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2013: THE 20TH ANNIVERSARY OF THE 1993 HAGUE CONVENTION ON INTERCOUNTRY ADOPTION

We wish you Happy Holidays and look forward to pursuing, in 2014, our cooperation for the rights of children deprived of a family and for the implementation of this fundamental instrument that has brought us together for years!

EDITORIAL

1993–2013: Twenty years of the Hague Convention

Adopted 20 years ago, the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption has experienced a true success in terms of ratifications, but its effective implementation still raises issues. Here, a brief overview on the occasion of its anniversary.

Even though this event went unnoticed, we could not end this year 2013 without mentioning the 20 years of THE Convention, which most of our readers dedicate their daily practice to. Mostly considered like a must, but sometimes still criticised, this instrument brought about a revolution in the practice of contemporary intercountry adoption and has undoubtedly affected its understanding. However, despite indisputable progress, numerous issues remain open as to how intercountry adoption operates nowadays.

The hard reality of numbers

As we highlighted in our previous Monthly Review in relation to the 2012 statistics, and despite the fact that the number of States that have ratified the Convention has persistently been increasing (see p. 4) to reach, to date, a very respectable number of 90, the proportion of children adopted within the framework of the Convention still does not manage to globally exceed 50%. Even though it is obvious that this situation is essentially explained by the absence of political willingness in some important countries of origin as to the importance of entering the circle of Contracting countries, this number also evidences the drawing power that these countries still exercise for prospective adoptive parents, agencies ... and receiving States. The 'offer and demand' game also continues to have a predominant influence on the

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practice, by neglecting sometimes disastrous environments that prevail in some countries of origin. Is it worth remembering that '[t]he Special Commission [of 2010] reiterated the recommendation that Contracting States, in their relations with non-Contracting States, should apply as far as practicable the standards and safeguards of the Convention'?

A complex tool, aggressive criticisms

The professionals will agree: the implementation of the Convention is a complex, long and costly exercise, at least in terms of human resources. The ISS/IRC has had, several times, the honour of supporting countries of origin in this process, and has, each time, noticed how difficult it is to complete it successfully if the basic conditions that have to provide the framework for the social protection of families and children are insufficient. The risk of then seeing the establishment of a 'super' Central Authority, well-equipped with resources, is high, but then confronted with the realities in the field, which sometimes make the efforts granted in the very special field of adoption useless.

However, this contradiction may, in turn, have detrimental consequences. In the country of origin, the Convention may be perceived as an element imposed from abroad, serving, first, the interests of receiving countries. For the latter, the fact that a country of origin has ratified the Convention may be, as such, a sufficient safeguard as to how intercountry adoptions are undertaken, which is not always the case, as evidenced in our study entitled *Investigating the grey zones of intercountry adoption*.

For a few years now, it has been noticeable that sometimes very strong criticisms have been aimed at the Convention, blaming it for being a tool that legitimates abuses in adoption. These are based, exactly, on those cases in which, clearly, adoptions were very badly managed, despite the fact that they were undertaken in accordance with the Convention's formal criteria. Furthermore, some interest groups do not hesitate to blame the Convention for filling orphanages, which would increase the number of children in institutions.

A factual analysis could demonstrate, without too much difficulty, that these attacks are mistaken in their target, but they nonetheless have the merit of pushing the reflection beyond the conventional framework and to question us on the direct and indirect influence that it may have on the societies at stake. In other words, the Convention is good, but it is not sufficient.

Progress... despite it all?

Certainly progress! Remembering how intercountry adoption was practiced prior to the Convention is sufficient to consider the latter as an essential factor of progress. By establishing the child's best interests as the starting point for every procedure, it allowed for a fundamental change of paradigm, in a field in which emotional aspects had long been a driving engine that was so powerful as to justify everything.

It has meant progress for receiving countries (see p. 5), but also for many countries of origin, which have seized the opportunity of the ratification of the Convention to undertake major reforms in terms of child protection, and in particular by successfully promoting the development of domestic adoption (see pp. 7 and 8).

Finally, progress from the perspective of the significant decrease in the number of adoption 'black holes', where, in some countries and at some times, the dirtiest abuses were enabling all sorts of profiteers to prosper.

Thus, Happy Birthday to our Convention! Wishing that the age of reason that it has now reached will enable it to better establish its strengths and fight its weaknesses. The forthcoming Special Commission will therefore be an opportunity to debate these various issues, and to blow the candles on the cake.

Finally, a few words directed at our colleagues at the Permanent Bureau, who are the guardians, tutors and defenders of this instrument (see p. 4), and whose work remains essential in its day-to-day implementation, and at Hans van Loon, the 'father of the Convention', who will have accompanied it up to adulthood.

