

Questionnaire on the impact of COVID-19 on intercountry adoptions under the 1993 Adoption Convention

<i>Identification for follow-up purposes:</i>	
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I. OVERARCHING QUESTIONS	
	<u>Both States of origin and receiving States</u>
1.	<p>In response to the COVID-19 pandemic, has your State modified intercountry adoption procedures under the 1993 Adoption Convention? If so, what has your State done to ensure that the safeguards and procedures of the Convention have been, and continue to be, respected?</p> <p>In the context of the pandemic with COVID-19, the Romanian central authority coordinated the development of the international adoption procedure, identifying solutions on a case by case basis and ensuring that the principles and provisions of the Convention were further complied with. At the same time, all the procedural stages provided by the Romanian law were completed.</p>
II. OUTBREAK OF COVID-19 (cases in transition only)	
	<u>Both States of origin and receiving States</u>
2.	<p>What measures, if any, did your State take to deal with cases where the child had already been matched with prospective adoptive parents, but no adoption decision had been issued at the time of the COVID-19 outbreak in your State? How many children were in such a situation?</p> <p>In the context of declaring a state of emergency in Romania between 16.03.2020 - 14.05.2020, NARPDCA identified the cases of internationally adoptable children in the matching procedure with PAPs/adoptive families and notified the competent foreign authorities that the practical matching procedure will be suspended until it is possible to resume it, depending on the evolution of the pandemic situation both in Romania and in the receiving state.</p> <p>in this situation, 19 cases were identified.</p>
3.	<p>What measures, if any, did your State take to deal with cases where the adoption decision had already been issued, but the child was still in the State of origin at the time of the</p>

	<p>COVID-19 outbreak in your State? How many children were in such a situation?</p> <p>One case was identified in which, after the completion of the judicial procedure before the competent court, the adoptive family returned to the receiving state, but the adoptive family could not return to Romania to take over the child, as in Romania it had been declared a state of emergency and exceptional measures (e.g. cancellation of international flights) were imposed. During this period, the competent local authority ensured that the minor was counseled and received the necessary support to overcome the situation and that the adoptive family maintained permanent contact with the child through online media.</p> <p>As soon as the situation allowed it, the adoptive family was informed and supported to take over the child in safety conditions.</p>
<p>III. DURING COVID-19 (cases in transition and new cases)</p>	
	<p><u>States of origin only</u></p>
<p>4.</p>	<p>Has your State adapted, and if so how, the following stages of the adoption procedure:</p> <p>a) Declaration of adoptability of the child:</p> <p>Pursuant to the Decree of the President of Romania, which established the state of emergency as a measure to prevent the spread of the Covid-19 virus, the competent courts to judge the applications for declaring the adoptability of children suspended their activity and only the cases considered urgent were judged.</p> <p>b) Matching:</p> <p>In the case of internationally adoptable children, NARPDCA continued the activity of notifying the selections of adoptive families in matching with children in Romania, but also notified the competent foreign authorities about the fact that the practical matching procedure, respectively the travelling of adoptive families on the territory of Romania, it is suspended until it will be possible to resume it, depending on the evolution of the pandemic situation both in Romania and in the receiving state.</p> <p>In this situation, 9 cases were identified.</p> <p>c) Socialisation period:</p> <p>The Romanian central authority sent instructions and recommendations to the competent local authorities regarding the carrying out of the adoption procedures during this period. The relationship procedure between the child and the adoptive person / family was carried out in compliance with the safety measures imposed by the context of the pandemic with Covid-19. There were several cases where the first meetings between the child and the adoptive person / family took place through online media, for example the case of the child whose maternal assistants were tested positive for Covid-19 and a period of isolation was required.</p>

	<p>d) Support and counselling to adoptable children:</p> <p>During this period, the specialists from the competent local authorities carried out an intense activity of counseling and support of the adoptable children, including through the online means of communication, as appropriate.</p> <p>e) Adoption decision:</p> <p>Pursuant to the Decree of the President of Romania, which established the state of emergency, as a measure to prevent the spread of the Covid-19 virus, the competent courts to judge applications for declaring the adoptability of children suspended their activity and only the cases considered urgent were judged.</p> <p>f) Other stages:</p> <p>Regarding the activity of monitoring the post-adoption evolution of internationally adopted children, during this period the receiving states also sent post-adoption reports in which it was mentioned that the monitoring took place through the use of online means of communication.</p>
	<p><u>Receiving States only</u></p>
<p>5.</p>	<p>Has your State adapted, and if so how, the following stages of the adoption procedure:</p> <p>a) Eligibility and suitability of prospective adoptive parents:</p> <p>N/A</p> <p>b) Support and counselling to prospective adoptive parents:</p> <p>N/A</p> <p>c) Other stages:</p> <p>N/A</p>
<p>IV. USE OF TECHNOLOGY</p>	
	<p><u>Both States of origin and receiving States</u></p>
<p>6.</p>	<p>Has the use of technologies (e.g, videoconferencing) evolved in the adoption procedures in place in your State since the outbreak of COVID-19 in your State? Please specify:</p> <p>a) any benefits and challenges:</p> <p>Certain procedures were performed through online media - videocall - for example counseling and support activities and even some relationship meetings between the child and the adoptive person / family.</p> <p>However, considering that in the practical matching stage the development of a relationship between the child and the adoptive person / family is pursued, we consider that the relationship must take place mainly through face-to-face meetings, this being of particular importance for the quality of the relationship, but also for the</p>

	<p>specialized supervision from the team that conducts the case. Thus, by imposing measures to prevent infection with the Covid-19 virus, the imposed social distance created certain relationship difficulties, which were overcome with the support and the advice of specialists.</p> <p>b) if your response to question 72 (“Use of new technologies”) of the 2020 Questionnaire on the practical operation of the 1993 Adoption Convention (Prel. Doc. No 3) has changed:</p> <p>The response to question 72 has not changed, 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>A national project is currently undergoing, which aims to implement an information system that allows citizens and institutions with responsibilities in the field of child rights protection and adoption the access to electronic services, information and data exchange in real time.</p>
<p>V. POST COVID-19: LOOKING AHEAD</p>	
	<p><u>Both States of origin and receiving States</u></p>
<p>7.</p>	<p>Has your State developed any practices during this pandemic period that would be useful to mainstream into regular work practices? If so, please elaborate on what those practices are and how you plan to go about mainstreaming them into regular work practices:</p> <p>The legislative framework on adoption in Romania is being amended - we are currently working on the new Methodological Norms of Law no. 273/2004 on the adoption procedure, which has undergone changes that will enter into force at the end of March 2021. An amendment which we consider necessary and which has been included in the current draft of the Methodological Norms refers to the possibility that both the competent foreign authority and the adoptive person / family may request, in justified cases, the suspension of the adoption procedure.</p> <p>Also, in the draft of the Methodological Norms were included provisions regarding the possibility of transmitting in electronic format the notifications / documents necessary to continue the adoption procedure between the Romanian central authority and the competent foreign authority from the receiving state. Thus, the situations in which the terms provided by law were exceeded due to delays caused by the sending of the documents by mail / courier can be avoided.</p>
<p>8.</p>	<p>Please share any good practices and lessons learned by your State which may be applied in the event of another pandemic or similar state of emergency:</p> <p>Adapting the legislative framework in the field of adoption, so that it allows specialists to identify the most appropriate solutions in exceptional situations, taking into account primarily the principle of the child's best interests.</p>

VI. ANY OTHER COMMENTS	
	<u>Both States of origin and receiving States</u>
9.	Please insert here any other comments you may have: 