



Monthly Review N° 05/2012 May 2012

TABLE OF CONTENTS

Editorial

p. 1 [‘Baby boxes’: A controversial means of abandonment](#)

IRC news

p. 3 [The ISS/IRC is growing: Publication of a new study entitled *Investigating the grey zones of intercountry adoption*](#)

Actors

p. 3 [Denmark, Poland](#)

Brief news

p. 3 [Haiti, Sierra Leone](#)

Legislation

p. 4 [Indonesia: New National Standards of Care for Child Welfare](#)

Practice

p. 5 [Mexico / Durango: Presentation of the *Lazos Maternos* programme](#)

p. 6 [A kit for raising the awareness of, and calling for, foster care families](#)

Interdisciplinary resources

p. 6 [Request for examples for Guidelines for the Alternative Care of Children – Implementation and Monitoring Handbook under construction](#)

Reading suggestions

p. 7 [*Naître là-bas, grandir ici, l’adoption internationale; Couleur de peau: Miel; Help: I’ve been adopted!*](#)

Forthcoming conferences, seminars, and courses

p. 8 [France, Scotland](#)

EDITORIAL

‘Baby boxes’: A controversial means of abandonment

In June 2011, following a recommendation from the Committee on the Rights of the Child against the use of baby boxes¹, the debate on this means of abandonment has been revived, prompting the ISS/IRC to reflect on this sensitive issue.

Baby boxes allow mothers to abandon their child anonymously. Known as foundling wheels in the Middle Ages, today they are a global phenomenon. Indeed, during the 20th century, they underwent a fairly important development in several European countries, developing countries, but also in Russia,

Japan and the United States. Countries that allow baby boxes, which are usually located in hospitals, see them as an effective way to fight against illegal abortions, brutal abandonment and even infanticide. Critics of the baby boxes claim they violate several children’s rights, in particular the right to access their origins. While article 7 of the

UNCRC indeed enshrines the right of the child to know his parents, article 6 of the same Convention states that it is necessary, whenever possible, to ensure the child's survival, which is one of the aims of baby boxes. The issue of whether these baby boxes, as a means of abandonment, are compliant with the rights of the child is therefore critically important. It is, however, impossible to reduce this debate to a strictly legal dimension as these baby boxes are part of wider social and ethical issues.

Distinct but very real figures

The main argument advocates of baby boxes put forward is that they protect the health of newborns, i.e. they prevent 'dumping' and the death of newborns that may result from it (different to neonaticides). However, it is difficult to obtain statistics on these phenomena. For example, in Russia, which has recently opened its first baby boxes, the chairman of the Russian Children's Foundation, Albert Likhanov, speaks of about a hundred unwanted newborns 'thrown out' each year. In Switzerland, the organisation *Babyfenster* (Baby Window) provides statistics showing that the number of newborns found dead has decreased since the introduction of such a scheme in Einsiedeln. Finally, according to the South African NGO Door of Hope, on average, at least three newborns are abandoned each day in Johannesburg in particularly brutal conditions. Thus, although the figures are vague and vary, they do reflect a reality that affects single mothers and couples, who find themselves in very complex situations.

The right to withdraw, the baby boxes' safeguard?

Another argument in favour of baby boxes results from the opportunity for newborns to then find a family through adoption. However, to relate the practice of baby boxes to these newborns' adoptability may cause specious confusion. In order to avoid this pitfall, it would be worth finding a means to systematically provide comprehensive information on the implications of abandonment to the mother and to grant her a right to withdraw. Even though in some countries, the mother may find in the baby box a letter explaining how to proceed to reclaim her child, as well as the support she

may benefit from if she decides to care for him, this is far from being standard practice. In this context, the right to withdraw appears to be the real safeguard of the baby boxes, the biological parents being able to reclaim their child within a reasonable period.

However, if such a practice were to be extended, inevitably pragmatic questions would arise. How would one identify one's child? Then, how would the rights in relation to the child be exercised? If the birth was not properly registered, the identification of the child could prove to be very difficult, all the more so since the medical staff that collect the newborn from the baby box immediately assign him a new first and last name. Of course, these difficulties would vary according to the country where the baby boxes are located. For example, it would be possible to use DNA testing in countries with sufficient available financial and material resources. Reflection on this issue is, in any case, necessary.

Working to support mothers after abandonment

With baby boxes being a reality, according to the ISS/IRC, it is now necessary, in particular, to focus on the support provided to mothers after abandonment. For example, as mentioned above, the practice of leaving letters aimed at the mothers in the baby boxes, that inform them not only about their rights but also of existing schemes aimed at supporting them through this ordeal should become standard practice. These schemes could provide a place to talk, where the mother could be put at ease, listened to, and fully informed. The need for such psychological follow-up is regularly called for by many professionals, who are either for or against the baby boxes².