The ISS/IRC team
December 2013

Erratum : 1. In the Editorial of the previous Monthly Review (N° 176, October 2013) relating to the 2012 statistics, the percentage of children with special needs adopted by France in 2012 is 53% - not 52% as mentioned. 2. The publication *Parents par adoption, des mots pour le quotidien*, by Blandine Hamon, which was presented in our previous Monthly Review (N° 176, October 2013), has a new 2011 edition and may be ordered through Enfance et Familles d'Adoption at: <http://www.adoptionefa.org/index.php/les-autres-publications-d-efa/-ouvrages-et-guides>.



BRIEF NEWS

Haiti: Entry into force of the new law on adoption

The new Haitian law on adoption, presented in details in our Monthly Review N° 175 of September 2013, came into force on 15 November 2013. As a reminder, Haiti also signed the HC-1993 on 2 March 2011 and should soon deposit the Convention's ratification instruments with the depositary. The publication of the new law on adoption has been an opportunity for several initiatives, such as the organisation, by the Central Authority, of a forum entitled 'L'adoption en Haïti: état des lieux et perspectives' [Adoption in Haiti: Situation assessment and perspectives] on 11 and 12 December 2013, the launch of a new programme for vulnerable children, in particular street children and domestic workers, as well as the development of a foster care programme as an alternative to care centres. The ISS/IRC reiterates its encouragement for the implementation of this law and supports the technical assistance provided by the Permanent Bureau of the Hague Conference in this regard. Now, it is incumbent upon all intercountry adoption actors to offer their support to Haiti, without interfering in the processes of change and by respecting the fact that the transition towards the new system may take time.

Latin America: Launch of the campaign for the deinstitutionalisation of children under the age of three

Within the framework of the 2013 RELAF Seminar in Guanajuato (Mexico), RELAF presented the Regional Initiative on the Call for Action to end the placement of children under the age of three in protection and care institutions in Latin America and the Caribbean.

Its objective is to raise the awareness and commitment of the countries' highest authorities to promoting national and local actions to put an end to the institutionalisation of children under the age of three. The Handbook of Inputs for the experience of residential care institutions was also presented at the Seminar, and simultaneous training workshops were undertaken on the basis of the material *Planificando la desinstitucionalización de niñas y niños menores de 3 años* [Planning the deinstitutionalisation of children under the age of three].

RELAF and partner organisations presented the launch of the website *#hablapormi.org*, which includes information on the situation of the institutionalisation of children in the region, including its Proposals for States, which includes a section for the collection of signatures.

RELAF, jointly with UNICEF, presented this call for action at the Ibero-American Summit of Heads of State and Government in Panama City on 18 October. In this meeting, the following were present: Laura Chinchilla, President of Costa Rica, who led the event together with Manuel Cartes and Porfirio Lobo, respectively Presidents of Paraguay and Honduras.

References: Initiative undertaken jointly by the Inter-American Commission on Human Rights, the Latin American and Caribbean Chapter of the Global Movement for Children (MMI-LAC), the Special Representative of the United Nations Secretary-General on Violence Against children, and the United Nations Children's Fund (UNICEF); see also: http://www.unicef.org/lac/overview_26088.htm; <http://www.relaf.org/Presentaciones2013/Matilde%20Iniciativa%20Regional.pdf>; and http://www.unicef.org/costarica/media_26191.htm.



ANNIVERSARY OF THE HC-1993: THE PERSPECTIVES OF VARIOUS ACTORS

The Hague Permanent Bureau: Achievements and challenges for the 1993 Hague Convention after twenty years of operation

The Permanent Bureau reflects on the implementation of the 1993 Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, whose main goal is to establish safeguards to ensure that intercountry adoptions take place in the best interests of the child and with respect for the child's fundamental rights.

Twenty years after its conclusion, 90 States (2/3 States of origin and 1/3 receiving States) are now Parties to the Convention and are working towards this goal. The Convention has contributed significantly to restoring the integrity of intercountry adoptions, which was very much questioned at the time when the Convention was being negotiated.

Developments in States of origin and receiving States

All major receiving States are Parties to the Convention, and an increasing number of States of origin are becoming Parties. One of the achievements of the Convention has taken place *within* several **States of origin** of intercountry adoptions, where there has been a marked increase in the support provided to birth families in order to prevent family separation, as well as a considerable increase in the number of domestic adoptions. As a result, intercountry adoption has become truly 'subsidiary' to other forms of permanent *family* alternative care for children within the State (e.g. Brazil, Chile, China, Lithuania and Peru). Furthermore, some of these States now play a key role in sharing their experience with new States, which may face similar challenges. The experiences in this regard have been very positive.

