



FACTSHEET

“SEARCH FOR ORIGINS”

Romania

Revised by local contacts

HISTORICAL CONTEXT OF ADOPTION IN THE COUNTRY

At the end of 1989, two major political events profoundly impacted the lives of Romania’s children in care: the adoption of the UN Convention on the Rights of the Child in November 1989 (ratified by Romania in 1990) and the collapse of communism in Central and Eastern Europe. Shortly after, the appalling conditions in Romania’s worst child institutions were exposed. These institutions, often referred to as "orphanages," attracted [international interest](#) (p. 4) in adoption.

During the communist regime, domestic adoptions were approved by the guardianship authorities, structures within the city halls. Intercountry adoptions (ICA) were rare and required direct approval by decree signed by President Nicolae Ceaușescu himself. Following the revolution, intercountry adoptions increased rapidly, raising concerns about [corruption and child trafficking](#). Between January 1990 and July 1991, approximately [10,000 children](#) were adopted internationally. Solely [in 1990](#), it is estimated that 200 visas were issued for Romanian children to be adopted in Greece, 311 in France, 400 in Canada, 520 in Italy, 600 in Great Britain and 914 in the United States. In response, the Romanian authorities introduced Law 11/1990, effective July 17, 1991, abrogating Decree 137/1956, which had required presidential authorisation for intercountry adoptions. The law also established the Romanian Committee for Adoption as the competent governmental body to supervise and support adoption procedures and to promote international cooperation in the field.

To regulate ICA, Law 48/1991 was passed, allowing only children from institutions registered with the Romanian Adoption Committee for at least six months to be adopted internationally, thereby prohibiting private adoptions. However, under external pressure, the 1993 Abandonment Law (Law 47/1993) was adopted. This law classified institutionalised children with no family visits in six months as “abandoned” and therefore adoptable, leading to a significant increase in ICA. Concurrently, Law No. 3/1970 remained in effect, mandating that abandoned children be placed in institutions.

Throughout the 1990s, Romania introduced several laws aimed at protecting children, birth parents, and adoptive families while addressing child trafficking concerns. Romania also ratified the 1993 HCCH Convention, which entered into force in 1994.

- **Law No. 84/1994:** aimed at protecting the children, birth parents, and adoptive parents during the process of intercountry adoption and preventing child-trafficking and other abuses;
- **Law No. 87/1998:** Established eligibility criteria for adoptive families, prioritising Romanian applicants

over foreign ones.

- **Law No. 108/1998:** Lowered the minimum adoption age and allowed biological parents to relinquish children at birth, with a 30-day revocation period.

Moratoria: Despite these regulations, ICA continued under [questionable practices](#). In response to international criticism and concerns from the European Parliament, the Romanian Committee on Adoptions placed a moratorium on ICA on December 14, 2000. A second moratorium followed on October 9, 2001, through Emergency Ordinance 121/2001, supplemented by Emergency Ordinance 161/2001 (both available in Romanian at the ISS/IRC). These moratoria significantly reduced ICA, although a limited number of children continued to be adopted internationally although some exceptions were made for pipeline cases. The moratorium was initially intended to last for 12 months but was extended to February 2004.

As part of broader child protection reforms, efforts were made to replace large residential institutions with alternative care services such as foster care, family-type homes, and family support programs. In 2004, two major laws were adopted that remain in effect today: **Law No. 272/2004** on the Protection and Promotion of Children's Rights, and **Law No. 273/2004:** Governing adoption procedures that repealed the Abandonment Law. These laws introduced stricter regulations, emphasising domestic adoption and restricting ICA. Law No. 273/2004 has been amended multiple times (2009, 2013, 2016) to enhance transparency, prioritise children's best interests, explicitly grant adopted individuals the right to access their biological parents' identities, and to require court authorization for access to data regarding biological parents.

Further legislative developments include:

- **Decision No. 233/2012:** Amended Law no. 273/2004 to expand provisions on access to biological parents' identities and extended the archiving period for adoption-related documents. It also establishes that adopters can benefit from the support of social services in informing the adopted person about their adoption.
- **Emergency Ordinance No. 102/2008:** Amended Law no. 273/2004 to introduce confidentiality of birth parents' data.
- **Decision No. 350/2012:** Regulated how adoptees can request information on their biological history.
- **Decision No. 448/2017:** Detailed procedures for facilitating contact between adoptees and biological families.

Illicit practices: Investigations into abuses in Romania's orphanages began in 2007. In 2017, the Institute for the Investigation of Communist Crimes called for an [official inquiry](#) into 771 deaths in Communist-era orphanages for children with a disability. In 2018, a second trial opened for the Neuropsychiatric Hospital in Siret to [investigate](#) the death of 350 children in the 1980s. In both trials it was [concluded](#) that children lived in inhuman conditions.