Faced with the development of baby boxes, both in developing and so-called developed countries, supporting vulnerable families prior to, during and after pregnancy should be, more than ever, a priority in these countries' social policies (see, Mexico's example at p. 5). In this respect, the ISS/IRC would like to reiterate the importance of support structures for families in vulnerable situations, of programmes preventing abandonment and of family planning services aimed at addressing, as much as

possible, the cycle of isolation that may affect them.

¹ See: Committee on the Rights of the Child, Concluding Observations: Czech Republic, CRC/C/CZE/CO/3-4, <http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.CZE.CO.3-4.doc>.

² See, for example: http://www.psychoenfants.fr/fichiers/actus999.php?idc=fr_L_abandon_d_enfants_en_question_6045.

Sources: 'Tours d'abandon pour les bébés russes', *Le Figaro*, 26 October 2011, <http://www.lefigaro.fr/flash-actu/2011/10/26/97001-20111026FILWWW00424-tours-d-abandon-pour-les-bebes-russes.php>; Babyfenster, <http://www.babyfenster.ch/fr/statistiques/>; Assemblée nationale (France), http://www.gouvernement.fr/sites/default/files/fichiers_joints/19_01_rapport_accouchement_sous_x.pdf.

IRC NEWS

The ISS/IRC team is growing

Cristina Tango joined our team on 1 May to replace Cécile Maurin during her maternity leave, as Coordinator of the Information and Publications Unit. She gained her PhD in Literature and Philosophy from the University of Geneva as well as a Master's Degree in European Law and another one in Theory of Literature. She worked for the University of Geneva as a Research and Teaching Assistant for seven years and then for the ISS General Secretariat for a year and half on the project of Reference Centre for International Family Mediation. In addition to her mother tongue, which is Italian, she also speaks French, Spanish and English.

Publication of a new study entitled *Investigating the grey zones of intercountry adoption*

The ISS/IRC is pleased to announce the recent publication of this study based on data collected in relation to multiple cases of illicit activities related to intercountry adoption around the world over the last 50 years. This study aims to underline issues of concern surrounding an adoption procedure that are not necessarily and directly covered by the Hague Convention. Moreover, the publication thoroughly examines the theoretical and technical obstacles that hinder the protection of children against any form of trade in the context of intercountry adoption. Finally, the authors issue various recommendations in order to fight against these reprehensible practices. This study is available in English and is sold at the price of CHF 25.-. For further information: irc-cir@iss-ssi.org.

ACTORS

Source: Hague Conference on Private International Law: http://www.hcch.net/index_en.php?act=conventions.status&cid=69.

- **Denmark:** This country updated the contact details of its Central Authority.
- **Poland:** This country updated the contact details of its Central Authority and its foreign accredited bodies.

BRIEF NEWS

Haiti: Suspension of all new intercountry adoption proceedings

According to information provided by the Intercountry Adoption Service (SAI) and the U.S. Department of State, the General Director of the *Institut du Bien-Être Social et de Recherches* (IBESR) has decided to suspend the reception of all new proceedings as from 2 May 2012 and until 20 July 2012. This decision is based on IBESR's wish to initiate a restructuring of its services and to launch a new system that would allow for a better protection of those children, who may be adopted. Based on the information received, the ISS/IRC considers that pending files will be treated normally.

Sources: U.S. Department of State, http://adoption.state.gov/country_information/country_specific_alerts_notices.php?alert_notice_type=alerts&alert_notice_file=haiti_2; Service de l'adoption internationale, <http://www.diplomatie.gouv.fr/fr/enjeux-internationaux/adoption-internationale-2605/comment-adopter-a-l-etranger/les-fiches-pays/fiches-pays-adoption/article/haiti>.

Sierra Leone: Resumption of intercountry adoptions

According to information issued by the U.S. Department of State, and confirmed by the Ministry of Social Welfare, Parity and Children, it has been decided to lift the suspension of intercountry adoptions, which was in force since May 2009. This decision came into effect on 13 April. The legal framework remains unchanged, the 1989 Adoption Act and the 2007 Child Rights Act therefore govern domestic and intercountry adoption in Sierra Leone.

Source: U.S. Department of State, http://adoption.state.gov/country_information/country_specific_alerts_notices.php?alert_notice_type=alerts&alert_notice_file=sierra_leone_2.