Experience has also shown that, in order for a well-functioning intercountry adoption procedure to be developed in a State (including one, which is correctly placed within the hierarchy of permanent alternative child care options), it is imperative that a basic **child protection system (as a whole) is in place** in the State. If this is not the case, the implementation of the Convention will likely prove complex and children may languish in institutions.

From the perspective of **receiving States**, many of them, which became Parties to the Convention in the 1990s, saw a rise in the number of intercountry adoptions. However, from 2005 onwards, there has been a global decline in the number of intercountry

adoptions. Two main reasons can be articulated for this: in some cases, the decline is due to the moratoria on intercountry adoption put in place by certain States where intercountry adoptions were subject to serious abuses. In other cases, the decline is linked to the proper implementation of the **principle of subsidiarity** of intercountry adoption. On the one hand, reasonable efforts have to be made in the State of origin to support the birth family and, if this is not successful, to find a domestic alternative permanent family placement before turning to intercountry adoption. On the other hand, delaying indefinitely the possibility of finding a permanent home abroad for a child should not be the aim of this principle. In other words, policies should work to promote family preservation and national solutions, rather than to hinder intercountry adoptions (in most cases, institutionalisation should be the last resort). States should guarantee permanency planning, in the shortest time, for each child deprived of his family. In this respect, States should apply **strict timetables** to judicial and administrative adoption procedures in order to avoid unnecessary delays which are not in the best interests of the child concerned.

After 20 years...

Intercountry adoption has evolved and faces today a different state of affairs than when the Convention was adopted. Intercountry adoption is becoming more focused on the **adoption of children with special needs** (i.e. older children, siblings and children with health problems). More specific and professional services need to be developed in order to cope with this new reality.

There is now a living global network of over 1,000 authorities and bodies (Central Authorities, competent authorities and accredited adoption bodies) linked by the Convention. The cooperation between them, both at international and national level, is an important tool to prevent issues arising and to safeguard and facilitate the intercountry adoption process.



The **automatic recognition** of intercountry adoptions as result of the Convention in *all* States Parties is also a significant positive consequence. Adoptive parents are no longer subject to duplicate court proceedings to ensure that the child's status is recognised in their State of habitual residence. The Convention has also streamlined the process for allowing adopted children to more easily relocate to the receiving State. This leads to greater legal certainty and stability for the child and their family.

In addition, the Convention has contributed to restoring the integrity of intercountry adoption at global level, has led to greater awareness of good practices in intercountry adoption, has mobilised efforts to combat exploitation and other improper and/or unethical practices in relation to intercountry adoption, has empowered States of origin and enhanced shared responsibilities and cooperation in intercountry adoption to prevent and address illicit practices, and stimulated the building of an intercountry community around itself.

Looking to the future

However there is still much room for improvement in relation to the *implementation and operation* of the Convention. First, despite the fact that the Convention is one of the most widely ratified Private International Law conventions, approximately only 50% of

intercountry adoptions today take place under its scope. Therefore, States which are not yet a Party to the Convention are encouraged to join. Some other challenges which remain are (in brief):

- States need to be adequately prepared and have the necessary human and material resources to ensure that their legal systems can operate in accordance with the Convention's requirements;
- Special preparation and counselling for prospective adoptive parents and adoptable children with special needs should be ensured (see above);
- Strict time tables should be applied to judicial and administrative adoption procedures in order to avoid unnecessary delays (Art. 35 Convention);
- Ensure that costs and fees related to intercountry adoption are transparent and reasonable;
- Better control and monitoring of accredited bodies needs to be ensured;
- The fight needs to continue against child procurement and 'child laundering' for the purposes of intercountry adoption (including developing better preventive mechanisms); and,
- Finally, pressure from receiving States, accredited adoption bodies and prospective adoptive parents needs to be managed.

One way to continue improving the implementation and operation of the Convention is to continue providing technical cooperation and support to States in order to establish or improve the necessary domestic legal framework and robust authorities required for a safe, well-functioning intercountry adoption system. The support of other States Parties and international organisations (in particular, UNICEF, ISS and the Hague Conference) is key to the success of these efforts.

The next Special Commission meeting on the practical operation of the Convention, which will take place in 2015, will analyse in more detail, with States Parties, the achievements and the challenges, which remain to be addressed to improve the implementation of the Convention worldwide.

Norway: The 20th Anniversary of the HC-1993 from the perspective of a receiving State

The Norwegian Central Adoption Authority - the Directorate for Children, Youth and Family Affairs - shares its experience in implementing the HC-1993 as well as its views on the considerable impact of such an instrument at national and international level.