According to the [HCCH Country Profile](#) (2022), when allegations of illicit adoption practices arise, Romanian authorities collaborate with central adoption authorities in receiving states. If wrongdoing is confirmed, legal action may be pursued to annul the adoption.

Sources: Safta-Zecheria, Leyla. "[Divided Collective Memory and the Judicialization of \(Past\) Necropolitical Practices around Institutions for Children with Disabilities in Romania.](#)" N.E.C. . *Ștefan Odobleja Program Yearbook 2019-2020*. (2020): pp. 167-206.; [HCCH Country Profile](#) (2022); Maria Touma, Ana. "[Romania Prosecutors asked to probe Orphanage Deaths.](#)" *Balkan Insight*. (2017): pp.1-2.; Law No. [272/2004](#); Law No. [273/2004](#); Denechere, Yves, and Scutaru, Béatrice. "[International adoption of Romanian children and Romania's admission to the European Union \(1990-2007\).](#)" *Eastern Journal of European Studies* vol.1 issue 1 (2010): pp. 135-151.; Popescu, Rebeca; Muntean Ana; and, Juffer, Femmie. "[Adoption in Romania: Historical Perspectives and Recent Statistics.](#)" *Routledge Taylor & Francis Group Adoption Quarterly* vol. 23, no. 1 (2020): pp. 1-26; [Pini and others v. Romania](#), nos. 78028/01 and 78030/01, 22 June 2004, European Court of Human Rights.

CURRENT SITUATION

Legislation

Legal provisions currently applicable:



32 Quai du Seujet ■ 1201 Genève ■ Suisse
irc-cir@iss-ssi.org ■ www.iss-ssi.org

- The [Law N° 273/2004](#) on adoption proceedings, arts. 82-83
- The [Detailed Rules on the Implementation of Law No. 273/2004 on adoption proceedings, Decision no. 579/2016](#)
- [Decision no. 448/2017](#) on the approval of the methodology referring to the contact of the birth parents or biological relatives, the access of the adoptee on his/her personal history and the access of the birth parents/biological relatives of the adoptee to information regarding the adoptee (entry into force July 5, 2017).

Rights and conditions for access to information

Rightsholders: Adoptees who have turned 18 are entitled to know their origins and their past and they shall benefit from support to contact their natural parents or birth relatives. Adoptees who have not turned 18 yet can apply together with their adoptive parents who express their consent and support the adoptee in their actions.

The **adoptee's biological parents** may receive from the National Authority for the Protection of Children's Rights and Adoption (ANPDCA) general information about the adoptee (adoption confirmation, year of adoption order, whether it is domestic or inter-country adoption, as well as whether the adoptee shows up in the official records as being alive or deceased). Other information about the adoptee may be provided to the biological parents or birth relatives only with the consent of the adoptee who has turned 18 or, for an underage adoptee, with the consent of the adoptive family. Consent shall be requested by ANPDCA via the directorate, the central authority of the receiving State, or the accredited foreign organisation involved in the adoption proceeding, whichever applicable.

Adoptee's relatives until the fourth degree of kinship prior to the adoption may request and are allowed to be informed if the adopted person was adopted (domestic and intercountry), the year of adoption and if they are alive. The adoptee or the adoptive family can give their written consent about any additional information that may be shared.

Conditions for access: there are established criteria, but exceptions under justified situations can be made.

- Adoptees need to be over 18 (when Court proceedings are needed) or count with the consent of the adoptive family.
- In intercountry adoption, for adoptees under 18 years, it is mandatory to benefit from counselling from specialised services in the country where adoptee lives in. The report or a certified copy of the report is to be sent to ANPDCA accompanied by its certified translation into Romanian.
- Furthermore, adoptees are obliged to assist to a minimum of 1 counselling session, after which a counselling report is submitted to Court (more details follow) that states that the adoptee is emotionally balanced to avoid that the information causes psychological and emotional damage. In cases of ICA the counselling takes place abroad and the report needs to be translated to Romanian.
- Adoptees need to request the ANPDCA to confirm filiation with at least one biological parent before the adoption took place.

Legal obligation to inform an adoptee about their adoption/origins: Adopters are obliged to gradually inform the child about their adoption from an early age with professional support if required.

Right to remain anonymous: information about the identity of biological parents or relative is not anonymous and can be provided only after the Court's decision authorising the access of the adoptee to this information. Only adoptees who do not have knowledge of their birth parents' identity can apply to the Court. In cases where the birth parents are unknown, Court proceedings will not be followed.

