

# CONFIDENTIAL

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**Subject: Romanian Children – analysis of the situation**

- ❑ Child protection should be a responsibility of public authorities. In Romania, since the early 90s there has been a strong reliance on NGOs and a tendency to ignore or bypass the authorities. This became very acute from 1997 onwards when control of the Romanian Child Protection authority was effectively taken over by NGO's, which supplied and paid key members of the staff, including the Secretary of State.
- ❑ During the period in which NGOs were in control of child protection, legislation was adopted which opened the way to wide spread abuses of the adoption procedures (the points-system which introduced financial considerations into the allocation of children to accredited private adoption Foundations).
- ❑ During this period the level of international adoptions increased very sharply, while national adoptions decreased.
- ❑ A degree of clientism was also created which led to the same NGOs and individuals consistently being awarded contracts and funds.
- ❑ The efforts to achieve a true reform of the child protection system in Romania over the last five years have clearly been frustrated by the priority given to international adoption, which has created an incentive to increase rather than decrease the number of children abandoned and placed in institutions. In addition, the particular interests of NGOs have often been placed before those of the state and more importantly the child.
- ❑ The financial crisis beginning 1999 appears to have in part resulted from the introduction of the point-system, by which child protection was to be financed through income from adoption Foundations. This income was intended to supplement the meagre resources available at the local level in the counties who in parallel through a process of decentralisation assumed, with little or no support from central government, the responsibility for funding and managing the child care sector. Adopting parents overseas paid amounts of as much as 40.000 \$ for the right to adopt, but this did not in practise provide income which was used to guarantee even the most basic level of care for children in institutions. However, the policy of financing childcare institutions out of the receipts of adoption seems to have meant that government did not consider it necessary to make adequate budget allocation for the institutions.
- ❑ Responding to this crisis, the Commission re-allocated the Phare 1998 programme on structural reform of the Child Protection into a humanitarian assistance programme. The implementation of the humanitarian assistance programme has been subject to continuous pressure from the adoption networks, in order to receive funds/points.

- Given the interests that surround the adoption question it is very difficult for the Romanian authorities to properly implement programmes under decentralised arrangements. The tenders for Technical Assistance and the Public Awareness Campaign under the Phare 1999 programme could only be successfully concluded with very close and intensive supervision of the Commission of the evaluation process. There were a number of attempts to influence the outcome of the tenders during and after the evaluations.
- Against this background, the Commission is forced to take very great care to try to avoid the same influences, which would result in abuse of the funds under the 1999 grant scheme (19 M €).

The general situation of substantial pressure being exerted by the adoption lobby means that it is difficult for the Government of Romania to define child protection strategies aiming at prevention of abandonment and closing big old style residential institutions by providing alternatives.

The adoption lobby is a network of groups and individuals in Romania and outside.

It is our belief that until the current international adoption practices are halted and the role of powerful NGOs are mitigated, the investment of the EU to support the reform of the child protection sector in Romania will continue to be undermined and subject to the type of scandals we witness on a regular basis.

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