The HC-1993 entered into force in Norway on 1 January 1998, which was about the same time as for most other Nordic countries. The HC-1993 is based on the UN Convention on the Rights of the Child and on universal principles underlying child welfare and intercountry adoption, by setting up an elaborate

system of cooperation between States aimed at fulfilling these standards based on equality.

Initial developments to implement the HC-1993

As Norwegian national intercountry adoption policy and practice were aimed at following the same fundamental principles since the early days of



intercountry adoption, the HC-1993 was welcomed by the Government and made the ratification process a rather easy one. Practically, all interested agencies and bodies consulted by the Government were in favour of Norway becoming a Party to the HC-1993. Even so, its implementation made it necessary to improve and strengthen our domestic system further in order to comply with the requirements of the Convention. To that end, amending legislation and regulations were passed. This, however, remains an ongoing process, and the issue of new legislation on adoption is currently being debated by a National Commission appointed by the Government. On the whole, the requirements of the HC-1993 constitute the main rule of conduct for the Government in all aspects of intercountry adoption.

Key contributions and safeguards of the HC-1993

The HC-1993's sharing of functions between States of origin and receiving States, and other procedural requirements of the Convention, have contributed to making the handling of individual adoption matters safer and more predictable at international level. Among the procedural articles, we would like to point out the requirement provided for in Article 17.c (relating to the agreement of both States to proceed with an adoption). This provision represents an innovation in international adoption norms and, as such, an additional safeguard for the child and for the cooperation between the two States concerned. At national level, we can say that the HC-1993, among other aspects, has strengthened the relationship between the Government and our accredited bodies, improving their cooperation as well as the supervisory functions. After all, we regard the HC-1993 as an important factor of progress internationally as well as at national level.

The HC-1993 provides an essential safeguard by excluding exclusively private adoptions and most independent adoptions, as defined in the Hague Conference's *Guide to Good Practice No 1*. Only independent adoptions carried out within the framework of Article 22.2-5 are accepted. Thus, the HC-1993 makes it clear that there is no room for

'market liberalism' in intercountry adoption, which is the best way to prevent trafficking in children and, thereby, illegal adoptions.

Hague Convention practice vs non-Contracting States in the current context of intercountry adoption

Norway also adopts children from States, which are not Parties to the HC-1993, for example from long-standing intercountry adoption States, such as the Republic of Korea. As the situation stands today (see Monthly Review N° 176), we would probably be rather critical as to cooperation with new non-Contracting States. In any case, it is an absolute prerequisite for cooperating with non-Contracting States that they have developed and operate national intercountry adoption systems which, in all essential matters, meet the principles and requirements of the HC-1993. Should that no longer be the case, for instance, if a State of origin was developing a new practice deviating from the standards of the HC-1993, Norway would take steps to end its intercountry adoption cooperation with that State.

During the last years, the international adoption community has seen a rather drastic decline in the number of children adopted internationally. There may be many reasons for this, one of them being the fact that many States of origin have had a gradual improvement of the population's living conditions over the last decade or more. The result is, among others, an increasing number of domestic adoptions, specially of younger and healthier children. This development is in full accordance with the subsidiarity principle of the HC-1993, which gives priority to the child's permanent family care in his State of origin. Thus, the decline in the number of intercountry adoptions may, in no way, 'be blamed on' the requirements of the Convention. As we now see, intercountry adoption is gradually shifting to other groups of children, like older children and children with special needs and to new States of origin, which will all benefit from the HC-1993's guarantees and safeguards for the years ahead.

Having practiced the HC-1993 for many years, we have been even more conscious of the significance of sound and adequate principles and transparent procedural requirements, as laid down in the Convention. These are, and will be, the best safeguards for the child and the other parties in the adoption triangle. Last but not least, the HC-1993 has led to a higher degree of open-minded contact amongst Central Authorities, both bilaterally (see, for instance, Article 33) and on a regional or multilateral basis through, for instance, follow-up meetings and Special Commissions at the Hague Conference (see Article 42).



Peru: The perspective of a country of origin on the HC-1993

Eda Aguilar, Director of the General-Directorate for Adoptions, provides us, in this article, with her perspective as to the impact the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption has had on the Peruvian adoption system.

The HC-1993 was signed by the Peruvian State on 16 November 1994, approved on 1 June 1995 through Legislative Resolution N° 26474 and ratified on 14 September of that same year. The application of the HC-1993 throughout its period of effect has contributed to the development of the adoption system in Peru in a significant manner and at various levels, as detailed below.

