



GOVERNMENT OF ROMANIA ROMANIAN OFFICE FOR ADOPTIONS

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To: **Federal Office of Justice**
International Private Law Unit
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Switzerland

The Romanian Office for Adoptions, the Central authority in the field of adoption in Romania, charged to coordinate and monitor the adoption activities and to accomplish the cooperation in intercountry adoption presents you its cordial greeting and the best wishes for the year 2012.

We bring to your attention the latest **changes of the normative framework in the field of adoption in Romania brought by Law no. 233/05.12.2011** for modifying and completing Law no. 273/2004 on the legal status of adoption. This normative act was published in the Official Journal Part I no. 680/07.12.2011 and **will enter into force on 07.04.2010.**

Law no. 233/05.12.2011 brings significant changes in order to improve the domestic adoption procedures and **important modifications for intercountry adoption.**

Intercountry adoption of a child who has the habitual residence in Romania by a person person/family having the habitual residence abroad will be approved only for the children who are registered in the records of the Romanian Office for Adoptions and only in the following situations:

- a) The adopter or one of the spouses in the adoptive family is a relative within the fourth degree of kinship to the child who legally became adoptable
- b) The adopter or one of the spouses in the adoptive family is a Romanian citizen
- c) The adopter is the spouse of the natural parent of the child

Thus, the new law creates a **legal framework also applicable for the Romanian citizens who established their habitual residence abroad.** They can apply for intercountry adoption of adoptable children in Romania.

The new law requires the prospective adopter/adoptive family to come to Romania and live on the Romanian territory for at least 30 consecutive days. During this period of time the professionals can assess the relationship with the child.

Taking into consideration that Law no. 233/05.12.2011 has not entered into force yet, we kindly request you to inform the Romanian citizens who have their habitual residence on the territory of your state and who express their intention to adopt children from Romania that they can apply for intercountry adoption starting with the date when the new law enters into force, respectively 07.04.2012.

Prior to this date our institution elaborates the secondary legislation regarding the application of Law no. 273/05.12.2011 which will provide details on the adoption stages and procedures.

Taking into account that a few years ago Romania faced a time when a number of abuses took place in the application of intercountry adoption procedures, we request your support in the application of the new legal provisions in order to avoid any possibility of abuse.

In this respect, we would greatly appreciate if the sending of the intercountry adoption applications and the necessary documents as well as the application of the procedures regulated by the law in the origin state and in the receiving state are done by a direct cooperation between the Romanian Office for adoptions and your institution.

Thus, even in the situation where a number of responsibilities in this matter was delegated to private bodies that carry out activities in the field of adoption, we kindly request you to identify a solution so that after family certification as suitable for adoption, all subsequent steps to be made directly between our institutions.

We take the opportunity to assure of our cooperation and we express our confidence in an efficient collaboration.

Yours sincerely,

Bogdan PANAIT

Secretary of State

