is the procedure applicable to such non-consensual adoptions (<i>e.g.</i>: how the child is declared adoptable; if the birth parents are given notice of the procedure; if the birth parents can contest).</p> <p>The consent for adoption of the child's birth parents or of his/her legal guardian, as the case may be, should be free, unconditioned and expressed after being properly informed on the adoption consequences, especially on the termination of the family relationship with the child.</p> <p>Thus, the general direction of social assistance and child protection in whose jurisdiction the birth parents live or his/her legal guardian lives, as the case may be, is bound to ensure their counselling and information before expressing the consent for adoption. The result of this activity is recorded in a report, submitted to the case file.</p> <p>The individual care plan shall target domestic adoption if:</p> <p>(a) A year has passed since the special protection measure was established and the child's natural parents, in whose care the child could not be left for reasons not attributable to them, and his/her relatives within the fourth degree of consanguinity, who could be reached, have done nothing to reintegrate or integrate the child's into the</p>

family;

(b) Six months have passed since the special protection measure was established and the child's natural parents and his/her relatives within the fourth degree of consanguinity, who could be reached, have not cooperated with the authorities for the child's reintegration into the family;

(c) Six months have passed since the special protection measure was established and the child's parents and his/her relatives within the fourth degree of consanguinity have been unreachable;

(d) After establishing the special protection measure, the child's parents and relatives within the fourth degree of consanguinity who could be reached made a written statement that they did not want to raise and look after the child and they didn't withdraw such statement within 30 days. The directorate shall log these statements alongside any declarations whereby the parents and the relatives within the fourth degree of consanguinity change their initial statements;

(e) The child was registered under unknown parents. In such a case, adoption shall be set as the overall aim of the individual care plan within 30 days of release of his/her birth certificate.

Within the timeframes set forth in paragraph (b)(c), the directorate shall take the necessary steps to identify and contact the child's natural parents/relatives within the fourth degree of consanguinity and to regularly inform the child's natural parents and relatives who could be reached about the child's actual whereabouts, effective ways to stay in touch with the child and the actions needed for reintegration or integration.

Adoption may also be set as the overall aim of the individual care plan where the child's parents and relatives within the fourth degree of consanguinity, who could be reached, refuse to sign the statement specified in paragraph (d) although they do not want to raise and look after the child. In this case, the directorate shall prepare a report stating these circumstances to be signed off by the secretary/representative of the local administration in whose area the parents or relatives reside.

Where a child is placed with a relative within the fourth degree of consanguinity, the individual care plan may target domestic adoption only if the case manager considers that it is in the child's best interests to initiate the adoption proceeding.

The validity of the adoptable child statute, granted following the Court final judgment, is valid until the adoption of the concerned child is approved or until he/she turns 14 years

In the case of a child who has attained the age of 14 years, the individual care plan may target adoption if petitions for adoption have been filed by certified families/persons. In the case of inseparable siblings, if one of them has turned 14, the individual care plan may target adoption only if petitions for adopting them together have been filed by certified families or persons.

Where, upon the court's final and irrevocable order for initiation of the adoption proceeding, the cause having made it legally impossible for one of the parents to execute consent to adoption is no longer valid, a petition to review the order may be filed.

The petition for review may be filed before the adoption order is made by any of the child's natural parents or by the directorate having requested the initiation of the adoption proceeding.

The petition for review shall suspend the adoption procedures.

No. Please explain your response:

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63.	<p>Has your State encountered situations in which the birth parents in the State of origin contested a non-consensual intercountry adoption when the child was already in the receiving State?</p> <p><input type="checkbox"/> Yes. Please specify what actions, if any, your State has taken to deal with these situations:</p> <p style="padding-left: 20px;">-</p> <p><input checked="" type="checkbox"/> No.</p>
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Both States of origin and receiving States