Establishment of an ethical adoption framework at domestic and international level

The first impact of the HC-1993 is linked with the understanding of the ethical framework, which is included and developed by the Convention and its progressive application. Even though this legal international instrument aims to establish a general framework to be implemented in intercountry adoption procedures, this does not exclude the fact that it may and must also be used in domestic adoption procedures.

In Peru, based on the initial reactions caused by the entry into force of the HC-1993, it was decided, 15 years ago, to give a hundred and eighty degree turn in the development of the adoption procedure. Since the approval of Law N° 26981 (1998), and to date, Peru is still of the few countries that has an adoption procedure that is fully undertaken and under the responsibility of an administrative authority. The experience in the administrative system has shown us that the rights of children are not only protected based on legal definitions but, above all, on the understanding and experience of psychosocial work. This work must be undertaken by specialised bodies, which provide exclusive care to children and in particularly swift times. A system that works with these characteristics allows for trust, security and transparency in the service.

This positive impact of the HC-1993 still continues, given that a new draft adoption law is expected to be discussed in National Parliament. This draft law would enable to regulate essential aspects that are recognised in the HC-1993 – such as the biological identity and the right to search for one's origins, the recognition of the adoption as a right of children to live in a family (a family for a child rather than a child for a family) or the specific regulation of cases of

children under priority adoptions¹ – thereby ensuring a more ethical and specialised approach to adoption.

A better understanding of the culture of adoption in receiving countries

The second impact of the HC-1993 is linked to the reception and formal and institutional processing of intercountry adoption requests, which have enabled Peru to gain further understanding and experience, as a country of origin of adopted children, in relation to the development of the culture of adoption in the countries of residence of the families requesting intercountry adoptions. As from the approval of the administrative adoption procedure, the reception and submission of adoption procedures, whether domestic or intercountry, in accordance with the needs and requirements of the children, has been institutionalised and formalised. Guidelines were adopted to allow for the regulation of the accreditation of bodies authorised by their countries for the submission of intercountry adoption requests, in addition to regulating the number of bodies and the number of requests that these could submit. To date, this situation has generated more openness in the number and the conditions that foreign applicants must consider when adopting in the country. This has allowed us to apply what is suitable to domestic families, thereby generating a higher number of information and awareness-raising spaces relating to adoption.

A concrete application of the children's right to live in a family environment through adoption

Finally, it is worth highlighting that the HC-1993 has been a starting point to ensure, for thousands of children, their right to live in a family through adoption, and as a priority, in a Peruvian family in accordance with the principle of subsidiarity enshrined in the same Convention. In this sense, Peru has experienced the important development of an internal culture of adoption and now benefits from a high number of Peruvian applicants, who adopt in Peru, reaching already so far this year, a high percentage amongst all adopters (61% of prospective adoptive parents are Peruvian nationals). However, we currently face the difficulty of not finding applicants to adopt those 355 adoptable children and adolescents, who are registered on the Peruvian system of priority adoptions (children over the age of



nine, adolescents, groups of siblings, children with a disability or health problems). For these children, we need particularly trained and decided families, with the possibility of providing them the required care

and protection. These applicants should also benefit from the support of their countries' social and health services, in order to channel, to their best, the parental responsibility of these children.

Thus, we greet the 20 years of the HC-1993 and we continue to hope that, notwithstanding advancing to improve our adoption procedures, more countries continue to review the need to accede to this important international instrument of protection and care of the rights of children and adolescents without parental care and who are deprived of family protection.

Note:

¹ This terminology refers to the adoption of children with special needs, *i.e.* children over the age of nine, adolescents, groups of siblings, children with a disability or health problems.

PRACTICE

Burkina Faso: One more step for domestic adoption

Burkina Faso's Central Authority in adoption matters (Ministry of Social Action and National Solidarity/Placement and Adoption Directorate) held a Training of Trainers in Ouagadougou from 4 to 9 November 2013, on the support provided to families seeking domestic adoption.

The training, organised in collaboration with the Danish accredited adoption body AC Child Support and the ISS/IRC, aimed to train 35 social workers from the country's 13 regions, in order to improve the information offered to, and the preparation of, applicant families for domestic adoption. Several topics were addressed, including: the legal aspects of domestic adoption as well as the various stages of the preparation of the parents, the waiting period for adoption, and the preparation of the adoptive parents for their first encounter with their child as well as the preparation of the child for adoption. At the end of the programme, the participants developed key skills, such as the importance of the probationary period for both the child and the adoptive family.

