

NON OFFICIAL TRANSLATION

PRIME MINISTER OF THE REPUBLIC OF ARMENIA

DECISION

No. 370 of 20 June 2000

**ON APPROVING THE STATUTE AND THE COMPOSITION OF THE REPUBLICAN
COMMISSION ON ADOPTION**

In accordance with the Decision No. 64 of 12 February 2000 of the Government of the Republic of Armenia "On approving the procedure for child adoption":

1. To approve

a) the Statute and the composition of the Republican Commission on adoption (attached);

b) (subpoint (b) of point 1 repealed by the Decision No. 704-N of 23 September 2006).

2. To repeal the Decision No. 67 of 6 March 1997 of the Prime Minister of the Republic of Armenia "On the Commission on Adoption" and the Decision No. 731 of 16 December 1998 of the Prime Minister of the Republic of Armenia "On amending the Decision No. 67 of 6 March 1997 and approving the composition of the Republican Commission on Adoption".

3. This Decision shall enter into force on 1 September 2000.

(the title as amended by the Decision N 704-N of 23 September 2006)

Approved by the Decision No. 370 of
20 June 2000 of the Prime Minister
of the Republic of Armenia

**STATUTE
OF THE REPUBLICAN COMMISSION ON ADOPTION**

I. GENERAL PROVISIONS

1. The Republican Commission on Adoption (hereinafter referred to as "the Commission") shall consider issues relating to adoption of a child holding Armenian nationality (hereinafter referred to as "a child") by foreign nationals, stateless persons, as well as nationals of the Republic of Armenia residing outside the Republic of Armenia (hereinafter referred to as "foreign nationals").

(point 1 as amended by the Decision No. 673-A of 24 September 2007)

2. While performing its activities the Commission shall be guided by the laws of the Republic of Armenia, the decisions of the Government of the Republic of Armenia and of the Prime Minister of the Republic of Armenia, other legal acts as well as this Statute and its rules of procedure.

3. While performing its activities the Commission shall be accountable and responsible to the Government of the Republic of Armenia and the Prime Minister of the Republic of Armenia.

4. The Statute and the composition of the Commission shall be approved by the Prime Minister of the Republic of Armenia.

5. The Commission shall have a round seal with its title, as well as a letterhead and a stamp.

6. The adoption data shall be kept confidential in the Commission.

II. TASKS AND POWERS OF THE COMMISSION

7. The tasks of the Commission shall be as follows:

- a) consideration of issues relating to child adoption by foreign nationals;
- b) provision of an opinion on the adoption eligibility of foreign nationals;
- c) registration of foreign nationals willing to adopt a child;
- d) execution of other tasks arising from this statute and provided for by the legislation of the Republic of Armenia.

8. While performing its tasks the Commission shall:

- a) within a period of one month after having received all necessary documents from a foreign national willing to adopt a child, examine, upon inquiry to competent authorities, the eligibility of the person concerned and carry out a home study and draw up a corresponding report;
- b) based on documents received from a foreign national willing to adopt a child and on the report drawn up, provide a written opinion on the adoption eligibility in the prescribed manner and in case of a positive opinion, register him/her as an adoption candidate;
- c) in case of a negative opinion on the adoption eligibility, inform thereon in writing to the applicant within one week;
- d) (subpoint (d) of point 8 repealed by the Decision No. 673-A of 24 September 2007);
- e) provide necessary data concerning the child to be adopted and his/her close relatives upon the request of a foreign adoption candidate;
- f) arrange a meeting of the foreign adoption candidate with the child to be adopted;
- g) in case of selecting the child to be adopted, based on the data provided thereby in a prescribed manner, inform the Ministry of Labour and Social Issues of the Republic of Armenia within three days;
- h) perform other duties as stipulated in this Statute and provided for by the legislation of the Republic of Armenia. (point 8 as amended by the Decision No. 673-A of 24 September 2007)

9. While performing its tasks the Commission shall be entitled to:

- a) periodically obtain information on children to be adopted from the Ministry of Labour and Social Issues of the Republic of Armenia;
- b) if necessary, within a period of 10 days, request from a foreign national willing to adopt a child the consent of his/her close relatives, as well as adoption references of diplomatic mission or consular office of the Republic of Armenia, the Armenian community, the Armenian church, persons enjoying reputation in the State concerned;
- c) (subpoint (c) of point 9 repealed by the Decision No. 673-A of 24 September 2007);
- d) exercise other powers arising from this Statute and provided for by the legislation of the Republic of Armenia.
(point 9 as amended by the Decision No. 673-A of 24 September 2007)

