

## Policy & Legal review for children in alternative care & unaccompanied and separated children from Ukraine arriving in: ROMANIA

**Contributors:** Justice for Minors Romania, Terres des Hommes Romania; SOS Children's Villages Romania; Eurochild

1. What are the laws and/or policies covering care arrangements for children temporarily or permanently deprived of family care (with translation into English if available)?

### **Policy & authority coordination:**

Regarding the urgency of the situation of children arriving from Ukraine in Romania without any guardians or family:

At the beginning of March this year, the Romanian government has decided to set up an Unaccompanied Children's Task Force, which will have representatives in every county and sector of the capital. The Task Force for UC will have a team of social assistance workers/specialists, school inspectors, health inspectors and representatives of non-governmental organizations, they will have shared responsibilities on the children welfare and wellbeing and will meet weekly to discuss different situations. This Group is nominated for 3 years' mandate.

Therefore, it has been adopted the Regulation on the organization, functioning and attributions of the Task Force for Unaccompanied Minors, from 11.03.2022 Integral part of Order 20360/2022.

Ro: <https://lege5.ro/Gratuit/geydqoygyida/regulamentul-privind-organizarea-functionarea-si-atributiile-grupului-operativ-pentru-minorii-neinsotiti-din-11032022>; News RO: [adev.ro/r8iypv](http://adev.ro/r8iypv)

- Law 287/2009 on the Civil Code (Legea 287/2009 privind Codul Civil) – Guardianship: Art. 151 (1); Art. 110; RO: [http://www.dreptonline.ro/legislatie/codul\\_civil\\_republicat\\_2011\\_noul\\_cod\\_civil.php](http://www.dreptonline.ro/legislatie/codul_civil_republicat_2011_noul_cod_civil.php)
- Civil Code (A) 04/02/2016. RO: <https://legislatie.just.ro/Public/DetaliiDocument/175630>
- Law 272/2004 on the protection and promotion of children's rights (Legea 272/2004 privind protecția și promovarea drepturilor copilului), including amendments by Law 257/2013 on the modification and completion of Law 272/2004 – Guardianship: Art. 64 (3). Ro: [http://www.dreptonline.ro/legislatie/legea\\_protectiei\\_copilului.php](http://www.dreptonline.ro/legislatie/legea_protectiei_copilului.php); In PDF: <https://www.mmanpis.ro/wp-content/uploads/2020/02/L-272-2004.pdf>; En: <https://bit.ly/3jjktiA>
- Governmental Decision 1434/2004 on the attributions and organisation and functioning regulations of the General Direction for Social Assistance and Child Protection (Hotărârea Guvernului 1434/2004 privind atribuțiile și Regulamentul-cadru de organizare și funcționare a Direcției generale de asistență socială și protecția copilului) – Guardianship: Arts. 2–3; Ro: <http://legislatie.just.ro/Public/DetaliiDocument/55363>

- Decision 49/2011 of the Government for the approval of the Framework methodology on the use of a multidisciplinary team and network for the prevention and intervention in situations of violence against children and domestic violence [...] (Hotărâre de Guvern 49/2011 pentru aprobarea Metodologiei-cadru privind prevenirea și intervenția în echipă multidisciplinară și în rețea în situațiile de violență asupra copilului și de violență în familie [...]); Ro: <http://transcena.ro/wp-content/uploads/HG49-2011-metodol-cadru.pdf>

2. What are the laws and/or policies or bi-lateral agreements covering care arrangements for unaccompanied and separated children (UASC) from foreign countries (with translation into English if available)?

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Regarding the urgency of the situation of children arriving from Ukraine in Romania without any guardians or family:

At the beginning of March this year, the Romanian government has decided to set up an Unaccompanied Children's Task Force, which will have representatives in every county and sector of the capital. The Task Force for UC will have a team of social assistance workers/specialists, school inspectors, health inspectors and representatives of non-governmental organizations, they will have shared responsibilities on the children welfare and wellbeing and will meet weekly to discuss different situations. This Group is nominated for 3 years' mandate.

