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EDITORIAL

What is the outlook for intercountry adoption? 

In this review examines ISS/IRC explores the evolution of intercountry adoption, as well as the 2010 statistics and its project supporting children with disabilities.

As we do every year, ISS/IRC has gathered available statistics concerning the number of intercountry adoptions undertaken the previous year. The analysis of the 2010 figures presents a fairly complete overview of the situation, covering the ten main receiving countries and 25 principal countries of origin.

In general, 2010 gives the impression of a certain degree of “stabilisation” where no surprises are identified among the main actors in intercountry adoption leaving aside the unique situations in Haiti and Guatemala.

Waiting prospective adoptive parents: the great unknown

Like noted last year, the decrease in intercountry adoptions should have resulted in a proportionate, or greater, increase in the number of “waiting” prospective adoptive parents, both with central authorities and

accredited adoption bodies. Whilst it remains extremely difficult to obtain precise information on this subject, it is essential to try and assess the situation, even if only its scale. Supposing the demand remains stable, and considering the fact that intercountry adoptions have decreased by a third in five years, there are thousands of prospective adoptive parents who come each year, resulting in an inflation of waiting lists. And yet, frustration can lead to choosing alternatives that do not always respect ethical rules to protect children. The fact that 58% of cases recorded in our statistics fall outside THC-93 is already a telling sign.

The children's profile

The general average age of children remains between one and four years, but obviously we notice large disparities depending on the country of origin. For example, according to the French statistics, 98% of children adopted in Mali were

under two years old; this percentage was 93% in Vietnam; while Italy shows the average age of children adopted in that country was 1.3 years in 2010. Conversely, for France, nearly 80% of adoptions undertaken with Cameroon (which has not ratified THC-93) involved children over seven years of age, and 100% of the children adopted by Italians in Belarus fit into the older children category.

Therefore as always, it is important to precisely know the factors that influence this data. As the Quebec annual report highlights, *“the adoptions completed in 2010 through an approved body are still aimed at children aged under two years old while the trend announced by the authorities in partner countries and by the other international authorities [show] the children up for intercountry adoption are and will be increasingly older, sometimes siblings, and present physical and psychological special needs. Therefore the phenomenon is to be watched closely, as it can lead us to question whether the needs of the children presented for intercountry adoption are appropriately matched to the expectations of the Quebec people wishing to adopt”.*

Among children with special needs, it is not always easy to statistically identify the proportion of those with medical conditions. Their number is nevertheless increasing, like for example in Italy (15.7% of cases). However, this issue must also be analysed from the point of view of the countries of origin. While some of them have made important progress integrating these children into the intercountry adoption system (Brazil and Lithuania for example), there are still many who neglect this child population. Although it is obviously not a matter of undertaking more adoptions, we often notice during field missions that too many children are excluded from adoption (domestic or intercountry), purely because of their disability, without a professional assessment of the real extent that they might benefit from an adoption. That is the purpose of the project launched by ISS/IRC, which is presented in more detail on page 7.

ISS/IRC team
September 2011

ACTORS

Source: Bureau Permanent de la Conférence de La Haye: http://hcch.e-ision.nl/index_en.php?act=conventions.authorities&cid=69

- **Sweden:** this country has updated the information on Central Authorities.
- **Denmark:** this country has updated the contact details of its Central Authority.

BRIEF

China: the government plans to tighten adoption rules

The Ministry of Civil Affairs and the China Center for Children’s Welfare and Adoption (CCCWA) are currently undertaking a revision of adoption measures to combat child trafficking. Among the new rules include strengthening orphanages as they will become the only institutions where children can be adopted from. Children adopted outside of an orphanage will not be granted a “hukou” or household registration permit. Moreover, the upcoming law targets “illegal adoptions”, in other words when adoptive parents adopt a child without being registered. According to officials from the CCCWA, this reform was introduced after a study revealed that in Chongqing municipality from 1995 to 2005 about 19 800 children were adopted illegally whereas only 5 100 were registered with the local civil affairs departments. The first draft of these new measures is expected at the end of the year and will specify its scope of application (national and/or international).

Sources: <http://www.guardian.co.uk/world/2011/aug/16/china-child-trafficking-new-rules>,
http://www.chinadaily.com.cn/cndy/2011-08/16/content_13119452.htm. See also:
http://adoption.state.gov/country_information/country_specific_alerts_notices.php?alert_notice_type=notices&alert_notice_file=china_2

Intercounty adoption and its risks: A guide for prospective adopters – orders are still open

Our Guide for prospective adopters dealing with intercountry adoption and its risks has met with a huge success. Over summer, central authorities and adoption bodies from various receiving countries have ordered more than 1100 copies to distribute to their prospective adoptive parents (PAPs) (more

than 500 in French and English as well as about 30 in Spanish). Furthermore, the Guide is in the process of being translated into Portuguese, German and Dutch.