Exception for medical reasons: The identity of the adoptee's biological parents may be disclosed before the former acquires full legal capacity only for medical reasons, by ANPDCA, at the request of any of the adopters, the adoptee, or the representative of a medical institution, along with supporting medical documents.

Sources: Law no.273/2004 arts. 75,80- 81; [Decision no. 448/2017](#) art 9(1); [HCCH Country Profile](#) (2022).



Preservation of information

Competent authorities:

- 1) National Authority for the Protection of Child's Rights and Adoption ([ANPDCA](#))

Address: 7th Bd. Gral. Ghe. Magheru, 1st District, Bucharest 010322, Romania

Telephone: + 40 21 31 00 789

E-mail: office@anpdca.ro

Website: <http://copii.gov.ro/>

Contact persons: Mr. Rareş-Petru Achiriloaie (President)

- 2) General Directorate for Social Assistance and Child Rights Protection ([DGASPC](#)) at the county level

Address: str. Parfumului nr. 2-4, sector 3, Bucharest, Romania

Telephone: +40 37 21 26 100

E-mail: office@dgaspc3.ro

Website: <https://dgaspc3.ro/>

The local General Directorate for Social Assistance and Child Rights Protection (DGASPC) keeps a single file that contains all information concerning the child, their parents and extended family, as well as adoptive family gathered during adoption procedures and post-adoption monitoring.

ANPDCA, the Central Authority in intercountry adoption cases, keeps the documents that certify the fulfilment of the conditions for the intercountry adoption approval.

GRDSACP, ANPDCA and courts are responsible for preserving information on a child's origins. It is important to note that the CA does not hold records on adoptions that took place before 1998. For these cases, it cooperates with other bodies to obtain the records.

Duration: are kept by the ANPDCA for a period of 50 years, and the National Archives for 100 years.

Types of preserved information: Any relevant information about the adoption, the child's origins, mainly on the natural parents' identity, as well as any details related to the child's and their family's medical history shall be kept.

Adoptees aged 18 and over can administratively seek anonymised information on their place of birth, institutional background, and personal history (social, family, medical), or non-anonymised information via a court order (arts. 76-77 Law no.263/2004 - see procedure below).

Sources: Law no.273/2004, art. 83; [HCCH Country Profile \(2022\)](#).

Procedure

Please note that the ISS Member in Romania, [Generatie Tanara](#), can be contacted to facilitate in search for origins procedures.

Competent authorities:

The [ANPDCA](#) (contact details can be found above) is responsible for managing adoptees' requests related to their origins. Its duties include:

- Receiving applications from adoptees seeking information about their biological origins.
- Obtaining and verifying relevant documents.
- Identifying and locating birth parents or biological relatives.
- Facilitating contact between adoptees and their birth families.



For cases requiring legal authorisation to access identity-related information, the Court of Bucharest (for intercountry adoptions) or the relevant county court (for domestic adoptions) has jurisdiction.

Required documents:

Adoptees who wish to access information about the place of birth, institutional track and personal history, namely social, family, medical of adopted persons, without revealing the identity of their biological parent must provide the following documents to the following email address office@anpfdc.ro:

- A copy of their identity document;
- A birth certificate;
- As the case may be, a copy of the identity document of the legal representative.

Adoptees who wish to access information about the identity of their biological parents or relatives and count with the authorisation of Court need to provide the following documents to the following email address office@anpfdc.ro:

- The name and the surname of the person they are searching for;
- If possible, additionally identifying details such as date/place of birth or last known residence of their birth parents at the time of the adoption;
- A copy of the final Court's decision;
- Any other document related to their past and adoption.

The more precise the information provided, the easier and faster the process will be.

The Court procedure is to be followed only by the adoptees who do not have knowledge of their birth parents' identity.

Furthermore, applicants who wish to search for their biological origins or adopted relative must complete a [formal application](#). Two forms are available, one for adult adoptees and another for their legal representatives. Additionally, a signed [consent forms](#) for processing personal data and, if applicable, consent to be contacted is needed by applicants or, if the case, by a legal representative.

Type of requests

There are different procedures that might need to be pursued depending on the exact request of the adoptee:

- **Procedure for the adoption file:** The adoptee can receive general information from their adoption file which does not disclose the identity of the biological parents. The ANPDCA will collaborate with other institutions to obtain the respective file.
- **Procedure in front of the Court:** After turning 18, the adoptee may petition the court for access to identity-related information. The following documents must be submitted to Court:
 - A copy of the applicant's identity document.
 - A copy of the birth certificate issued after the adoption.
 - The document from ANPDCA certifying the adoption and confirming filiation to at least one biological parent.
 - A counselling report attesting to the adoptee's psychological and emotional readiness.
 - If counselling was provided abroad, an authenticated copy of the report along with a certified Romanian translation.