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Ro: <https://lege5.ro/Gratuit/geydqoiygyida/regulamentul-privind-organizarea-functionarea-si-atributiile-grupului-operativ-pentru-minorii-neinsotiti-din-11032022>; News RO: [adev.ro/r8iypv](http://adev.ro/r8iypv)

**Legal frameworks:**

- Law 287/2009 on the Civil Code (Legea 287/2009 privind Codul Civil) – Guardianship: Art. 151 (1); Art. 110; RO: [http://www.dreptonline.ro/legislatie/codul\\_civil\\_republicat\\_2011\\_noul\\_cod\\_civil.php](http://www.dreptonline.ro/legislatie/codul_civil_republicat_2011_noul_cod_civil.php)
- Law 272/2004 on the protection and promotion of children's rights (Legea 272/2004 privind protecția și promovarea drepturilor copilului), including amendments by Law 257/2013 on the modification and completion of Law 272/2004; Ro: [http://www.dreptonline.ro/legislatie/legea\\_protectiei\\_copilului.php](http://www.dreptonline.ro/legislatie/legea_protectiei_copilului.php); En: <https://bit.ly/3jjktiA>
- Governmental Decision 1434/2004 on the attributions and organisation and functioning regulations of the General Direction for Social Assistance and Child Protection (Hotărârea Guvernului 1434/2004 privind atribuțiile și Regulamentul-cadru de organizare și funcționare



- a Direcției generale de asistență socială și protecția copilului) – Guardianship: Arts. 2–3; Ro: <http://legislatie.just.ro/Public/DetaliiDocument/55363>
- Government Ordinance 194/2002 on the legal status of foreigners in Romania (Ordonanta de Guvern 194/2002 privind regimul strainilor in Romania) – Guardianship: Art. 131; Ro: [http://www.mae.ro/sites/default/files/file/userfiles/file/pdf/servicii-consulare/2012.07.30\\_oug\\_194\\_2002.pdf](http://www.mae.ro/sites/default/files/file/userfiles/file/pdf/servicii-consulare/2012.07.30_oug_194_2002.pdf); En: <http://www.refworld.org/docid/544676df4.html>
  - Law 122/2006 on asylum in Romania (Legea 122/2006 privind azilul in Romania) – Guardianship: Arts. 16, 39, 40, 41, 47; Ro: <http://legislatie.just.ro/Public/DetaliiDocument/71808>; En: <http://www.refworld.org/docid/44ace1424.html>
  - Law 678/2001 on the prevention and combating of trafficking in persons (Legea 678/2001 privind prevenirea si combaterea traficului de persoane); Ro: [http://anitp.mai.gov.ro/ro/docs/legislatie/678\\_2001.pdf](http://anitp.mai.gov.ro/ro/docs/legislatie/678_2001.pdf)
  - Amendments by Law No. 331/2015 amending several legal acts regarding the regime of foreigners (Legea nr. 331 din 16 decembrie 2015 pentru modificarea și completarea unor acte normative în domeniul străinilor), December 2015, entered into force on 24 December 2015; Ro: <http://igi.mai.gov.ro/ro/content/legisla%C8%9Bie>
  - Decision 49/2011 of the Government for the approval of the Framework methodology on the use of a multidisciplinary team and network for the prevention and intervention in situations of violence against children and domestic violence [...] (Hotărâre de Guvern 49/2011 pentru aprobarea Metodologiei-cadru privind prevenirea și intervenția în echipă multidisciplinară și în rețea în situațiile de violență asupra copilului și de violență în familie [...]); Ro: <http://transcena.ro/wp-content/uploads/HG49-2011-metodol-cadru.pdf>
  - Government Decision no. 859/2008 on the approval of the Agreement between the Government of Romania and the Government of the Italian Republic on cooperation in the field of protection of unaccompanied or distressed Romanian minors on the territory of the Italian Republic, signed in Rome on June 9, 2008; Ro: <https://legislatie.just.ro/Public/DetaliiDocumentAfis/96904>
  - Government Decision no. 1,237 / 2007 for the approval of the Agreement between the Government of Romania and the Government of the French Republic on cooperation for the protection of unaccompanied Romanian minors on the territory of the French Republic and their return to the country of origin, as well as for the fight against juvenile exploitation networks February 1, 2007; RO: <https://legislatie.just.ro/Public/DetaliiDocumentAfis/86165>
  - Law no. 294/2006 for the ratification of the Agreement between Romania and Spain on cooperation in the field of protection of unaccompanied Romanian minors in Spain, their



repatriation and the fight against the exploitation of minors, signed in Madrid on December 15, 2005; RO: <https://legislatie.just.ro/Public/DetaliuDocumentAfis/73355>

