

WRITTEN QUESTION P-5462/06
by Luciana Sbarbati (ALDE)
to the Commission

Subject: International adoptions: moratorium according to the precautionary principle

The moratorium that came into force in Romania in 2004 has in effect prevented 850 families from completing the international adoption procedures that they had launched.

The need for a moratorium, or at least a restrictive technical provision with a political aim, in a country that had abused the institution of international adoption, may have been useful at a time when the country decided to complete the process of democratisation in accordance with the requirements of transparency and legality, in order to bring it closer to the Community acquis and open the doors of the Union - in compliance with respect for human rights.

Romania will join the European Union on 1 January 2007. It is therefore hard to understand the continuing need for a restriction with such negative effects. In view of the fact that in Europe, united in diversity, the free movement of citizens is allowed and the policy is supposed to constitute good governance and be understood as governing international relations and social life, can the Commission say whether:

- it does not consider that a lifting of the moratorium may be proposed in order to allow the new Community citizens to enjoy personal freedom and human rights in the same way as all other EU citizens;
- the decision to allow minors to meet and have telephone conversations with the couples they have been matched up with - thereby allowing them to establish a relationship of familiarity and the illusion of being able to live together - does not contradict the moratorium that is still in force;
- it is not anomalous, one year after the entry into force of the moratorium, to introduce the principle whereby an adopted child and its adoptive parents should have the same domicile in Romania but not the same nationality (Communication from the Romanian Government - Office for Adoptions, Protocol No 5006/29.09.2005 signed by the Secretary of State Theodora Bertzi), since it undermines the principle of a family link and the preference given to national adoption over international adoption introduced by the new law?