Domestic adoption is on a sharp increase

This event reflects the commitment and efforts of Burkina Faso's government in prioritising and developing domestic adoption in accordance with the principle of subsidiarity. In addition, this training addresses a growing phenomenon, as shown by the latest figures provided by the Central Authority of Burkina Faso: domestic adoption accounts for 34 % of all adoptions in Burkina Faso in the last five years (241 domestic adoptions compared to 462 intercountry adoptions between 2007 and 2012).

Burkina Faso has been successful in promoting domestic adoption and has quickly achieved meaningful results: 55 domestic adoptions in 2011 compared to seven in 2007¹. These data may encourage Burkina Faso in its attempt to reverse the flow of adoption, *i.e.* to undertake more domestic adoptions than intercountry adoptions. However, it is worth keeping in mind that the profile sought by Burkina Faso's adoptive families is, unsurprisingly, very young children (under two years old), who are healthy, and with a clear preference for girls.

Prospective challenges for professionals

Promoting the domestic adoption not only of boys, but also of children with special needs (children over the age of two, groups of siblings, children with specific medical needs), seems to be a necessary next step for Burkina Faso in order to succeed in reversing the trend of adoption. This process entails not only increasing the awareness of the general public but also through information and increased awareness-raising of Burkina Faso's applicant families. The social workers trained through this course not only have a key role to play in preparing and supporting families in their adoption plan, but also in leading them progressively towards other profiles of children, in relation to their special needs. ISS wishes every success to the professionals involved in this rich task of supporting families.

Source:

¹ Figures shared by the Central Adoption Authority of Burkina Faso (Ministry of Social Action and National Solidarity/Placement and Adoption Directorate).

Quebec (Canada): The development of children adopted through the Mixed Bank

This article presents a study undertaken by Marie-Andrée Poirier and Sylvie Normandeau¹, Professors, and Geneviève Pagé, Ph.D., all at the University of Montreal, on the development of children placed in foster care in view of their adoption. Adoption through the Mixed Bank has existed since 1988 and has born its fruit, as evidenced by the numbers mentioned in this article.

The objective of the Mixed Bank programme is to enable children at high risk of abandonment, or whose parents are unable to meet their needs, to be placed at the earliest possible time, within a stable family, interested in caring for them as a foster family with a potential adoption, thus the name 'mixed-bank'. It is worth mentioning, however, that one of the initial principles of Quebec's Youth Protection Law [*Loi sur la protection de la jeunesse*] is to maintain the child in his family environment by undertaking all that is possible to meet this objective. Unfortunately, in some situations, maintaining or returning the child is not possible and an alternative life project for the child must be determined.

General data on the Mixed Bank programme

The biological parents of children placed via the Mixed Bank face personal difficulties, which prevent them from securing their children's care, maintenance and education. The stability offered to the child by the Mixed Bank promotes his development, in terms of safety, trust and self-esteem.

The biological parents' consent to the adoption, or the Judge's decision, enables the child's adoption by a foster family on the Mixed Bank programme.

In 2012-2013, 295 adoptions were undertaken in Quebec. Even though the data systems currently do not make it possible to distinguish regular adoptions from Mixed-Bank adoptions, the majority are of the Mixed-Bank type.

At the time of a study in 2007, 80 children adopted through this type of adoption were aged 15 years or older. In an attempt to trace these young people, phone interviews were undertaken with 49 adoptive parents and 23 young people.

Profile and life journey of children placed in foster care in view of their adoption

A first step in this study was to analyse the protection and adoption files of these 80 young people. This analysis demonstrated, first of all, that the main reason for the foster care placement was linked to the mother's way of life (mainly drug addiction or mental health problems), and then to neglect and abandonment. When the surveyed young people were placed in view of their adoption, most of them had already experienced a foster care placement (83%). On average, these children had experienced four different living environments since their birth.

With regards to their profile, it appears from this study that the children placed with their foster families were aged between under one year old (most of them) and eight years old at the time of their adoption. The great majority had biological siblings, but none of these children was adopted by his extended family. Finally, it is interesting to note that over 10% of the biological mothers had, themselves, been adopted.

Adoptees, who have become adults

The 23 young people, who were phone interviewed, were asked how they experienced their adoption. 91% of those surveyed stated that they felt that they belonged to their adoptive family and over 75% did not feel different due to their adoptive parentage. These results were reflected in the words of the adoptive parents: 80% stated that, if it had to be done again, they would adopt the same young person again and 94% felt that their child belonged to their family in the same way as the other members. Finally, an important fact: over half of these young people felt ready to adopt in the future.

With regards to their educational and professional life, it is positive to see that the great majority of the young people study and have had a paid job over the last year. In addition, the majority of the parents surveyed felt pleased with their adopted child's school success.