- Government Decision no. 1,443 / 2004 regarding the methodology of repatriation of unaccompanied Romanian children and the provision of special protection measures in their favour; RO: <https://legislatie.just.ro/Public/DetaliuDocumentAfis/55422>
- Act no 122 of 4 May 2006 on Asylum in Romania, last updated 3 Sept.2016: <http://bit.ly/2q3FTjf>
- Government Decree no.1251 of 13 September 2006 regarding the Methodological Norms for Applying Act 122/2006; last updated Jan. 2016: <http://bit.ly/2fJRIiO>
- Government Emergency Ordinance No.194 of 12 December 2002 regarding the regime for foreigners in Romania; last updated 9 November 2018: <http://bit.ly/2x9zGrl>
- Government Ordinance No.44 of 29 January 2004 regarding the social integration of foreigners granted international protection or a right of residence in Romania, as well as citizens of the EU MS and the European Economic Area; last updated 10 October 2019: <https://bit.ly/2pp5lHW>
- Decision no.945 of 5 November 2020 for the approval of the Methodological norms for the application of the Government Ordinance no.44/2004 regarding the social integration of foreigners who have acquired a form of protection of a right of residence in Romania, as well as of the citizens of the EU and the EEA; last updated 12 November 2020: <https://bit.ly/3sXCMNQ>
- Ordinance no.441 of 4 April 2008 for determining the attributions of the authorities responsible for implementing the data in the Eurodac system and for establishing the practical methodology of cooperation in the application of European regulations, with amendments and additions: <https://bit.ly/3sXCMNQ>
- Regulation of Internal Order in the Regional Centres of Accommodation and Procedures for Asylum Seekers of 25 August 2016: <http://bit.ly/2DefFYk>
- Regulation of Centres for Aliens Taken into Public Custody of 30 July 2014: <http://bit.ly/2DA2QHI>

3.

- a. What is the legal status of unaccompanied and separated children (UASC) [from Ukraine] in this country?

- b. Does this status guarantee that a child will be able to return to Ukraine once the situation normalises? Or if there is no such “guarantee”/clause please also indicate.
- c. Is there a difference in how the legal system treats the child classified as unaccompanied vs. separated?
- d. Does this status allow the adoption of the Ukrainian child who has entered this country without the consent or participation of parents and/or representatives of Ukrainian relevant state parties?

a.

Ukrainian children are considered equal to Romanian children in terms of legal protection (see [Ordonanța de urgență nr. 20/2022 privind modificarea și completarea unor acte normative, precum și pentru stabilirea unor măsuri de sprijin și asistență umanitară](#))

The acts enacted by the Government are of temporary character, in line with the EU decision on the application of temporary protection measures. Once the conflict is over and the situation is safe, Ukrainian children can return back home. It remains to be seen however whether a best interests’ assessment procedure will take place on a case per case basis before a final decision is taken on return of individual children.

**Law 272/2004 states:**

- Art. 17 – (1) The child, whose parents reside in different states, has the right to maintain personal relations and direct contacts with both of them, except when this is contrary to the best interests of the child.
- (2) The National Authority for the Protection of the Rights of the Child will facilitate the exercise of the right stipulated under paragraph (1), in cooperation with the Romanian Ministry of Foreign Affairs, based on a procedure approved through a joint order.
- Art. 18 – (1) Children who are not accompanied by parents or by a person who is legally responsible for the child, or are not under the legal supervision of any persons, have the right to have their return to the legal representatives ensured, as soon as possible.

**Moreover, the following clauses of Article 20 are relevant:**

- (1) The foreign diplomatic and consular missions must inform the Authority for the Protection of the Rights of the Child and the Authority for Foreigners about all cases involving children with foreign citizenship who are located in Romania, and who, for whatever reasons, are not accompanied by parents or by a legal guardian, or are not under the legal supervision of other persons. If the Romanian authorities take notice of such cases by themselves, they will immediately inform the competent foreign mission about the respective children.
- (2) In the cases stipulated under paragraph (1), the Authority for the Protection of the Rights of the Child will request the second level court of Bucharest to decide the placement of the child in a special protection service proposed by the Authority for the Protection of the Rights of the Child, until the completion of the legal steps that must be undertaken by the Authority for Foreigners.

- (3) The placement measure lasts until the return of the child to his / her parents' residence country or to the country where relatives willing to look after the child have been identified.
- (4) In case the child is not returned, he / she will benefit from the special protection stipulated by the present law.

b.

**YES.** It is expected that the Ukrainian children will be able to return in Ukraine as soon as safety and peace are certain. It is not possible to adopt a Ukrainian child. In accordance to Ro. Law 272/2004, the children from Ukraine cannot be adopted because have a different citizenship. However, Romanian government takes full responsibility for all children safety and care.

