

No. 33071

**IRELAND
and
ROMANIA**

Agreement on the working arrangements for the coordination of intercountry adoption (with annex). Signed at Bucharest on 7 July 1994

Authentic texts: English and Romanian.

Registered by Ireland on 26 August 1996.

**IRLANDE
et
ROUMANIE**

Accord relatif aux arrangements de travail en vue de la coordination des procédures d'adoption inter-états (avec annexe). Signé à Bucarest le 7 juillet 1994

Textes authentiques : anglais et roumain.

Enregistré par l'Irlande le 26 août 1996.

AGREEMENT¹ BETWEEN THE ROMANIAN COMMITTEE FOR
ADOPTIONS AND THE MINISTER FOR HEALTH OF IRELAND
ON THE WORKING ARRANGEMENTS FOR THE CO-ORDINA-
TION OF INTERCOUNTRY ADOPTION

Whereas the competent authorities of Ireland and Romania desiring to promote co-operation between their two countries in the field of intercountry adoption and to strengthen the friendly relations which exist between Romania and Ireland, have agreed as follows:-

INTRODUCTION

1. This Agreement is the basis for a working arrangement between the countries of Ireland and Romania concerning the processing of applications from persons residing in Ireland to adopt children from Romania who have been identified as being available for adoption by the Romania Committee for Adoptions.
2. This Agreement has been prepared to reflect current legislation governing the adoption of children in Romania and in Ireland.
3. The Irish Adoption Board (An Bord Uchtala) will act as agent for the Minister for Health of Ireland in processing applications from prospective adopters.

¹ Came into force on 7 July 1994 by signature, in accordance with paragraph 11.

GENERAL PRINCIPLES

4. The guiding principles for this Agreement are those set out in the United Nations Convention on the Rights of the Child, adopted by the General Assembly on November 20, 1989.¹

5. These recognize that:
 - (a) Intercountry adoption may be considered as an alternative means of child care, if the child cannot be placed in a foster or an adoptive family or cared for in a suitable manner in the child's country of origin;

 - (b) The best interests of the child are the paramount consideration;

 - (c) The child concerned by intercountry adoption should enjoy safeguards and standards equivalent to those existing in the case of a national adoption;

¹United Nations, *Treaty Series*, vol. 1577, No. I-27531.

- (d) The placement of a child should be carried out by competent authorities and must not result in improper financial gain for those involved in it.

GUIDELINES

6. Intercountry adoption of Romanian children by persons residing in Ireland must be performed according to Romanian and Irish laws governing adoption.
7. The Irish Adoption Board will only forward applications for the adoption of Romanian children on behalf of persons resident in Ireland who, in accordance with Irish law, have been assessed by a health board or a registered adoption society and in whose favour the Irish Adoption Board has made a declaration of their eligibility and suitability to adopt.
8. The Irish Adoption Board will co-operate exclusively with the Romanian Committee for Adoptions which is the authorised body in Romania responsible for identifying and listing children who may be adopted by people living abroad.
9. The Romanian Committee for Adoptions will only accept applications for the adoption of Romanian children from persons, including Romanian citizens, who have been ordinarily resident in Ireland for at

least one year which are sent to it by the Irish Adoption Board.

10. The Irish Adoption Board and the Romanian Committee for Adoptions will develop detailed procedures, in accordance with the requirements of existing law, for the adoption of Romanian children by persons, including Romanian citizens, who have been ordinarily resident in Ireland for at least one year. These procedures shall include those specified in the Annex to this Agreement which is an integral part of the Agreement.

FINAL PROVISIONS

11. This Agreement may be amended at any time by an exchange of letters through the Diplomatic channel. This Agreement shall enter into force on signature by both parties. Either the Minister for Health of Ireland or The Romanian Committee for Adoptions may terminate this Agreement by giving three months notice in writing to the other party of intention of termination. Termination of this Agreement will not affect the completion of adoptions already in process or the obligations set out in this Agreement for post-placement services.
12. This Agreement is concluded in two originals in the English and Romanian languages.