

Committee on the Rights of the Child

Fifty - first session

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Concluding Observations: Romania

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Adoption

53. The Committee notes the entry into force of Law No 273/2004 on the legal regime of adoptions as well as No 274/2004 on the establishment, organization and operation of the Romanian Adoption Office. However, the Committee notes with concern that under the current laws the procedure required for declaring the child adoptable may be excessively lengthy contrary to the child's best interest in cases where the family reunion is not an option. In addition social workers and authorities responsible for adoption are often overburdened with cases. The Committee notes that inter-country adoptions have limited to cases where a family relationship exists between the child and prospective parents.

54. The Committee recommends that the State party evaluate the implementation of adoption laws from the viewpoint of the best interest of the child, and continue allocating sufficient resources, both human and financial, in order to ensure a more adequate duration for all stages of the adoption process, at the national level. The Committee further recommends that the State party create positive awareness in the area of adoption and encourages potential adoptive parents, emphasizing the needs and rights of children to a family.

55. The Committee recommends that the State Party, taking into account the new adoption laws and guarantees of legal procedures for inter-country adoption in conformity with the Hague Convention No 33 on Protection of Children and Cooperation in Respect of Intercountry Adoption, withdraw the existing moratorium as a barrier to the full implementation of Art.21 of the convention.