As a reminder, the Guide was developed to assist PAPs throughout the entire adoption process. At each stage, there are danger signals of risks of poor practices to be wary of as well as questions to ask oneself/key actors to avoid the latter.

Thanks to the support of the Canadian Federal Central Authority, the document was drafted and is available in French, English and Spanish. For those interested, time is still available to send orders (minimum of 5) by writing an email to irc-cir@iss-ssi.org. Each Guide is being sold for 5CHF or 4€ or 5USD including postage and handling. Orders will be sent in Autumn.

Senegal: Ratification of the 1993 Hague Convention.

Senegal officially became the 84th State to become a party to THC-93. The Convention was ratified on 24 August 2011 and will come into force on 1 December 2011. Even if there are intercountry adoptions in Senegal, it is important to note that it remains quite limited and in reality only about 15 children are adopted each year, with the majority going to France.

Source: http://www.hcch.net/index_fr.php?act=conventions.status&cid=69

PRACTICE

Statistics for 2010: a slight decrease in intercountry adoptions

Although the general shift towards a decrease in the number of intercountry adoptions has continued, the figures for 2010 show that the differences between this year and last can be attributed above all to the quasi-inexistence of Hague Convention-compliant adoption procedures in Guatemala.

Although in general terms, intercountry adoptions continue to decrease, (a drop of one third since 2004, according to our sources, see table 1), this fall was less marked than that of last year. This result can be accounted for by a narrowing in the difference between the total decrease in intercountry adoptions in certain countries and the total increase in intercountry adoptions in others (see table 2). Available figures record 845 fewer adoptions in 2010 compared with 2009, 700 of which can be accounted for by the suspension of the adoption process in Guatemala. However, the one-off increase in adoptions from Haiti following last year's earthquake (an increase of 275), lessened the impact of the Guatemalan situation.

Although there was a slight increase in intercountry adoptions in Italy (with 2010 being the year that saw the largest number of intercountry adoptions in this country in recent years), France, Canada and Germany also recorded significant increases in adoptions. The figures from other receiving countries are roughly the same, except in the United States, which continues to register a fall in adoptions; and Australia, which recorded a new low of 222 intercountry

adoptions, in other words, around half the number seen in previous years.

The main trends remain unchanged

The list of the top 10 sending countries remains unchanged, with the exception of Guatemala, which was replaced by Kazakhstan in 2010. We should remember that after the announcement by the Guatemalan National Council on Adoption that it was starting up a pilot programme, UNICEF took the decision in June 2010 to withdraw from the aforementioned programme because of irregularities highlighted by the International Commission Against Impunity in Guatemala (CICG). Subsequently several receiving countries decided to suspend intercountry adoptions from Guatemala.

The statistics confirm the interest in adopting from African countries. In Nigeria, the Democratic Republic of the Congo and Ghana, the number of intercountry adoptions is steadily rising (by way of example, 16 Rwandan children were adopted and brought to the United States in 2009, whereas in 2010 this had increased to 42).

Table 2 shows an interesting phenomenon. If we compare the figures for 2009 and 2010, we can see that the majority of the 12 leading

countries of origin have recorded a fall in adoptions (with the notable exceptions of Haiti, Colombia and Kazakhstan), whilst the 8

countries at the end of the list have seen adoptions rise. It seems that the principle of communicating vessels still holds true.

Table 1: Changes in the number of intercountry adoptions since 2003

	2003	2004	2005	2006	2007	2008	2009	2010
USA¹⁾	21,616	22,884	22,728	20,679	19,613	17,433	12,753	11,058
Italy	2,772	3,402	2,874	3,188	3,420	3,977	3,964	4,130
France	3,995	4,079	4,136	3,977	3,162	3,271	3,017	3,504
Spain	3,951	5,541	5,423	4,472	3,648	3,156	3,006	2,891
Canada	2,180	1,955	1,871	1,535	1,712	1,208	1,411	2,006
Germany	1,720	1,632	1,453	1,388	1,432	1,251	1,025	1,412
Sweden	1,046	1,109	1,083	879	800	793	912	551
Netherlands	1,154	1,307	1,185	816	782	767	682	705
Denmark	522	527	586	448	429	395	498	419
Switzerland	722	658	452	455	394	497	444	301
Australia	472	502	585	576	568	440	441	222
Norway	714	706	582	448	426	304	344	353
Total	39,670	43,142	41,921	38,285	35,818	32,834	27,691	27,552

With regard to the proportion of the top 25 countries of origin (table 2) that comply with the THC-93, 15 countries (i.e.: 60%) adhered to the convention as of 2010, but these countries only accounted for 42% of adoptions (9,208 adoptions from convention-compliant countries of origin out of a total of 21,869).