Statistics on unaccompanied and separated children hardly exist, although some data on certain categories, such as asylum seekers and victims of trafficking, are easier to track.<sup>1</sup> There is a challenge in identifying unaccompanied children, generally, because of the lack of IDs, therefore a thoroughly analysis is requested in order to take the best decision for the child's welfare or return.

c.

**YES.** All children are protected in Romania under the same Law for Children's' Rights n.272/2004, all children have the same right to protection and security and are being guaranteed safety no matter their nationality or other reasons; a special condition for unaccompanied children is observed in the Asylum Law n.122/2006.

Therefore, there are a couple of differences in the *modus operandi* of authorities treating these 2 categories of children.

More specifically, according to the Romanian Asylum Law (Law 122/2006), an **unaccompanied minor** is foreign citizen or a stateless child, who arrived in Romania unaccompanied by any of the parents, nor a legal representative, and who is not in the care of any adult accordingly to the law or custom, or a minor left unaccompanied or even abandoned at the borders of Romanian territory. The Government Urgency Order (OUG 194/2002) on the foreign citizens arriving to Romania categories the unaccompanied children as vulnerable and therefore their requests are considered with priority even if they have no legal representative.

**In the case of separated children, the legislative framework is:**

Government Decision n. 1103/2014 for the approval of the methodology regarding the fulfillment of the obligations of the local public administration authorities, institutions and professionals

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<sup>1</sup> Ro:

[https://childhub.org/sites/default/files/library/attachments/1785\\_raport\\_romana\\_light\\_for\\_web\\_original.pdf](https://childhub.org/sites/default/files/library/attachments/1785_raport_romana_light_for_web_original.pdf)  
p.20

involved in the prevention and intervention of cases where children are at risk of abandonment or abandoned in health facilities;

Governmental Decision 691/2015 for the approval of the Procedure for monitoring the upbringing and care of children with parents working abroad and the services they can benefit from, and for the approval of the Working Methodology on the cooperation between the Directorates-General for social assistance and child protection and public social assistance services and the model of documents drawn up by them.

(Hotărârea Guvernului 691/2015 pentru aprobarea Procedurii de monitorizare a modului de creștere și îngrijire a copilului cu părinți plecați la muncă în străinătate și a serviciilor de care aceștia pot beneficia, precum și pentru aprobarea Metodologiei de lucru privind colaborarea dintre direcțiile generale de asistență socială și protecția copilului și serviciile publice de asistență socială și a modelului standard al documentelor elaborate de către acestea). Ro: [HG 691 19/08/2015 - Portal Legislativ \(just.ro\)](https://www.just.ro/legislativ/HG69119082015)

It is considered that child separation in Romania happens mostly because of extreme poverty and social exclusion, especially in single parents' families. Ro: [Copiii-si-tinerii-din-sistemul-de-protectie-speciala\\_012022.pdf](#) (see table 3.1). The Government helps to prevent this through different services offered to help and support the parents, pregnant women and minors.<sup>2</sup>

Regarding the Ukrainian children, Romanian Government has decided recently to form an **Unaccompanied Task Force** in order to better protect them.

d.

It is not possible to adopt a Ukrainian child. In accordance to Ro. Law 272/2004, the children from Ukraine cannot be adopted because have a different citizenship.

Ukrainian children are temporarily in the care of the Romanian state at the request of the Ukrainian government, for the duration of the emergency situation, they are expected to return to their home country once safety and peace are certain; ENG:

<https://www.ilegis.ro/eurolegis/ro/index/act/83800/lang/en>

4.

- a. What is the legal status (especially the length of the status, benefits and restrictions) of the Ukrainian guardian accompanying a Ukrainian separated child arriving in this country (for

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<sup>2</sup> Ro: [https://www.sos-satelecopiilor.ro/wp-content/uploads/2019/04/Brosura-A4\\_WEB\\_SOS-Satele-copiilor.pdf](https://www.sos-satelecopiilor.ro/wp-content/uploads/2019/04/Brosura-A4_WEB_SOS-Satele-copiilor.pdf), p.11

example a member of staff from the evacuated institutions which has been appointed by the Ukrainian authorities as a guardian for a group of children during evacuation of an institution)?

- b. What safeguarding measures are in place to check and protect the best interests of the child if the child has a guardian from Ukraine (i.e., verifying who the guardian is, approve the guardian status in relation to the child, provide support and monitoring, etc.)?