On these young people's exit from the family home, approximately one third of the surveyed parents stated that their child had left the family home, either to escape from a conflict, to attend an academic institution, or to become more independent. Amongst the children in conflict with their family, some left the home to be placed within a new foster family in cases of serious behavioural problems (10 out of 49, i.e. 20%).

Precious data on the triangular relationship: adoptees, biological parents and adoptive parents

From the adoptive parents' perspective, it is, first of all, very positive to observe that all the surveyed families stated to have talked about the adoption with their child. The great majority of the surveyed parents consider themselves to still be close to their child; only very few of them (4.5%) no longer have contact

with them. According to the adoptive parents, approximately half of the young adoptees appear to have maintained contact with their family of origin (mother, father, grandparents or siblings) and the parents felt comfortable with this approach. It is worth remembering here that the contact between the child and his biological parents must be accepted by the adoptive family in this context. Finally, it is interesting to observe that most of the couples that were married or lived together at the time of the adoption still remain in this situation at the time of the survey.

As to the young adoptees, most of them consider to have quite a close relationship with their adoptive parents. Under a third of the young people stated to have maintained contact with at least one member of their family of origin. Amongst those, who had no contact, a third initiated efforts to do so, and another third wished to initiate steps towards doing so.

It is a shame that the biological families could not be interviewed in the framework of this study, given that their perspective is necessary for the understanding of the adoptive dynamics.

This study is valuable insofar as it focuses, not only on the development of the adopted children following a foster care placement, but also on the development of relationships between the latter and their biological and adoptive families. By demonstrating that a large part of these adoptions have developed successfully, this study highlights the virtues of foster care placement in view of adoption, provided, of course, that the parents are duly assessed and prepared, as these two forms of care are different.

Reference:

¹ Poirier, M-A., Carignan, M., and Pagé, G. (2009), *Les enfants adoptés via le programme Banque-mixte: quel est leur portrait 15 ans plus tard?* [Children adopted via the Mixed Bank programme: What is their portrait 15 years later?], workshop presented at Montreal's Youth Centre - University Institute, 11 June. Sylvie Desmarais, Counselling Director of Youth Protection and Client Services at Quebec's Association of Youth Centres, also contributed to the review of this article. For further information on this study, please contact Geneviève Pagé, genevieve.page@uqo.ca.

INTERDISCIPLINARY RESOURCES

Romania: The Foundation Saint Dimitri's prevention actions against the breaking up of families

The Saint Dimitri Foundation, through its Social Centre for Children, offers a welcoming and supportive environment for children in difficult circumstances. The Centre therefore plays an important role in the prevention of school and family abandonment.

The Saint Dimitri Foundation in Romania is a concrete example of support provided to vulnerable families, and acts preventively with children still living within their families but prone to dropping out of school and/or abandoning their home. In 1998, the Foundation launched the project 'Social Centre for Children'. Aimed at helping street children, the Centre quickly refocused its activities on the profound problem of the breakdown of families.

The Social Centre for Children: Supporting and listening to children

The creation of the Social Centre for Children is in line with the Guidelines for the Alternative Care of Children¹, which underline the importance of the child's development in his family environment. This concept implies supporting vulnerable and disadvantaged families so as to 'strengthen their capacity to care themselves for their children'.

Open all day and all year from Monday to Friday, the Centre has cared for around 1,500 children since its inception. These are mainly aged between six and 15 years and come 'from very poor and often dysfunctional families, with a high risk of social isolation and with the inability to provide minimum conditions for the subsistence, development and education of their children'.

The Social Centre is mainly involved in the prevention of school and family abandonment, the prevention of social exclusion and aims to improve the quality of life and future prospects of children. It focuses as much on the welfare of the child within his family as on his self-esteem, and attempts to develop with him his interpersonal and social skills as well as his school integration.

In order to achieve the latter, a whole range of socio-educational programmes is offered. A multidisciplinary and qualified team accompany the

children in a variety of activities. They receive lunch and snacks, support with their homework, they can participate in educational and recreational activities, summer camps and creative workshops. Throughout their stay at the Centre, the children are monitored both on a medical and psychological level. A sponsorship programme has also been set up to provide financial assistance to single-parent families or families with several children that have a very limited budget.

The help in the development of children is beneficial for family cohesion

The Centre's team has undertaken an important job of monitoring children and communicating with the family to ensure positive results. According to the presentation report of the Foundation Saint Dimitri, the results observed among children include:

- an increased interest in school and school activities,
- an improved capacity to concentrate and communicate,
- improved self-esteem and personal autonomy,
- improved interpersonal and family relationships.