Domestic adoption is on the rise in some countries of origin

In India, domestic adoption has more than doubled over the last four years. In 2006, 2,409 Indian children were adopted in their own country compared with 5,693 last year. According to CARA (Central Adoption Resource Authority), India's central adoption body, there has been a drive to encourage domestic adoption because of the numerous cases of abuse and fraud seen

over the past few years in the intercountry adoption scene. In fact, CARA is currently redrafting its Intercountry Adoption Guidelines and has temporarily suspended intercountry adoptions from India (see our August 2011 Monthly Review).

In South Korea, legislation designed to encourage domestic adoption has recently been approved and should become law in July 2012. This should have the effect of accelerating the modest pace of growth in domestic adoptions noted during recent years (from 1,332 in 2006 to 1,462 in 2010).

This is an extremely welcome development which would seem to show that when efforts are made to encourage domestic adoption, these efforts will bear fruit.

Some observations about adoptive parents

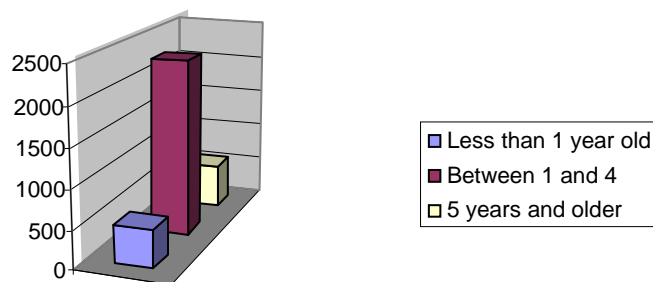
Italy's statistics are, as always, very precise and offer an interesting picture of the profile of adoptive parents, whether relating to age, socio-professional category, marital status/other dependent children etc. We find that most adoptive parents were aged between 40 and 44 when they adopted their child, they had completed their secondary education and their employment status was that of a salaried employee. The statistics supplied by France's central adoption authority, (SAI), show that in 2010, the age of French adoptive parents was also generally between 40 and 45 years old. In

the case of Belgium, statistics on the gender of the adoptive parents show that in 2010, out of 394 intercountry adoptions, 343 were by heterosexual couples and 2 by male homosexual couples. Finally, with reference to independent adoptions, we can see that 41% of intercountry adoptions in France were independent adoptions, with most children adopted by this method being from Haiti (701 out of 992 independent adoptions). This preponderance should be temporary as the Haitian President has recently announced that his intention to ban independent adoptions (see Monthly Review 7/2011)

Table 2: Number of intercountry adoptions by country of origin to 12 main receiving countries

	2009	2010			2009	2010	
China	4,589	4,672	+	Taiwan	366	310	-
Ethiopia	4,010	3,977	-	Kazakhstan	365	434	+
Russia	3,534	3,158	-	Thailand	246	124	-
The Ukraine	1,411	1,091	-	South Africa	182	71	-
South Korea	1,362	991	-	Nigeria	156	236	+
Colombia	1,287	1,549	+	Bulgaria	141	230	+
Vietnam	1,146	1,243	+	Mali	121	123	+
Haiti	1,086	1,361	+	Democratic Republic of the Congo	119	166	+
Guatemala	768	55	-	Ghana	107	128	+
India	582	473	-	USA	106	147	+
Philippines	453	413	-	Latvia	99	120	+
Brazil	427	373	-	Hungary	97	117	+
Poland	378	307	-				

Number of Chinese children adopted by American citizens in 2010 (classified by age)



Adopted children's profiles

Firstly, with reference to the reasons behind children's adoptability, Italian statistics indicate that in the case of 53% of adopted children, their biological parents had lost parental responsibility over them – only 4.6% of all children adopted by Italians in 2010 were orphans. In terms of age, there are no particular surprises. Most children adopted via intercountry adoption were aged between 1 and 4. As the diagram below shows, this trend is very clearly seen in certain countries of origin such as China.

Once again, it can be seen that the average age is very low in some geographical regions. For instance, in Quebec, although the average age of children adopted from abroad has risen (from 28.6 months to 38 months), 35% of children adopted in 2010 were less than 1 year old. Incidentally, it is interesting to note that this year, for the first time, Quebec has compiled data on the age of children adopted through officially-accredited bodies. Likewise, 39% of children adopted by US citizens were aged between 1 and 2, with this age category being the largest single age group amongst children adopted in the US in 2010.