- a. This person has the right to keep the contact with the child and to live with the Ukrainian children placed in children public institutions, as the Minister of Family in Ro has announced in media. Ro: <https://www.libertatea.ro/stiri/viata-copiilor-orfani-din-ucraina-ajunsi-in-centre-din-prahova-la-o-luna-de-la-sosire-socul-a-fost-puternic-4072761>

- b. Based on Art. 3 – e), Ukrainian children situated in Romania for emergency and safety reasons, will benefit from the same *Law for Children’s rights, n. 272/2004*, legal dispositions. Therefore, guardians from Ukraine need to inform the General Direction for Social Assistance and offer their contact details and ID details, the Court will make all the necessary checks. This procedure is explained in the *Law for Children’s rights, n. 272/2004*, articles 104, 105 and following.

5.

- a. What are the regulations and procedures in case a child arrives without parents and any legal guardian (or any papers authorizing the person to care for the child), e.g., a child which is looked after by an adult (e.g., a family friend, a neighbour, someone who found the child alone on the street and took it along to keep it safe...)?
- b. May the return of these children to Ukraine, after the normalisation of the situation, be questioned/hampered by the legal status they receive?

a.

**Procedure for arriving unaccompanied children:**

Unaccompanied children arriving in Romania are picked up by a mobile team of the General Directorate of Social Assistance and Child Protection, in order to decide on the best interest of the child, in accordance to Ro. Law 272/2004 on the protection and promotion of the children’s rights. Mainly, they will decide on either the placement with a social care worker or foster care family, preferably Ukrainian or Russian speakers or any emergency placement.

According to the Organizational Framework Regulation:

<https://lege5.ro/Gratuit/gi3damzwgu4a/regulamentul-cadru-de-organizare-si-functionare-al-directiei-generale-de-asistenta-sociala-si-protectia-copilului-din-08112017> and functioning of the



General Directorate of Social Assistance and Child Protection, the DGASPCs aim is to ensure the implementation of the policies in the field of child protection, family, the elderly, persons with disabilities, as well as other persons, groups or communities in social need, with a role in administration and granting benefits of social assistance and social services.

Art. 1 of the Framework Regulation for the organization and functioning of the General Directorate of social assistance and child protection, by Decision no. 797/2017.

**If the unaccompanied minor is in transit** in Romania, together with an adult, other than the parent or legal representative, the representatives of the Romanian Border Police request the adult traveling with the minor to fill in a standard form. It is available in Romanian, English, Ukrainian, and Russian and includes information about the final destination, as well as contact and identity details of the accompanying adult and the minor.

**If the unaccompanied minor remains in Romania** with an adult relative or a person who took care of the minor, the representatives of the Romanian Border Police request the completion of the standard form. The form will contain information about the address where they will live, the contact and identity details of the accompanying adult and the minor.

For the unaccompanied minor who remains on the territory of Romania and has no place to live, the representatives of the Romanian Border Police notify, through the representative of the General Directorate for Social Assistance and Child Protection (DGASPC), the National Authority for Child Protection and Adoptions.

The groups of minors from the placement centers in Ukraine or from the special protection system in Ukraine are guided, by the representatives of the Romanian Border Police, to the representative of DGASPC present at the border crossing point.

**The transport of unaccompanied minors** (from the Ukrainian protection system) from the border to the social service identified by the National Authority for Child Protection and Adoptions **is provided by the County Inspectorate for Emergency Situations.**

Ukrainian or Russian-speaking interpreters, volunteers from higher education institutions or non-governmental organizations identified through the Task Force will be present at border crossings.

In order to ensure the right to education for unaccompanied minors in Romania, the school inspectorates initiate the necessary steps regarding their enrollment in groups / classes / study formations in pre-university education units.

According to the procedure, the establishment of the special protection measure will also include the placement of children in public or private family-type services, with priority given to persons who speak Ukrainian or, as the case may be, Russian.

Since the beginning of the humanitarian crisis, **599 children from social services in Ukraine have been identified in Romania, of which 255 children are currently in the special protection system in Romania.**

#### **Existing legal framework:**

The Ro Children's Rights Law n. 272/2004 art. 10.2 (<https://lege5.ro/Gratuit/gm4tcnrtha/drepturile-copilului-lege-272-2004?dp=gy3tembsgi2tq>) specifies that in case of a child being found or abandoned in any medical facilities, the competent authorities, the Police or Communitarian Services are responsible to designate as soon as possible at least one person to deal with all the legal requirements including birth registration and communication of the child's ID to General Directorate of Social Assistance and Child Protection (DGASPC) or Social Care Public Service.