64.	<p>What is the profile of children for whom a non-consensual intercountry adoption is made, either in your State or in the State(s) with which your State cooperates?</p> <p>The children eligible for intercountry adoption are generally older than 3 years, may be of a different ethnicity than the Romanian one and may show delays in development or may be classified within different degrees of disabilities.</p>
65.	<p>(a) Please specify any challenges your State encounters with non-consensual adoptions:</p> <p style="padding-left: 20px;">The court is the one that considers that the lack of consent of a biological parent is abusive and can overcome the lack of this consent, declaring the child adoptable.</p> <p>(b) Please specify any good practices of your State regarding non-consensual adoptions, including those for overcoming any challenges:</p> <p style="padding-left: 20px;">The law has been amended to include provisions that allow the court to override the lack of abusive consent.</p>

7. CONTACT BETWEEN THE PAPs AND THE CHILD BEFORE MATCHING

Both States of origin and receiving States

7.1. General questions

66.	<p>Does your State prohibit any contact between the child and the PAPs before matching?</p> <p><input checked="" type="checkbox"/> Yes. Please explain your response:</p> <p style="padding-left: 20px;">For example, in the case of domestic adoption, the adoptive family loses its adoption certificate if tries to identify a child for adoption.</p> <p><input type="checkbox"/> No. Please specify:</p> <p style="padding-left: 20px;">(a) in which circumstances such contact is permitted;</p> <p style="padding-left: 40px;">-</p> <p style="padding-left: 20px;">(b) the experience of your State with regard to such contact.</p> <p style="padding-left: 40px;">-</p>
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7.2. Summer camps / hosting programmes

In this Questionnaire, the "summer camps" practice is when adoptable children and PAPs attend an event (usually a camp) in the PAPs' State of residence (i.e., receiving State) or in the State of origin, usually for a period of several weeks. The hope is that the PAPs will want to apply to adopt one or more of the children they have spent time with during this event.

"Hosting programmes" (including "respite care" programmes for children who go abroad to improve their physical and psychological well-being) are when adoptable children are hosted by families living abroad, usually for a period of several weeks, sometimes with the hope that the families will wish to adopt them after the hosting.

67.	<p>Is your State involved in summer camps / hosting programmes for children?¹⁷</p> <p><input type="checkbox"/> Yes. Please specify:</p> <p>(a) whether such programmes specifically aim to be a precursor to adoption for some children (<i>e.g.</i>, for children with special needs):</p> <p><input type="checkbox"/> Yes. Please explain your response:</p> <p>-</p> <p><input checked="" type="checkbox"/> No.</p> <p>(b) whether such programmes have, in fact, resulted in the adoption of children:</p> <p><input type="checkbox"/> Yes. Please specify the percentage of children involved in the programmes that are adopted:</p> <p>-</p> <p><input checked="" type="checkbox"/> No.</p> <p>(c) where a child is adopted following such a programme, how is it ensured that the safeguards of the 1993 Adoption Convention have been respected (bearing in mind that it is likely that the child remains “habitually resident” in his or her State of origin and thus the adoption would fall within the scope of the Convention under Art. 2)?</p> <p>-</p> <p><input checked="" type="checkbox"/> No.</p>
68.	<p>If your State is involved in summer camps / hosting programmes specifically aimed at the adoption of some children, please specify:</p> <p>(a) whether the children benefiting from these programmes must have been declared adoptable before they can be part of such programmes;</p> <p>-</p> <p>(b) whether the PAPs participating in such programmes must have been declared eligible and suitable to adopt to be allowed to take part in such programmes;</p> <p>-</p> <p>(c) how the PAPs and children are selected to participate in such programmes, and whether a selection is made in cooperation with the other State;</p> <p>-</p> <p>(d) how the children are prepared for such programmes;</p> <p>-</p> <p>(e) what are the effects on and the feedback from the children who participated in such programmes but were not adopted;</p> <p>-</p> <p>(f) whether there have been situations where the adoption broke down after the child was adopted following participation in such programmes;</p> <p>-</p>

¹⁷ Regarding respite care, if applicable, you may wish to refer to your State's response to Question 54 of the [2014 Questionnaire](#).