LEGISLATION

Indonesia: New National Standards of Care for Child Welfare

The New National Standards of Care for Children take cue from the UN Guidelines on Alternative Care in order to launch a comprehensive reform of the child welfare system, including the responsibilities that both private and public institutions have in relation to children in their care.

A new policy instrument for Standards of Care for Child Welfare was recently adopted by a Ministerial Decree in Indonesia that was created in direct response to the recommendations of the UN Committee on the Rights of the Child. UNICEF and Save the Children produced in-depth researches into the quality of care found in childcare institutions, and based on the findings of these researches – *Research on the Quality of Care in Childcare Institutions* and *Child Led Research* – the government drafted new standards of care, which any childcare institution in Indonesia needs to comply with.

Findings of the research

The results of the research evidence that, in most cases, children, who are in institutions are sent there to obtain an education and because of this, children are receiving merely support, not real care. The majority of children are from poor families, who are unable to get the adequate food and healthcare found in these *pesantrens* – or Islamic boarding schools – when living at home with their parents. It was also found that the government has no monitoring mechanism in place to examine the level of care or conditions of childcare institutions.

The overall conclusion of the research was that residential care should be the last resort, only to be used once all other options for alternative care have been exhausted.

Inspired by the UN Guidelines for the Alternative Care of Children

Most of the care standards drafted in Indonesia correlate to the UN Guidelines on Alternative Care. These new standards ensure that all decisions made will be in the children's best interest, with their voice heard. While not explicitly quoted, the new standards follow the UN Guidelines by promoting the reintegration of children with their families and advocating that poverty alone cannot be a reason for family separation. It is recognised that priority needs to be given to family and community-based solutions, and that entities, which are involved in child welfare should be accredited by official bodies and monitored. ISS welcomes these new standards of care as a very positive development for child welfare in Indonesia.

Standards to improve childcare

These policy standards state the responsibilities that institutions have in relation to the children in their care, like a child's need for specific time for study, rest, and play. They also specify the rights that children in institutionalised care are entitled to, from the basic right to sufficient food to the right to have a safe place to share concerns regarding their care. They state the need to assess every child and his family, as well as to define the child's short and long-term care plans, which are to be drawn up jointly with the carers, social workers, parents and the child. The type and level of education received while in an institution, the duration of the stay in alternative care, and the possible

reintegration into a child's family are all an integral part of a care plan. The care plan should be reviewed and amended according to the developing situation and wishes of the child. These standards should encourage the overall improvement of the child welfare system in Indonesia, and support the implementation of a systematic review to ensure that these standards are complied with.

Source: Decree of the Minister of Social Affairs of the Republic of Indonesia, National Standards of Care for Child Welfare Institutions (2011), available at: <http://resourcecentre.savethechildren.se/content/library/documents/indonesia-national-standard-care-child-welfare-institution>.

PRACTICE

Mexico / Durango: Presentation of the *Lazos Maternos* programme

In the municipality of Durango, the Lazos Maternos (Maternal Bonds) programme, which started in November 2010, has already borne fruit, by allowing young mothers to care for their newborns with the support of volunteers.

Established under the 'citizen volunteership' initiative of Durango's municipal Integrated Family Development system (*Sistema para el Desarrollo Integral de la Familia*, DIF), this programme aims to strengthen the emotional bond between the mother and the child, which starts from the foetal stage, so as to reduce abortions and the abandonment of newborns. It is aimed at underage mothers, those who have been or are still subjected to abuse, those in vulnerable situations, or even mothers showing signs of rejection towards their unborn child. While this programme began with an initial group of 15 young mothers, today over 330 mothers benefit from both material and moral support and advice, from specialist staff and volunteers from civil society, therefore making a success of this programme.

Prenatal and postnatal support

The Lazos Maternos programme is subdivided into two groups: prenatal and postnatal. These groups provide young mothers with a place where they can talk and discuss issues, aimed at making them

understand the importance of taking care of themselves if they are to take care of their child. Physical exercise and nutrition are therefore emphasised. After the birth, the mothers are introduced to breastfeeding and emotional communication with their baby; they also learn to change their child's nappies and to identify any malformations or common medical problems.

During these prenatal and postnatal periods, the young mothers may take part in various workshops, such as 'Feeding the human being in my womb', 'Yoga for pregnant women', 'A place to open my heart', 'Understanding each stage of these nine months', etc. From a material point of view, this programme provides the poorest with folic acid and iron, as well as milk for those, who cannot breastfeed, and nappies for their infants. Finally, it is also very positive to highlight that fathers, if known and present, are strongly involved throughout this support process.