Art. 12 establishes that in case of a child born and abandoned in maternity, the unity is responsible to notify the General Directorate of Social Assistance and the Police in 24h. In 5 days, the authorities will release a document that states the situation and which is necessary to the General Directorate to continue child's assistance a protection with urgency.

Furthermore, the same Law at art. 12 establishes that for 30 days the authorities will search the mother and in case of failure, the General Directorate will establish the child's placement with Police notification on this, in 5 days the Public Services will choose child's name based on Law n. 119/ 1996 (an administrative Law that establishes the procedure for any person status: birth, marriage or death).

Art. 16 Law n. 272/ 2004 - <https://lege5.ro/Gratuit/gm4tcnrtha/drepturile-copilului-lege-272-2004?dp=gy3tembsgi2tq> - mentions that in case a child is being found, the person that finds him/he has 48h to notify the Local Authorities.

The decision on legal guardianship is taken by the court of the law. The legal guardianship is appointed by the court based of the report made by the general department for social security and child protection.

#### **According to Law 272/2004,**

- Art. 38 – The court of law is the only competent authority which may issue a decree, taking into primary consideration the best interests of the child, concerning:

a) the person who exercises and fulfils the parental rights and duties, in case the child is deprived, either temporarily or permanently, of the protection of his or her parents;

b) the ways in which the parental right and duties are exercised and fulfilled; c) the partial or complete termination of the exercise of parental rights; d) the recovery of the exercise of parental rights.

- Art. 39 – (1) Any child who is, either temporarily or definitively, deprived of the care of his or her parents, or who, in order to protect his or her interests, cannot be left in their care, has the right to alternative protection.

(2) The protection stipulated under paragraph (1) includes the establishment of the legal guardianship, the special protection measures stipulated under the present law, and the adoption.

When choosing one of these solutions, the competent authority will appropriately take into account the need to ensure a certain continuity in the child's education, as well as his or her ethnic, religious, cultural and linguistic background.

- Art. 40 – (1) The legal guardianship is established when both parents are deceased, unknown, deprived of the exercise of parental rights or were enforced the penalty of denial of parental rights, placed under interdiction, declared dead or missing by a court of law, as well as when, upon the termination of the adoption, the court of law rules that this is in the best interests of the child.

(2) The legal guardianship is established in accordance with the law by the court of law in whose territorial range the child has the domicile or has been found.

- Art. 41 – (1) The legal guardianship may be entrusted to natural persons or jointly to the husband and wife who have the domicile in Romania and who are in none of the incompatibility situations stipulated by the law.

(2) The natural person or the family who are to become legal guardians must be evaluated by the general department for social security and child protection with regard to the moral warranties and the material conditions which they have to meet in order to receive a child in placement. The evaluation is conducted by the general department for social security and child protection in whose territorial range is located the domicile of the natural person or family, and the members of the child's extended family are given priority.

- Art. 42 – (1) The court of law gives priority in appointing as legal guardian, if no justified reasons are opposing this decision, a relative or a friend of the child's family, who is capable of fulfilling this task.

(2) The natural person, or the couple, respectively, who are to become legal guardians, are appointed based on the presentation of the report concerning these persons made by the general department for social security and child protection.

### Information provision and legal counselling:

At the main border crossing points from Ukraine and the Republic of Moldova (Halmeu, Sighetu Marmatiei, Siret, Stanca, and Isaccea). Information provision is also provided in reception centres, as well as through two hotlines (+40 730 073 170 / +40 721 206 926) and an online platform:

<https://dopomoha.ro/en>

As far as can be derived, asylum procedures are still accessible in Romania, of which applicants will be accommodated in the six main regional centres in Timis, Maramures, Suceava, Giurgiu and Bucharest.

b.

The Romanian Ministry (the Family, Youth and Chance Equality Minister) has ensured Ukraine Government on taking all the necessary safety and security measures for Ukrainian children, guaranteeing that they are not placed for an adoption and that they will be safely returning home when the war is over. In Romania, there is no Law to allow adoption of foreign children or to impede Ukrainian children return to Ukraine.

Even if there is no update yet on any Rule or Law to establish the return conditions of Ukrainian children back home as soon as the war is over, Romania is following in this case all European and international Laws on Children's rights; Ro: <http://copii.gov.ro/1/precizari-referitoare-la-situatia-copiilor-proveniti-din-sistemul-de-protectie-din-ucraina/>

6. Which government ministry/department is responsible for the:

- a. the care of children temporarily or permanently deprived of family care & would it be possible to provide immediate contacts?
- b. the care of unaccompanied and separated children (UASC) [from Ukraine] & would it be possible to provide immediate contacts?

a.