	<p>(g) if the PAPs wish to adopt the child, whether it is possible for the child to remain in the receiving State or whether he or she must return to the State of origin before the adoption procedure can be initiated;</p> <p>-</p> <p>(h) who finances such programmes;</p> <p>-</p> <p>(i) what is the experience of your State with these practices (<i>i.e.</i>, challenges and any potential benefits).</p> <p>-</p>
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7.3. Voluntourism

In this Questionnaire, "voluntourism" refers to the practice of an individual travelling to another State to volunteer in that State. One common practice is to travel to volunteer in a children's institution. In these situations, some volunteers may subsequently wish to adopt one or more children from the child institution in which they were volunteering.

69.	<p>Has your State experienced situations where "voluntourists" commenced an adoption procedure to adopt a child from the children's institution in which they volunteered?</p> <p><input type="checkbox"/> Yes. Please specify how your State handled these situations and any difficulties these situations may have caused:</p> <p><input checked="" type="checkbox"/> No.</p>
70.	<p>Has your State taken any action to prohibit, regulate or to otherwise add safeguards to the practice of "voluntourism"?</p> <p><input type="checkbox"/> Yes. Please explain your response:</p> <p><input checked="" type="checkbox"/> No. Please explain your response:</p> <p>Romanian law allows volunteering in child protection institutions, but without involvement in the adoption procedure.</p>

7.4. Adoption of children already under the care of PAPs

71.	<p>If your State is aware of situations where PAPs have adopted or wished to adopt a child who was already under their care in the State of origin (<i>e.g.</i>, as part of a foster care placement, kinship care, "<i>niño puesto</i>",¹⁸ or a more informal arrangement such as temporary care by neighbours or within a community), please specify:¹⁹</p> <p>(a) whether the child had already been declared adoptable before the PAPs' adoption application was submitted;</p> <p>N/A</p>
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¹⁸ "*Niño puesto*" refers to a practice in some Latin American States where persons who already have care of a child request to adopt even if the child has not yet been declared adoptable nor have the persons been declared eligible and suitable to adopt.

¹⁹ Regarding foster care, if applicable, you may wish to refer to your State's response to Question 55 of the [2014 Questionnaire](#).

	<p>(b) at what stage in the process the PAPs were declared eligible and suitable to adopt; N/A</p> <p>(c) what the profile of these children was; N/A</p> <p>(d) what was done to ensure that the safeguards and procedures of the 1993 Adoption Convention had been respected; N/A</p> <p>(e) your State's experience with such adoptions. N/A</p>
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8. USE OF NEW TECHNOLOGIES

Both States of origin and receiving States

72.	<p>Has your State changed its practices recently to integrate new technologies into work processes (<i>e.g.</i>, blockchain to facilitate transmission and access to data)?</p> <p><input checked="" type="checkbox"/> Yes. Please specify (a) what the experiences of your State are in this regard (<i>i.e.</i>, benefits and challenges) and (b) how your State take into account data protection in this context: The amendment of Law 273/2004 in 2016 allowed the access of the specialists of the directorates to the National Register for Adoptions (NAR). They have access to the information about the children and families they have in their evidence, for which they have the obligation to register in the NAR the current stage of the adoption procedure.</p> <p><input type="checkbox"/> No.</p>
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9. STATISTICS

Both States of origin and receiving States

73.	<p>Please specify the number of intercountry adoptions per year (between 2015 and the present date) involving your State that are:</p> <p>(a) relative adoptions (<i>i.e.</i>, excluding stepparent adoptions);²⁰ 4</p> <p>(b) stepparent adoptions; -</p> <p>(c) simple adoptions; -</p> <p>(d) open adoptions or adoptions that involve a certain degree of openness; and -</p> <p>(e) non-consensual adoptions. Nr total de adoptii internationale, in perioada 2015-2019 este de 134 copii, respectiv: 2015-23</p>
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²⁰ For receiving States, you may wish to refer to your State's response to the HCCH [Annual Adoption Statistics Form](#).

	2016-19 2017-29 2018-41 2019-22
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10. OTHER MATTERS

74.	<p>Please specify any other comments your State wishes to make concerning the implementation and / or operation of the 1993 Adoption Convention.</p> <p>We would consider particularly useful a guide of good practices built on the experiences of other Contracting States in setting and managing a centralized registry regarding the search for the origins of the adoptees, challenges and identified solutions.</p>
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