It is worth noting that in some Eastern European countries, especially the Ukraine and Poland, the adoption of older children is promoted. For example in Italy:

- 85% of Ukrainian children adopted were aged between 5 and 10 (388 adoptions)
- 88% of Polish children adopted were aged between 5 and 10 (193 adoptions)

- 100% of Belarusian children adopted were aged between 5 and 10 (99 adoptions)

Moreover, it is interesting to note that 63% of Chinese children adopted worldwide had special needs (children with disabilities, children over the age of 7). This proportion is likely to rise as China has opened up the adoption of children with special needs to single women and has specifically invited France, amongst other countries, to steer people wishing to adopt towards this category of children. Colombia's statistics are equally interesting: 30% of Colombian children adopted abroad are children with special needs (children with special needs, those over the age of 8, siblings groups of 3 or more brothers and/or sisters), which is more than twice the proportion noted in 2002.

* More detailed statistics are available at ISS/IRC.

Sources: Other statistics are available at ISS/IRC. CIC (Canada), Department of Family Affairs (Denmark), Service de l'Adoption Internationale (France), Commissione per le Adozioni Internazionali (Italy), Dutch Ministry of Justice (Netherlands), http://www.ssb.no/adopsjon_en/ Statistics Norway (Norway), Ministerio de Trabajo y Asuntos Sociales (Spain), Swedish National Board of Intercountry Adoptions, MIA (Sweden), Autorité centrale fédérale en matière d'adoption internationale (Switzerland), Statistisches Bundesamt (Germany), US Department of State (USA), <http://www.aihw.gov.au/publication-detail/?id=6442472452&libID=6442472433> Australia's national agency for health and welfare statistics and information (Australia), <http://www.espanarusa.com/article.sdf/es/news/86545?path=es>

INTERDISCIPLINARY RESOURCES

SOS Children's Villages, Better Care Network and Human Rights Watch publish reports on leaving care

For the first time, the situation of children leaving care is compared in 13 countries providing insight into obstacles, good practices as well as recommendations for improvements

'Ageing Out of Care – An international analysis of young people leaving care'¹ is the title of the report recently launched by SOS Children's Villages International. A comparative review of the situation in Albania, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Estonia, France, Georgia, Kyrgyzstan, Poland, the Russian Federation,

and Uzbekistan of multiple countries is provided, an unmatched feat to date.

The report highlights the 'personal, social, legal, and administrative challenges facing care leavers.' It stresses the importance of diffusing good practices such as employment counseling, supported apprenticeships, use of foster families and provision of temporary

housing. Recommendations include, *inter alia*, the need for national standards, mandatory training for care leaver professionals as well as a better protection of property rights of children.

Other recent studies on individual countries

The Better Care Network has recently diffused two other studies on care leavers, one on Kenya and the other California, USA. '*Life as a Care-leaver in Kenya*'² by Stephen Ucembe shows that there are higher dangers of poverty and social exclusion for those who have lived in institutional care settings.

'*My So Called Emancipation: From Foster Care to Homelessness for California Youth*'³ by Human Rights Watch illustrates that 'California's foster care system serves 65,000 children and youth, far more than any other single state. Of the 4,000 who age out of the

system each year, research suggests, 20 percent or more become homeless.'⁴

Challenges for the future

The common message in the studies mentioned beforehand is that unless care leavers are better equipped and supported, they run the risk of becoming marginalised, discriminated and impoverished. This situation can be avoided with the collaborative action of Governments, NGOs, local communities and others working in the best interests of children.

1. <http://www.sos-childrensvillages.org/Focus-areas/Child-rights/Documents/Folder-Ageingoutofcare-RZ-screen.pdf>
2. <http://www.crin.org/bcn/details.asp?id=23762&themeID=1003&topicID=1023>
3. <http://www.bettercarenetwork.org/bcn/details.asp?id=23402&themeID=1004&topicID=1027>
4. BCN Listserve October 2010

SPECIAL SERIES: CHILDREN WITH DISABILITIES AND ADOPTION

An ISS project to help children with disabilities find a family

Many children with a light to moderate disability are not given the opportunity of being adopted, on grounds that are completely independent from their genuine capacity to benefit from such a measure. The ISS has launched a project aimed at responding to this issue.

