

C O N F I D E N T I A L BUCHAREST 000576

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DEPARTMENT FOR EUR/NCE BILL SILKWORTH;
AND CA/OCS/CI CHRIS LAMORA AND SCOTT BOSWELL

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TAGS: [CASC](#) [PREL](#) [PGOV](#) [PHUM](#) [RO](#)

SUBJECT: ADOPTIONS: ROMANIA OFFICIALLY REJECTS ALL PENDING
INTERCOUNTRY ADOPTION CASES

REF: A) BUCHAREST 0536 B) 2005 BUCHAREST 2550

Classified By: DCM Mark Taplin, Reasons 1.4 (b) and (d)

1. (U) On April 5, Embassy received by mail a letter from Theodora Bertzi, Secretary of State for the Government of Romania, s (GOR) Romanian Office for Adoptions (ROA), dated March 29 and including the final report of the GOR Working Group established in June 2005 to audit pending petitions by foreign families to adopt Romanian orphans and abandoned children. Post has faxed the letter to EUR/NCE and CA/OCS/CI.

2. (U) The report shows that none of the 1,092 children identified in the pending petitions will be available for inter-country adoption, ostensibly for the following reasons:

- 41 reintegrated into biological family
- 12 integrated within extended family
- 227 adopted by Romanian families
- 17 adopted by other foreign families by the rules of the adoption moratorium (2001-04)
- 8 under legal guardianship in Romania
- 12 reached or will soon reach age 18
- 47 petitioned after a February 6, 2004 emergency ordinance suspended even exceptional approval of intercountry adoptions during the moratorium
- 2 died
- 6 not found in GOR, s database of orphans or abandoned children
- 90 had petitions withdrawn by the foreign families (1 from the U.S.)
- 132 in process of final domestic adoption
- 415 not adoptable, protected within substitutive (sic) families
- 83 not adoptable, placed in the protection system (their biological family did not consent to adoption before Court or the Court did not approve the opening of the domestic adoption procedure).

13. (C) Comment: The Working Group had been expected to issue its report by the end of March, and Bertzi had announced publicly in December 2005 that none of the cases would be approved for inter-country adoption. However, the utterly non-transparent process of the Working Group and the opaque quality of the report suggest some of the children may in fact remain in non-permanent situations in which their welfare is not being adequately protected. Post believes we should continue to press the GOR to open up the Working Group,s "conclusions" for a transparent, objective international review and to establish a legal framework that would allow inter-country adoption for appropriate pending cases. We will provide Department with our updated recommendations soon. End comment.

TAUBMAN