Among the parents, the assistance provided by the Centre contributes to:

- the development and consolidation of parenting skills,
- an increase in the assumption of their responsibilities,
- improvements in the family situation.

As reiterated by the Foundation Saint Dimitri itself, its main purpose is to 'provide, every day, to particularly disadvantaged children, a safe and comforting place, a space for listening and learning, an open door to a future of quality'.



The ISS welcomes the initiative taken by the Foundation Saint Dimitri to focus its efforts on preventing school and family abandonment. The assistance offered to children and families in difficult situations is beneficial and allows the children to develop within their family environment whilst receiving outside help.

Source:

¹ Guidelines for the Alternative Care of Children, <http://www.iss-ssi.org/2009/index.php?id=25>. Presentation Report of the Foundation Saint Dimitri, available at the ISS/IRC in French.

ISS ACTION WORLDWIDE

West African regional standards: A handbook for the harmonisation of practices relating to the protection and reintegration of children in situations of vulnerability

Prepared by the West African Network for Child Protection (WAN¹), with the valuable support of the Swiss Branch of the International Social Service, this handbook is aimed at professionals and offers methods to facilitate their work with children in situations of vulnerability, in particular with displaced children.

A small orange book, which attracts the attention among folders and papers. Its title, *Support procedure and West African regional Standards for the protection and reintegration of vulnerable children (including “children on the move” and young migrants)*, reveals its ambition: to harmonise professional practices in West Africa. Its strength: this tool has been drafted by a dozen NGOs as well as by the Child Protection Ministries of 12 countries in the sub-region. The standards suggested – written in simple and clear terms – allow for a precise view of the methods and approaches to be adopted by professionals for the quality care of children in situations of vulnerability.

Eight well-distinguished stages

Divided into eight stages, this handbook offers, for each of these, a clear and concrete overview of the actions to be adopted by the professionals in contact with the children. These stages are considered as fully-integrated parts of the ‘minimum alternative care package’ for children and are developed as follows:

- the identification,
- the emergency care of the child,
- the study of the child’s personal situation,
- the assessment of the child’s family situation and environment,
- the alternatives for the out-of-home placement of children,
- the child’s social, educational or professional reintegration,
- the monitoring of the child upon his return,

- the support for the development of parental and community capacities.

Concise and relevant methodologies across the various chapters

This handbook combines practical advice and life experiences, by presenting, at the beginning of each chapter, a short but captivating account of a child or an adult in one of the situations aimed at and having benefitted from the help of professionals.

Subsequently, the professional will find advice and methods relating to the issue at stake, as well as an ethical framework, which emphasises, in particular, listening to the child, his participation and the consideration of his aspirations and his personality.

Finally, the last part of each chapter raises, at first, all the warning signals that may draw the attention of the professional to the indicators that could conceal more in-depth problems or problems that deserve reflection (the family or community’s refusal to cooperate, the child’s refusal to return to his family, etc). Secondly, concise and very useful checklists are provided. These – which may be easily distinguished thanks to a different design – sum up the important points to keep in mind, the central questions to ask in relation to the child and those actions to be undertaken.

A quality tool open to a wide audience

The commitment and the participation of numerous field actors, as well as of the children’s countries of origin, provide this handbook with great strength and legitimacy. It can be sensed, from the development of



its structure and the relevance of its content, that genuine work has been undertaken in order to facilitate and clarify the work of the professionals with displaced children. This handbook may indeed be extended to an audience working in other wider childhood-related fields, in particular given the

fundamental principles that it promotes, such as the information and the consideration of the child's opinion, the right of each child to the respect for his dignity, as well as each child's right to grow up in a family environment and to have life perspectives.

Source:

¹ See: West Africa Network for the protection of children, http://www.resao.org/en/the_West_Africa_Network.

For further information, the publication is available in French, English and Portuguese at the Fondation Suisse du Service Social International, 9, Rue du Valais, Case postale 1469, CH-1211 Geneva 1, Switzerland; ssi@ssiss.ch; www.ssiss.ch.

FORTHCOMING CONFERENCES AND TRAININGS

- **France:** *Contexte actuel de l'adoption internationale: aspects juridiques, éthiques et pratiques* [The current context of intercountry adoption: Legal, ethical and practical aspects], Alpa le Fil d'Or, presentation by Marie Jenny, ISS/IRC Project Coordinator, Paris, 7 February 2014. For further information, see: www.alpa-lefildor.fr. Alpa Le Fil d'Or is a new facility aimed at preparing and supporting prospective adopters in Paris. It is led by a Scientific Committee and a Technical Council, whose members are specialists in the fields of childhood and adoption.



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