**National coordinating ministry:** Ministry of Family, Youth and Equal Opportunities  
[secretariat.gf@gov.ro](mailto:secretariat.gf@gov.ro)

Adresă: Palatul Victoria, Piața Victoriei nr. 1, Sector 1, București, cod postal 011791

Adresă web: [www.gov.ro](http://www.gov.ro)

Telefon centrală: 40-21-314 34 00 / 40-21-319 15 64

**National coordinating authority:** National Authority for the Protection of Children's Rights and Adoption

[office@anpdca.ro](mailto:office@anpdca.ro), Elena Tudor – President.

**Local coordinating authority:** General Direction for Social Assistance and Child Protection  
Every District has its own website and contact details, which can be found here:

<http://anpd.gov.ro/web/informatii-utile/directiile-generale-de-asistenta-sociala-si-protectia-copilului/>

Contact can be made with local task forces coordinating efforts of reception and care related to children by contacting local email addresses of the DGASPCs, through the above link.

b.

The National Authority for the Protection of Children's Rights and Adoption will give you all the details about the working group 'Children and Youth': <http://copii.gov.ro/1/solutii-pentru-copiii-si-tinerii-ucarineni/>

7. Has the government adopted specific legislation/policy or bi-lateral agreements on USAC from Ukraine? If not, would the government develop such legislation / regulations or bilateral agreements?

- In March 2022, The Government of Romania adopted '[Ordonanța de urgență nr. 20/2022 privind modificarea și completarea unor acte normative, precum și pentru stabilirea unor măsuri de sprijin și asistență umanitară](#)' with regard to the situation in Ukraine. This act translates the temporary protection directive in the national regulatory framework for persons coming to Ukraine after the 24<sup>th</sup> of February 2022 (<https://lege5.ro/Gratuit/geydnzxe2tq/ordonanta-de-urgenta-nr-20-2022-privind-modificarea-si-completarea-unor-acte-normative-precum-si-pentru-stabilirea-unor-masuri-de-sprijin-si-asistenta-umanitara?d=2022-04-25>).
- The Romanian government set up an Unaccompanied Children's Task Force in March 2022, which will have representatives in every county and sector of the capital. The Task Force for UC will have a team of social assistance workers/specialists, school inspectors, health inspectors and representatives of non-governmental organisations, they will have shared responsibilities on the children welfare and wellbeing and will meet weekly to discuss different situations. This Group is nominated for 3 years' mandate. RO: <https://lege5.ro/Gratuit/geydqojygyda/regulamentul-privind-organizarea-functionarea-si-atributiile-grupului-operativ-pentru-minorii-neinsotiti-din-11032022>; News on Task Force in RO: [adev.ro/r8iypv](http://adev.ro/r8iypv).
- Permanent coordination and communication has been established with public institutions and no-governmental organisations, such as Save the Children Romania and the Romanian Red Cross.
- For students from Ukraine arriving in Romania, the Government has adopted a specific legislation helping the students to settle within Ro universities, based on art. 224 National Education Law n. 1/2011. The Government Order that establishes the right for Ukrainian students to continue their students in Romania is here (RO): <https://cdn.edupedu.ro/wp-content/uploads/2022/03/ordin-Ministrul-Educat%CC%A6iei.pdf>

8.

- a. Has the Government put in place a system/process to track children from Ukraine, especially UASC? (not sure)
- b. Who is responsible for identification and registration of these children, as well as accommodation and care? (Provide name of authorities)

a.

At the beginning of March this year, the Romanian government has decided to set up an Unaccompanied Children's Task Force, which will have representatives in every county and sector of the capital. The Task Force is in charge of coordinating the response including efforts to identify and protect UASC. The responsibility for the registration and protection of the children is then regulated by Law 272/2004.

It is known that the General Directorates will centralise the data and sent it to Family Ministry.

In every major city involved in receiving refugees, the Local Authorities and NGOs are offering their support. The Local Authorities should receive all data collected by the NGOs and private people helping the refugees with children.

The KidsUkraine application is an online application designed exclusively for the integrated management of the situation of children entering Romania without a parent or legal guardian.