Stimulating the baby early on

Besides the moral and material support the young mothers receive following the

birth of their child, the Lazos Maternos project has also developed a workshop designed to stimulate the newborn from early on. This aims to encourage and strengthen the baby's mental and physical development, and to support the mother, who may not feel as strong in certain situations that are completely new to her. Once again, it is the volunteers from the municipality, who play a significant role in this phase, an example being the Swim Centre *Al Agua Bebé*, access to which is free for young mothers and their children, in order for them to be able to take part in water therapy classes.

Next steps

According to the Mayor of Durango, in 2012, the Lazos Maternos programme should receive support from the DIF of the State of Durango, in order for the number of beneficiaries to reach 2,000 people. This programme, having proven its worth, also aims to be introduced to the 18 development centres, which the municipal DIF is

responsible for, in order for young girls living in severely marginalised areas to be able to have access to moral and material support.

It goes without saying that the ISS/IRC welcomes this programme as it aims to prevent abandonment by providing a safe place for young mothers and by offering them the necessary advice to fulfil their role as mothers, before and after the birth. The inclusion of the father and the participation of civil society are elements that may also lift the taboos relating to young and unmarried mothers that still remain. It is hoped that this initiative will be expanded nationally and that it will be able to inspire other countries.

Sources: DIF Durango, <http://www.difmunicipaldurango.gob.mx/Proyectos.html>; <http://www.youtube.com/watch?v=a-qEg7Rmsp0>; *La Voz de Durango*, <http://www.lavozdedurango.com/local/lazos-maternos-a-mas-durangenses-adan>.

A kit for raising the awareness of, and calling for, foster care families

The Latin American Foster Care Network (Red Latinoamericana de Acogimiento Familiar, RELAF) has prepared a new kit aimed at those organisations, which work within the field of foster care.

This kit, which includes a radio advertisement, a TV advertisement, a leaflet, a poster and an implementation manual, which provides detailed instructions for the undertaking of awareness-raising campaigns and calls, has been developed by a specialist team.

Promoting the involvement of families in a care process

This initiative was born after RELAF realised that the right of children deprived of family care and a family environment, which are essential for their harmonious development, suffers from a lack of families willing to care for them. Via this kit, RELAF intends to provide an instrument to governmental and non-governmental organisations, which manage foster care programmes. Furthermore, this new tool highlights the need to promote processes,

which achieve the effective enjoyment of the right to a family and community life by children and adolescents in the region, with a view to calling upon the families to take action, thus achieving their involvement in a care process.

A practical tool based on experiences

RELAF's specialist team prepared this new kit, based on the experiences gained by some organisations and gathered through a survey. Among these, the organisations *Corazones por la Infancia* of Paraguay, Kidsave of Colombia, and *Casa Viva* of Costa Rica, participated in this project by providing information on the established capacities relating to social awareness-raising campaigns and calls for families.

The ISS/IRC welcomes this kit, which offers valuable help in the promotion of the

child's right to grow up in a family environment, and promotes cooperation

among foster families and governmental and non-governmental organisations.

Source: RELAF, <http://www.relaf.org/>.

INTERDISCIPLINARY RESOURCES

Request for examples for Guidelines for the Alternative Care of Children – Implementation and Monitoring Handbook under construction

To improve the implementation of the Guidelines for the Alternative Care of Children, ISS with other organisations are calling upon professionals to share examples of good and/or promising practices.

Work is currently being undertaken to develop an Implementation and Monitoring Handbook (IM handbook) as one means of ensuring the implementation and monitoring of the Guidelines. This work will complement other projects facilitating the implementation of this international instrument (see Monthly Review 11-12/2011). This short article describes the project and how professionals, across the globe can share their experiences.

The project's aim

By providing examples of good and/or promising practices among multiple countries and various regions, it is hoped that professionals will be given an impetus and innovative means for implementing the Guidelines. The IM handbook is designed to be of use to all concerned actors – from care providers and civil society to governmental bodies and legislators – as well as for reporting to national and international monitoring bodies.

The IM handbook will therefore deal with all aspects and sections of the Guidelines. At the same time, a number of specific issues have been identified for in-depth examination, not because they are necessarily more important as such than others, but because they would benefit in particular from more explanation and from illustrative examples of how they might be put into practice.

Project team and funding

Nigel Cantwell, Independent Consultant and Jennifer Davidson, Director of the Centre for Excellence for Looked After

Children in Scotland (CELCIS), University of Strathclyde are leading a project team with the help of other international experts to draft the content of the IM handbook.