Even though there are no global statistics on this issue, available information shows that several thousand "children with disabilities" worldwide are obliged to live in institutions without any other alternative being offered to them. The UN Committee on the Rights of the Child has periodically expressed its concern at the systematic resort to institutions for children with disabilities, highlighting that this population is particularly vulnerable to all forms of abuse.

In most developing countries and countries in transition, few family-type alternative care options are foreseen for children with disabilities, forcing unnecessarily this group to an entire life in institutions. The beliefs and taboos that hang over the notion of disability in many environments strongly contribute to this phenomenon. During its missions, the ISS/IRC has observed that many children with a light to moderate disability are not being offered the opportunity of being adopted on grounds often completely independent from their genuine capacity to benefit from this measure. Most often, the personnel in charge of these children consider that their characteristic resulting in their disability automatically excludes them

from being adopted. This in turn leads to this group not being included in the adoption process, either domestic or intercountry.

A systematic assessment of the situation of children with disabilities living in institutions

Based on its experiences, the ISS/IRC has decided to tackle the specific issue of the adoptability of children with disabilities. Earlier in the year, thanks to private funding, it launched a three-year project, aimed at systematically evaluating the situation of every child with a disability entering an institution – having the same capacity as any other child – and at promoting his or her adoption whenever appropriate. Of course, the ultimate aim of this project is not to increase the number of intercountry adoptions, but to offer a family life to those children, who are unnecessarily deprived of it.

Four main stages

In more concrete terms, the project includes the following main stages:

- a. *Understanding the mechanisms, which prevent children with disabilities from being considered for an adoption and developing*

tools to remedy them: First of all, the group of children targeted by the project is being determined. Additionally secondary and primary information is being gathered to help identify and understand the reasons why such children are prevented from being adopted. On this basis, a practical manual will be developed, offering tools to overcome obstacles as well as identify a procedure that would enable countries of origin to identify children, who could be considered for an adoption and help declare their adoptability. This guide will be developed in cooperation with a group of international and multidisciplinary experts.

b. *Identifying countries of origin, in which a pilot project focusing on the adoptability of children with disabilities might be launched:* Initially two pilot countries will be selected for the project, in order to allow for the impact, relevance and quality of the project to be evaluated concretely. This will enable the developed tools to be improved in accordance with field experiences.

c. *Training professionals in charge of children with disabilities on the means of assessing their adoptability and incorporating adoption into the domestic child protection system:* This will be a matter of raising awareness among local actors in relation to the importance of having a permanent family life project for children with disabilities and provide them with relevant tools. Follow-up will be ensured and adoption should therefore become a real option for children with disabilities in the pilot countries.

d. *Supporting receiving countries by raising the awareness of their prospective adopters in relation to the adoption of children with*

disabilities: With a view to preparing receiving countries for the adoption of children with disabilities and maximising the possibilities of success of these adoptions, a practical guide will also subsequently be developed for their consideration. Given that many initiatives have already been launched in several receiving countries related to this topic, it will be a matter of gathering best practices for every stage of the process. In addition it will be necessary to develop one or more concrete methodologies for the use of receiving countries in order to help them fulfil their role in adopting children with disabilities.

Project partners

In order to ensure an operational and practical component of the project, the ISS/IRC was clearly aware of the need to partner with experts in the field in the adoption of children with disabilities. Thus, it sought the support of Médecins du Monde (MdM), who already undertakes the adoptions of children with medical symptoms, and who have developed an ethical and coherent practice in this regard. Furthermore, to ensure a holistic approach, relevant experts representing the main professional backgrounds will also be sought.

Through this ambitious and long-drawn-out project, the ISS intends to provide a concrete response to the care and protection needs of children with disabilities. It hopes to contribute changing the perception within society in relation to children with disabilities, and to enable them to benefit from the same opportunities to grow up in a family environment just like any other child.

CONFERENCES, SEMINARS, SYMPOSIA AND COURSES

- **France :** *Humanitaire et adoption internationale, repartir de l'enfant pour oser le dialogue*, Congrès national d'EFA, Vincennes, 19 November 2011. For more information : www.adoptonefa.org.
- **Switzerland:** *Filiations, affiliations, adoptions*, 13th international symposium of the journal « L'autre », 2-3 December 2011, Geneva. For more information : <http://www.revuelautre.com/FILIATIONS-AFFILIATIONS-ADOPTIONS.html>
- **United Kingdom:** *Stolen children, the trafficking of children in the UK*, BAAF, Newcastle, 18 October 2011. For more information: <http://www.baaf.org.uk/node/3162>

As a reminder, this Monthly Review is distributed to a selected network of Authorities and professionals. It is not aimed at being posted on an internet website without the authorisation of ISS/IRC.

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