If the court is convinced that the applicant meets the legal conditions, it will grant access to the requested information. Following this, the adoptee may contact ANPDCA for assistance in locating and reaching out to their biological family.

Cases where identities are known: If an adoptee already knows their birth parents' identity and wishes to contact them, ANPDCA collaborates with Romanian social services and foreign authorities to:

- Notify the birth family about the adoptee's request.
- Obtain general information on their current status.
- Request their consent for contact and processing of personal data.



The biological relatives have the right to refuse contact at any time. If they agree, ANPDCA facilitates communication through various means such as letters, phone calls, or arranged meetings.

Requests from adoptees who have reached the age of majority and who are not certain whether they have been adopted: In collaboration with other authorities, the ANPDCA tries to obtain documents which confirm/invalidates their supposition.

Cases of Refusal or Inability to Establish Contact

If an adoptee's biological relatives cannot be found or refuse to be contacted, ANPDCA will inform the adoptee without revealing any personal data. The same procedure applies if an adoptee or their adoptive family refuses to disclose information to a biological relative. In such cases, the application will be archived, and the adoptee will be provided with available information on their personal history and institutional background.

Timeframe: While no fixed processing timeline is explicitly stated, efficiency depends on the completeness of the information provided and the responsiveness of involved authorities.

Cost(s): No costs are linked to a search for origin process in Romania.

Sources: Law no.273/2004, arts. 76/81(3); [2022 Hague Country Profile](#); Decision 448/2017 arts. 6-11.

Preparation and continuous support (governmental/non-governmental)

Legal obligation of counselling the adoptee: Before applying to the Court of Bucharest, it is mandatory for the adoptee to benefit from proper counselling, at least one meeting, with the help of the foreign authorities/private bodies. The document issued by the foreign authorities/private bodies must state that the adoptee is a person who has psychological integrity and emotional balance.

Competent authority: the ANPDCA is required to support the adoptee in view of the exercise of their right to get to know their origins and past and supplies to their biological parents and relatives information about the adopted person.

Training of involved professionals: The GDSACP is required to provide information and training to the child for intercountry adoption.

Support provided by civil society organisations/peer groups/adoptee-led organisations, ISS, etc. Assistance in the search process is provided before disclosing the identity and making contact. At the request of the parties involved, the social services can offer assistance (prior counselling, a space where a first meeting can be arranged, etc.). Also, in practice, in particular situations, the central authority in the matter of adoption in Romania ensures a first exchange of letters between adoptees and biological relatives.

Counselling/support to birth families: The Romanian social services/the Romanian authorized private bodies or private psychology/social assistance offices that signed collaboration agreements with ANPDCA perform the counselling of the adoptee's biological relatives prior to their contact. It may consist in, and this is not an exhaustive list, providing translation and interpretation services, making available a space for the unfolding of the meetings, facilitating transportation.

Follow-up support provided: Procedurally, follow-up is conducted by local authorities (DAGSPC) according to an agreed and approved care plan, which is revised regularly. The type, content and duration of support depends on the capacity of local authorities.

Sources: [2022 Hague Country Profile](#); Law No. 273/2004; [Decision no.448/2017](#); Information provided by Romanian CA (2023).

Possible outcomes



No information is gathered on the outcome of the Search for Origin procedures.

Discovery of irregular/illicit practices: The legal department of ANPDCA notifies the competent bodies (police/prosecutor's office) to investigate)

Source: Information provided by Romanian CA (2023).

Possibility for birth relatives (siblings included) to search for the adoptee

Requests from biological parents and siblings: Birth parents or relatives are allowed to be informed if the person sought was adopted (domestically or internationally), the year of adoption and if the adoptee is alive. If they are seeking to reconnect with an adoptee, they can apply to ANPDCA, providing the adoptee's pre-adoption identity and any known identifying details. ANPDCA will then:

- Confirm whether the individual was adopted.
- Inform the biological relatives whether the adoptee is alive.
- Contact the relevant foreign adoption authorities for assistance in reaching the adoptee.
- Notify the adoptee or their adoptive family about the biological relative's request, seeking their consent for further contact.

If the adoptee or their adoptive family refuses, no personal data will be disclosed. ANPDCA will retain the request in its records.

Source: Decision 448/2017, arts. 18-21.

Statistics

Year	Requests for search for origins submitted by intercountry adopted persons	Requests for search for origins submitted by domestic adopted persons	Requests submitted by the adopted persons' biological relatives	Total
2017	104	60	37	201
2018	106	79	32	217
2019	158	77	20	255
2020	136	102	56	294
2021	156	126	73	355
2022	59	141	80	280
2023	81	174	85	340

Source: Information provided by the Romanian CA (2024).