The Ministry of Family, Youth and Equal Opportunities, through the National Authority for the Protection of the Rights of the Child and Adoption and with the support of UNICEF, has developed this application to provide real-time information to authorities involved in refugee crisis management. Thus, at all times, state institutions know exactly the number of places available throughout the country for the reception and accommodation of unaccompanied children coming from Ukraine. In addition, the platform gathers all the relevant information about the social services that these children need and is accessed by all the General Directorates of Social Assistance and Child Protection in the country.

The representatives from each county enter updated data, and based on this information, “up-to-date” reports will be generated on the number of seats occupied and those available in each county and at the level of Bucharest Municipality.

The platform has been operational since March 2022, and is used by specialists from the General Directorates of Social Assistance and Child Protection throughout the country and by the National Authority for the Protection of the Rights of the Child and Adoption. The application is closed circuit and can only be accessed with authentication.

Since the beginning of the humanitarian crisis, **599 children from social services in Ukraine have been identified in Romania, of which 255 children are currently in the special protection system in Romania.**

More details here: KidsUkraine – aplicație online pentru gestionarea situației copiilor ucraineni care intră în România – Autoritatea Națională pentru Protecția Drepturilor Copilului și Adopție - <http://copii.gov.ro/1/kidsukraine-aplicatie-online-pentru-gestionarea-situatiei-copiilor-ucraineni-care-intra-in-romania/>

b.

Responsibility is under the Romanian Government's Unaccompanied Children's Task Force. It is known that the General Directorates will centralise the data and sent it to Family Ministry. In every major city involved in receiving refugees, the Local Authorities and NGOs are offering their support. The Local Authorities should receive all data collected by the NGOs and private people helping the refugees with children.

9. Which authorities have responsibility for family tracing and reunification? Please provide contacts. (Provide details + name of authorities + contacts – emails/telephone numbers)

The General Directorates of Social Assistance and Child Protection (DGASPC) in each county are institutions authorised to take care of unaccompanied minors. If one suspects that is a victim or that he is witnessing a child abuse case, he will call 119 - a unique national telephone number for reporting child abuse cases.

DGASPCs are located also at the Romanian border crossing points and they can be contacted for urgent assistance if necessary. Their local contact details are available at each of the border police points.

Free Phone against Trafficking in Persons in Romania: +40 800 800 678 / +40 213 133 100

Romanian National Refugee Council (CNRR) +40 730 073 170 / +40 721 206 926

If a child is traveling with his extended family, without his parents, he can stay with his family, but it is important to notify the local authorities (DGASPC), UNHCR, or other organisations that may help finding the parents.

Organisations such as the Romanian Red Cross and the ICRC specialize in restoring family ties. More information on the support and reunification with family in Romania or in any other country: contacting IOM, UNHCR or CNRR.

[IOM Romania](#) - 11th, Viitorului Street, Bucharest 020602, Romania; Phone: +40 21 - 210.30.50  
Fax: +40 21 - 211.44.54; Email: [iombucarest@iom.int](mailto:iombucarest@iom.int).

[UNCHR](#) - Office Phone: +40 21 201 7873 (**Monday-Friday: 9:00-17:30**); Hotline: +40 723 653 651  
(**available 24/7**); Email: [rombu@unhcr.org](mailto:rombu@unhcr.org); Hotline: +40 723 653 651 (**available 24/7**);  
Email: [rombu@unhcr.org](mailto:rombu@unhcr.org).

#### **Additional relevant information & resources:**

- Platforma Sprijin de Urgenta /Platform Emergency Support for Ukrainians offers a management system of the resources that civil society and all individuals and legal entities  
EN: <https://sprijindeurgenta.ro/>
- A very useful website with information for Ukraine refugees: Dopohoma  
<https://dopomoha.ro/en>
- Blue Dot In Romania, Unicef with Local authorities and Gov. supports children and family arriving in Ro from Ukraine - EN: <https://www.unicef.org/romania/blue-dot-providing-critical-support-refugees-ukraine>
- KidsUkraine platform for integrated case management of children from Ukraine in Romania:  
<http://copii.gov.ro/1/kidsukraine-aplicatie-online-pentru-gestionarea-situatiei-copiilor-ucraineni-care-intra-in-romania/>
- The Romanian government published a summary report on 4<sup>th</sup> April 2022 on its response to the humanitarian crisis resulting from the invasion of Ukraine. It reports that 34,165 children from UA were in Romania at time of publication. Approximately 27% of new arrivals into Ukraine are children. As of publication, **599 children from social services in Ukraine have been identified in Romania, of which 255 children are currently in the special protection system in Romania.** You can find the report attached with this profile.