The project team is supported by a steering group consisting of ATD Fourth World, the Better Care Network, EveryChild, ISS, RELAF, SOS Children's Villages International (SOS-CVI) and UNICEF. ISS and SOS-CVI are in charge of the daily management of the project. The project is co-funded by ISS, the Oak Foundation, SOS-CVI and UNICEF.

Project contributions – call for assistance

The IM handbook team welcomes any information on good and/or promising policies and practices dealing in general with fundamental principles; preventing the need for, and unwarranted use of, care placements; informal care settings; and formal care provision.

To facilitate the collection of responses, a survey has been prepared by the consultants and can be completed online, at the following page: https://hass.eu.qualtrics.com/SE/?SID=SV_eJ0CWpdg4xi0E9C. The deadline for sharing examples is **4 June 2012**. All responses will be carefully considered. The final selection will be made by the consultants, steering group and select international experts. We thank you in advance for your participation and trust that the combined efforts of professionals around the world will result in a truly useful tool for the better protection of children deprived of their family.

READING SUGGESTIONS

Naître là-bas, grandir ici, l'adoption internationale [Born there, growing up here, intercountry adoption], Jean-Vital de Monléon, Ed. Belin, 2007, 301 pages

The French author is a Pediatrician at Dijon's University Hospital, where he created the 'overseas adoption consultation'. He is also a Researcher in Anthropology and an expert for the High Adoption Council. The author intends to understand why so many prejudices still surround adoption. He questions the weight of history on mentalities and analyses what happens in other cultures. He offers his personal point of view, based on his wide experience, on various psychological, legal as well as medical issues. He also addresses, in a very practical manner, the issues related to the health of adopted children and to the adoption procedure in France. This book is aimed, mainly, at adoptive parents, but will be of interest to all those in touch with adopted children.

Couleur de peau: Miel [Honey-coloured skin], Jung Kim Jun, Rossell Comics, Spain, 2008, 297 pages

Honey-coloured skin is the kind term used in Belgium to refer to the Asian colour of skin. The Cartoonist and Scriptwriter Jung Kim Jun, of Korean background, who was adopted by a Belgian family at age five, tells his own story through this excellent comic-book of approximately 300-page. The author describes, with a lot of simplicity and emotions, the conflict of identity and the prejudices he had to face during childhood and adolescence. Even though Jung Kim Jun grew up with a considerable feeling of rootlessness (and until now, he has not dared to visit his country of origin), he shares great optimism through his work, given that he has managed to find peace and to reconcile with his inner self.

Help: I've been adopted!, Brenda McCreight and illustrated by Kim Howard, Ed. Tapestry Books, 2010, 83 pages

The author, a Medical Doctor and Psychoanalyst, has specialised herself in the provision of counselling to adoptive or foster families, who face behavioural, attachment and developmental delay problems in their children. She has herself 14 children, including 12 adopted children. This book is aimed, mainly, at adopted children, who are growing up: through practical examples and advice, it helps them understand their various feelings (attachment, abandonment, sadness, trust) and to express them. The author realised that many adopted children do not understand who the various adoption actors are. This guide therefore also describes, for them, the complete adoption procedure, by explaining the respective roles of social workers, judges and foster families. The extremely concrete and down-to-earth aspect of this guide makes it a useful tool for adopted young people.

FORTHCOMING CONFERENCES, SEMINARS AND COURSES

- **France:** *Les liens parent-enfant en famille d'accueil* [Parent-child bonds in foster care], COPES, Paris, from 17 and 18 September 2012. For further information: http://www.copes.fr/Famille_societe/Placement_separations_carences_appartenance/CY12-15.
- **Scotland:** *12th European Scientific Association on Residential Foster Care for Children and Adolescents Conference*, EUSARF, Glasgow, 4-7 September 2012. For further information: <http://www.eusarf2012.org>.
- **Spain:** *Workshop AFIN: Crecer y hacerse mayor como persona adoptada en España* [Growing Up and Coming of Age as an Adoptee in Spain], Madrid, 5 July 2012. For further information: <http://sp.upcomillas.es/servicios/marketing/corporativo/Envios/pdf/Programafamiliaworkshop.pdf>

The ISS/IRC would like to express its gratitude to the governments (including certain Federal States) of the following countries for their financial support in the realisation of this Monthly Review: Andorra, Australia, Belgium, Canada, Cyprus, Denmark, Finland, France, Germany, Iceland, Ireland, Italy, Luxembourg, Monaco, New Zealand, the Netherlands, Norway, South Africa, Spain, Sweden and Switzerland.

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.