III. COMPOSITION, OPERATION AND MANAGEMENT OF THE COMMISSION

10. The Commission shall consist of a Chairperson, Secretary and members.

11. The Minister of Justice of the Republic of Armenia (Chairperson of the Commission), the Minister of Healthcare of the Republic of Armenia, the Minister of Labour and Social Issues of the Republic of Armenia, the Minister of Education and Science of the Republic of Armenia, the Deputy Minister of Foreign Affairs of the Republic of Armenia, the Deputy Minister of Defence of the Republic of Armenia, the Deputy Head of the Police of the Republic of Armenia, the head of the relevant structural subdivision of the Government Staff of the Republic of Armenia (Secretary of the Commission) shall be *ex officio* members of the Commission.

(point 11 as amended by Decisions No. 484-N of 08.10.03 and No. 673-A of 24 September 2007)

12. The Chairperson, Secretary and members of the Commission shall participate in the activities thereof on voluntary basis.

13. The Commission shall perform its activities through meetings and actions provided for by this Statute.

14. The meetings of the Commission shall be convened upon the initiative of the Chairperson of the Commission or one third of its members, if necessary but not less than once a month.

15. The quorum of the meetings of the Commission shall be obtained if they are attended by more than one half of its members.

16. Upon the instruction of the Chairperson, the meetings of the Commission may be chaired by one of the members of the Commission.

17. The members of the Commission shall receive at least a five-day prior notice on the day, place, time and agenda of the meetings.

18. Upon invitation of the Chairperson of the Commission, other persons may participate in the meetings with a consultative vote.

19. The decisions of the Commission and the opinions on adoption eligibility (hereinafter referred to as “decision”) shall be adopted by an open ballot by a majority of votes of the members of the Commission present in the meeting. In case of a tie, the Chairperson of the Commission shall have the casting vote.

20. The Chairperson of the Commission shall:

a) manage the activities of the Commission;

b) convene and chair the meetings of the Commission;

c) sign the decisions and minutes of the Commission, other documents and correspondence relating to the activities of the Commission;

d) monitor the enforcement of the decisions of the Commission;

e) represent the Commission in relations with other bodies and persons;

f) allocate the functions of the members of the Commission;

g) exercise other powers arising from this Statute.

21. The Secretary of the Commission shall:

- a) ensure the preparation of the activities of the Commission, meetings, agendas, required materials as well as draft decisions and submit them to the Chairperson and members of the Commission;
- b) maintain minutes of the meetings of the Commission;
- c) sign the decisions and minutes of the Commission;
- d) perform tasks assigned by the Commission and the Chairperson.

22. The Members of the Commission shall:

- a) participate in the activities of the Commission;
- b) submit issues to the Commission for discussion;
- c) submit proposals on activities of the Commission, issues included in the agenda of the meeting;
- d) familiarise himself/herself with the minutes of the meetings of the Commission;
- e) perform tasks assigned by the Commission and the Chairperson.

23. The Staff of the Government of the Republic of Armenia ensures info-analytical, organizational and technical support of the activities of the Commission.

24. Expenses related to the activities of the Commission are covered by the maintenance costs of the Staff of the Government of the Republic of Armenia.

25. After winding-up of the Commission the materials, documents relating to its activities shall be maintained in the manner prescribed by the legislation of the Republic of Armenia.

Approved by the Decision No. 370 of 20 June 2000 of the Prime Minister of the Republic of Armenia

COMPOSITION OF THE REPUBLICAN COMMISSION ON ADOPTION

G. Danielyan - Minister of Justice of the Republic of Armenia (Chairperson of the Commission)

H. Kushkryan - Minister of Healthcare of the Republic of Armenia

A. Vardanyan - Minister of Labour and Social Issues of the Republic of Armenia

L. Mkrtchyan - Minister of Education and Science of the Republic of Armenia

A. Kirakosyan - Deputy Minister of Foreign Affairs of the Republic of Armenia

A. Nazaryan - Deputy Minister of Defence of the Republic of Armenia

H. Harutyunyan - Head of the Police of the Republic of Armenia,

A. Karapetyan – Head of the Social Issues Department of the Staff of the Government of the Republic of Armenia (Secretary of the Commission)

(Composition as amended by Decisions No. 561 of 27 July 2001, No. 708 of 4 October 2001, No. 484-N of 8 October 2003, No. 673-I of 24 September 2007).

Approved by the Decision No. 370 of 20
June 2000 of the Prime Minister of the
Republic of Armenia

MODEL STATUTE
of Regional (Marz) Commissions on Adoption
(the Statute repealed by the Decision No. 704-N of 23 September 2006)